A SHORT HISTORY OF THE ELECTORAL COMMISSION OF SIERRA LEONE:
1961 - 2010

By
Mohamed N. Conteh
FOREWORD

As someone who has been involved in all aspects of the electoral process and the management and conduct of elections, be it presidential, parliamentary or local government elections, it is indeed a pleasure for me to write the foreword to this monograph.

In doing so, I have of necessity got a glimpse of its contents which readers will encounter as they go through its pages.

The author is an insider when it comes to dealing with election administration, having gone through the ranks to become a Commissioner of the National Electoral Commission commonly referred to as NEC.

In a single document, he has not only catalogued the political and electoral developments of Sierra Leone from its inception as an independent nation in 1961 to recent times but has also highlighted the transformation of NEC from an arm of the government into an independent professional public institution that has gained wide international recognition.

This document is, without doubt, a product of hard work through which the author has given its readers insight into the composition, roles and functions of NEC, its vicissitudes and the travesty of national elections that it conducted in the 1970s and 1980s.

It has indeed laid the foundation for building blocks for the promotion of sustainable democracy, good governance and an enlightened citizenry and will be useful for election administrators, politicians, researchers and even the general reader.

It is a simple, readable and easily understood document and my advice to those who come across it is to make it part of their libraries.

Dr. Christiana A.M. Thorpe
Chief Electoral Commissioner/Chairperson
PREFACE (ABSTRACT) AND ACKNOWLEDGEMENTS

This monograph is an introduction to the history of Sierra Leone’s Election Management Body (EMB), called the Electoral Commission (EC). It is written specifically to provide, inter-alia, general information on the history and electoral developments which took place within the EMB from 1961 to 2010. Much emphasis is laid on the process of transforming the EMB, from a poorly equipped and dependent body on the Executive arm of Government (i.e. Ministry of Internal Affairs, from 1961 to 2004, with little capacity to conduct credible democratic elections), into a credible independent and professional public institution by 2010.

This work lays a strong foundation for a more advanced critical study of the institution established by the Constitution to register voters, organize and conduct elections for President, Members of Parliament (MPs), elected representatives of local councils and referenda.

As it provides useful information on electoral developments in the country, including elections conducted from 1951 to 2008, the monograph is particularly useful to Election Administrators, NGOs, and researchers on electoral democracy and EMB’s in Sierra Leone, political parties, politicians and the general reader.


I owe a lot of gratitude to the Almighty God and all those accomplished writers and organisations whose works formed the basis of research in the
writing of this monograph. I am also grateful to the Board members and staff of the National Electoral Commission for their support and encouragement in the writing of this monograph. My final gratitude goes to my family (i.e. my wife, Agnes, and children: Fatima, Aisha and Hawa Conteh), my driver (Mark Sesay) and my Security (Abdulai Kargbo).

The views expressed in this monograph (except otherwise stated) are solely mine. All comments or suggestions with a view to enhance this work are welcome and should be addressed to:

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The author, Mohamed N’fah-Alie Conteh, is an Election Administrator attached to the Electoral Commission of Sierra Leone (NEC) since 1990. He is currently one of the 5 Electoral Commissioners, comprising the board of the Electoral Commission. Since he became a member of the Commission (first as a staff member from 1990-2009, and then as Electoral Commissioner, since 21st May 2009), he has been very instrumental in transforming both the body responsible for conducting national elections and the system of administering them, from one of the worst structures and managed systems during 1970’s and 1980’s to a model system in Africa by 2010.


He is a Sierra Leonean.
Dedication

This work is dedicated to the board of Commissioners and staff (both past and present) of the Electoral Commission of Sierra Leone.

Note

The author is in search of democratic institutions, interested individuals or other elections related INGOs that are willing to sponsor the publication of this monograph; as a demonstration of their commitment to the promotion of democratic governance in Sierra Leone.

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### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AAEA</td>
<td>Association of African Election Authorities</td>
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<tr>
<td>ADEO</td>
<td>Assistant District Electoral Officer</td>
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<td>AFRIC</td>
<td>Armed Forces Revolutionary Council</td>
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<td>APC</td>
<td>All Peoples Congress</td>
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<td>BD</td>
<td>Boundary Delimitation</td>
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<td>BEAC</td>
<td>Basic Electoral Administration Course</td>
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<td>BRIDGE</td>
<td>Building Resources In Democracy, Governance and Elections</td>
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<tr>
<td>CEC/Chair</td>
<td>Chief Electoral Commissioner and Chairperson</td>
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<td>DEO</td>
<td>District Electoral Officer</td>
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<td>DFID</td>
<td>Department for International Development (British)</td>
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<td>EC</td>
<td>Electoral Commission</td>
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<td>EC</td>
<td>European Commission</td>
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<td>ECONEC</td>
<td>ECOWAS Network of Electoral Commissions</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>ELA, 2002</td>
<td>Electoral Laws Act, 2002</td>
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<td>EMB</td>
<td>Electoral Management Body</td>
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<td>EOC</td>
<td>Elections Offences Court</td>
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<td>ERSG</td>
<td>Executive Representative of the (UN) Secretary General</td>
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<td>EU</td>
<td>European Union</td>
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<td>GoSL</td>
<td>Government of Sierra Leone</td>
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<td>HRMO</td>
<td>Human Resource Management Office (formerly Establishment Secretary’s office)</td>
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<td>I.e.</td>
<td>id est. “that is”</td>
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<td>Ibid</td>
<td>Ibidem i.e. ‘in the same place’/work as quoted above’</td>
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<tr>
<td>IDEA</td>
<td>Institute for Democratic Electoral Assistance.</td>
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<td>IFES</td>
<td>International Foundation for Election Systems.</td>
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<td>INEACE</td>
<td>Institute of Electoral Administration and Civic Education.</td>
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<td>INEC</td>
<td>Interim National Electoral Commission</td>
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<td>INGO</td>
<td>International Non Governmental Organization</td>
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<td>Acronym</td>
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<tr>
<td>IT</td>
<td>Information Technology</td>
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<td>JICA</td>
<td>Japan International Cooperation Agency</td>
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<td>LGA, 2004</td>
<td>Local Government Act, 2004</td>
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<td>LPA</td>
<td>Lome Peace Agreement</td>
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<td>MDAs</td>
<td>Ministries, Departments and Agencies</td>
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<td>MIALGRD</td>
<td>Ministry of Internal Affairs, Local Government and Rural Development</td>
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<td>MoFED</td>
<td>Ministry of Finance and Economic Development</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>NEC</td>
<td>National Electoral Commission</td>
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<td>NEC Act, 2002</td>
<td>National Electoral Commission Act, 2002</td>
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<td>NGO</td>
<td>Non Governmental Organization</td>
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<td>NPRC</td>
<td>National Provisional Ruling Council</td>
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<td>ONS</td>
<td>Office of National Security</td>
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<td>Op.cit</td>
<td>“Opere citato” – “in the work cited” (some where in this monograph)</td>
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<td>PC</td>
<td>Paramount Chieftaincy/Chief</td>
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<td>PEA-2012</td>
<td>Public Elections Act, 2012</td>
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<td>PPRC</td>
<td>Political Parties Registration Commission</td>
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<td>RUF</td>
<td>Revolutionary United Front</td>
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<td>SLP</td>
<td>Sierra Leone Police</td>
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<td>SLPP</td>
<td>Sierra Leone Peoples Party</td>
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<tr>
<td>SRSG</td>
<td>Special Representative of the (UN) Secretary General</td>
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<td>UMANSIL</td>
<td>United Nations Mission in Sierra Leone</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>USAID</td>
<td>United States Aid</td>
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<td>VR</td>
<td>Voter Registration</td>
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<td>WANEP</td>
<td>West Africa Network for Peace building</td>
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CHAPTER 1

HISTORICAL CONTEXT

Historical and political developments

British Philanthropists founded the Sierra Leone colony on the Sierra Leone peninsula in 1787 as a “Province of Freedom”; or better still, a settlement for freed slaves from Britain, commonly called “the Black Poor”, and ex-service men of the British Crown in the American War of independence; and “recaptured” slaves from slave traders along the Bay of Guinea.

The first form of British administration in the Sierra Leone Colony (after the failure of the first settlement at Granville town, called Province of Freedom) was company rule by the Board of Directors of the “Sierra Leone Company”, which was founded in London in 1791 to trade with the Sierra Leone Colony. The Board of Directors appointed a Governor with legislative powers and an advisory council to administer the Colony. The settlement was declared a Crown Colony in 1808 and its inhabitants were given the status of British subjects. Later in the years to come, British colonial administration increased its sphere of influence from the Colony to the hinterland (now called Provinces), which was declared a Protectorate in 1896. Both the Crown Colony and the Protectorate constitute what is called Sierra Leone today.

Constitutional developments took place from 1863 until the country gained independence on 27th, April 1961 and a Republican status on 19th April, 1971. Sierra Leone was declared a one party state in 1978 under the All People’s Congress (APC) party, following a referendum, which approved a one-party Constitution. Another referendum held in August 1991 approved a new Constitution, which became the 1991 multi-party Constitution.

Sierra Leone’s experience with western democracy (that is, electoral democracy and political party pluralism) goes back to 1951, with the formation of true political parties and the holding of the first general elections under the tutelage of
the colonial power, Britain. General and Local Government elections have since been conducted from 1951 to 2008; some “free and fair”, while others were not (especially elections conducted during the period 1973–1986), to say the least. Sierra Leone’s democratic experience had been intermittently halted by military coups as follows:

- 21\textsuperscript{st}, March 1967 to 26\textsuperscript{th} April 1968;
- National Provisional Ruling Council (NPRC) from 29\textsuperscript{th} April 1992 to 29\textsuperscript{th} March 1996;
- Armed Forces Revolutionary Council: 25\textsuperscript{th}, May 1997 to 10\textsuperscript{th} March 1998

**Civil War: 1991 – 2002**

Sierra Leone had a civil war from 23\textsuperscript{rd} March 1991 to 18\textsuperscript{th} January 2002, between the Revolutionary United Front (RUF) and successive governments. It began on the 23\textsuperscript{rd} March 1991, when a group of armed persons of the RUF, comprising discontented “radical youths and itinerant diamond diggers” among others, “led by a British-trained former army corporal, Foday Saybana Sankoh, who had been imprisoned by President Stevens in the 1970s”\textsuperscript{1}, attacked the town of Bomaru in Upper Bambara chiefdom, Kailahun district. This was the most violent armed conflict with devastating social, political and economic consequences in the country’s post independence history.\textsuperscript{2} Of significance, the rebellion temporarily halted the momentum towards multi-party elections, as it led to the overthrow of the APC and ushered in the military in 1992 (Kandeh, 1998). Through the assistance of the UN, the international community and ECOWAS, the war was officially declared over on the 18\textsuperscript{th} January 2002, after the successful completion of a disarmament process of over 50,000 ex-combatants. This declaration was followed by the conduct of 14\textsuperscript{th} May 2002 Presidential and Parliamentary Elections, and the establishment of a Special Court for Sierra Leone by the UN in collaboration with the Government of Sierra Leone; “to try those who bear the greatest responsibility for serious violations of international...

\textsuperscript{1} Sierra Leone\textquotesingle s Presidential and Parliamentary Elections 14\textsuperscript{th} May 2002: Report of the Commonwealth Observer Group p5
\textsuperscript{2} “It is estimated that the war cost 50,000 lives and was noted for its brutality, including amputations and widespread sexual violence”. International Crisis Group, 2002 p1. Human Rights Watch, 2003. Quoted by Magnus Ohman, 2007 Presidential and parliamentary elections in sierra Leone (2008) p1.)
humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30th November 1996” (Report of Commonwealth observer group on the 14th May 2002 presidential and parliamentary elections).

**Administrative Divisions and Local Government**

Sierra Leone is divided into four administrative regions: three provinces (North, East, and South) and the Western Area where Freetown, the capital is located. The Resident Minister (who is the political head) and a Provincial Secretary (who serves as the regional administrative head) perform the work of the central government in running each of the provinces. A District Officer (D.O), appointed by the central government, ran the district administration from colonial days up to the 2004 local Government elections. However, following these elections, the office of the DO was abolished and replaced with the elective office of the District Council Chairperson. The All Peoples Congress (APC) administration re-introduced the office of District Officer in each provincial district, effective 10th June 2011.

The provinces are sub-divided into 12 districts (Kailahun, Kenema Kono in the East; Bo, Bonthe, Moyamba, Pujehun in the South; Bombali, Koinadugu, Tonkolili, Port Loko and Kambia in the North), made up of 149 chiefdoms. A traditional leader called Paramount Chief, who is indirectly elected by Chiefdom Councillors for life, heads each chiefdom. Only members from established ruling houses are allowed to contest.

Sierra Leone is a unitary republic with a presidential system of government, as provided for in the 1991 Constitution. The President has executive powers. The Vice President and the Cabinet members are drawn outside of Parliament i.e. separation of powers.

There are various forms of local council administrations. Nineteen (19) local councils currently exist in the country. They are as follows:

five (5) **City Councils** (one in the Freetown Municipality called Freetown City Council, one each in Bo, Makeni, Koidu-New Sembehun and Kenema); one (1)
**Municipal Council** (in the township of Bonthe,); and 13 **District Councils**, one in each of the 12 provincial districts and one in the western area rural district. Each local council serves as the highest political authority in its respective locality (i.e. District or City) with legislative and executive powers, which it exercises in accordance with the Local Government Act, 2004

**Electoral Legal framework**

The following are part of Sierra Leone’s electoral legal framework for public elections i.e. Presidential, Parliamentary, Local Government and Paramount Chieftaincy elections:

- The Constitution of Sierra Leone, 1991 (Act No. 6 of 1991); including amendments;
- The Public Elections Act, 2012 (PEA, 2012);³
- The Political Parties Act, 2002 (Act No. 3 of 2002), including amendments;
- The Local Government Act, 2004 (Act No.1 of 2004);

**Other elections related legislation include the following:**

- The Independent Media Commission Act, 2000 (Act No. 12 of 2000);
- The Sierra Leone Citizenship Act, 1973, including all the amendments;

³ This Act was passed on 1\(^{st}\) May 2012. It received presidential assent on 7\(^{th}\) May 2012, thus repealing the National Electoral Commission Act, 2002 and the Electoral Laws Act, 2002.
Regulations adopted by the National Electoral Commission (NEC) also form part of the electoral Legal framework e.g.

- Constitutional Instrument No. 2 of 2008: the Wards (Boundaries) Regulations, 2008;

International legal instruments

Sierra Leone has signed/ratified elections related international legal instruments (both regional and international) on human and political rights. The most prominent amongst them include:

- International Covenant on Civil and Political Rights (ICCPR) 1966;
- International Convention on the Elimination of Racial Discrimination (ICER), 1965;
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), 1979;
- The Convention of the Political Rights of Women (CPRW), 1952.

Regional legal instruments include:

- The African Charter on Human and Peoples’ Rights (ACHPR), 1981;
- The Declaration of Political Principles of the Economic Community of West Africa States (ECOWAS), 1991;
- The ECOWAS Protocol on Democracy and Good Governance, 2001;
- The New Partnership for Africa’s Development (NEPAD), 2002; and
CHAPTER 2

HISTORY OF ELECTORAL ADMINISTRATION AND AN INTRODUCTION TO ELECTORAL MANAGEMENT BODIES IN SIERRA LEONE

Introduction

This chapter begins with a history of elections administration in 1951, under the supervision of the British colonial authorities and briefly introduces the two bodies that are responsible for the management of elections and related matters in Sierra Leone.

History of electoral management: 1951 - 1961

The administration and management of elections in Sierra Leone began in 1951 under the supervision of the British Colonial administration. The latter established an elections office contained within a government department (i.e. Ministry of Interior/ Internal Affairs), headed by an Elections Officer who was assisted by a sizeable number of staff (civil servants) to run elections. The Elections Officer and his/her assistants were responsible to the executive (i.e. the Ministry of Interior).

As part of the colonial legacy, the incorporation of election management into the country’s central administration or civil service continued at Independence in 1961, when the Independence Constitution established the Electoral Commission (EC), and even thereafter unto August, 2005.

The “civil service based institutional arrangement” for elections management in Sierra Leone posed a serious challenge to the independence, impartiality and neutrality of the EC established under both the 1961 and 1991 Constitutions; as the Civil Servants who staffed the Election Management Body(EMB) had no loyalty to it but to the ruling government.

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**Election Management Bodies (EMBs) in Sierra Leone**

Sierra Leone has two organizations that are responsible for managing the essential elements for the conduct of elections and referenda; they are:

1. **The Political Parties Registration Commission (PPRC)**;
2. **The Electoral Commission (EC)**.

The term Electoral Management Bodies (or EMB’s) has been coined as a generic name for them.

- The Political Parties Registration Commission (PPRC) was established in December, 2005 by the Political Parties Act of 2002, in accordance with Sections 34 and 35 of the 1991 Constitution of Sierra Leone. The PPRC has the general responsibility to register and supervise the conduct of Political Parties, and monitor their “accountability to their membership and to the electorate of Sierra Leone”. It also has the responsibility, among others, to receive the statements of the sources of income, the audited accounts, assets and liabilities of each registered political Party, for action, in accordance with the Constitution of Sierra Leone and the Political Parties Act, 2002. The PPRC has restructured it self and recruited its own staff, who are not part of the county’s unified civil service.

- The Electoral Commission (EC), also called National Electoral Commission (NEC) under the repealed National Electoral Commission Act, 2002, is the sole authority with the constitutional mandate (under section 33 of the 1991 Constitution, Act No. 6 of 1991) to prepare and conduct all public elections and referenda i.e. presidential, Parliamentary and Local Government elections.
Common tasks of EMBs

The following is a summary of the key tasks or activities which are essential for the conduct of an election:5

- Determining whether a candidate or elector is eligible to vote or contest (as per the existing legislation);
- The demarcation of electoral constituencies or wards;
- The registration of voters and the compilation of a voters register;
- The registration of Political Parties;
- The nomination of candidates;
- Electoral education;
- Recruitment and training of election personnel;
- Accreditation of national and international election observers;
- Conduct of poll;
- Counting and tabulation of votes;
- Declaration of the results and winners;
- Electoral dispute resolution;
- Any other post election activities e.g. retrieval of election materials, post election assessment, election report writing.

It is necessary to point out the following:

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5 Association of African Election Authorities (AAEA): Basic Course on Election Administration (A guide for the facilitator) p35; (also International. IDEA handbook p5).
- All the above mentioned activities may not have to be done every time an election has to be conducted.

- Depending on the country and the existing legislation, a single EMB may be empowered to carry out all those activities connected with the execution of an election; while in other countries, a separate body may carry out each (or a combination) of the key election activities. For instance, it has already been stated that in Sierra Leone the Political Parties Registration Commission, inter-alia, is responsible to register and supervise the conduct of Political Parties; while the Electoral Commission performs all the other key activities (excluding the registration of Political Parties), connected with the conduct of elections (including the demarcation of electoral constituency and ward boundaries).

In Botswana there is a Boundaries Commission that is responsible to demarcate constituencies, while its Electoral Commission performs all the other activities.
CHAPTER 3

HISTORY AND PROFILE OF THE ELECTORAL COMMISSION: 1961-2010

Introduction

This chapter gives the history, profile and organizational structure of the institution established by the 1991 Constitution to register voters, organize and conduct public elections for President, Members of Parliament (MPs), and Local Government elections and referenda.

Brief history of the EC

It has been stated in chapter 2 that from 1951 up to Independence in 1961 there was no separate EMB to conduct elections, but rather a sub elections office within the ministry of Interior conducted elections.

However, beginning with the 1961 Constitution up to the current 1991 Constitution, the Electoral Commission was provided for in every post-independence Constitution, including the 1978 One-Party Constitution. For instance, section 37 of the then 1961 Independence Constitution provided for the establishment of:

...an Electoral Commission, the membership of which were the Chief Electoral Commissioner, as Chairman, and not less than two nor more than four other members, who were appointed by the Governor General on the advice of the Prime Minister6

With time the composition (or membership) of the Electoral Commission changed, either as a result of the expiration of the tenure of office of the members or for other reasons as stated in the law or for political reason

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6 Quoted from J.H. Price’ Political Institutions of West Africa (second edition, page 80)
Establishment

The Electoral Commission (also called, the National Electoral Commission under the Lome Peace Agreement signed between the Government and the RUF, and the repealed NEC Act, 2002) is one of the country’s independent governance institutions provided for in the Constitution of Sierra Leone, 1991 (Act No 6 of 1991). The terms Electoral Commission (EC) and National Electoral Commission (NEC), or the Commission are therefore used interchangeably in this monograph. It is provided for in Section 32 of the Constitution. As already stated, the EC was set up purposely to manage the essential elements (besides the registration and supervision of the conduct of political parties and related matters) directly related to the conduct of public elections and referenda in the country (ie Presidential, Parliamentary, local government elections, referendum and, with the passage of the Chieftaincy Act, 2009, Paramount Chieftaincy elections).

Composition

The Commission is made up of five (5) members: a Chief Electoral Commissioner, who serves as Chair,7 and four others, called Electoral Commissioners; each one having oversight responsibility (amongst others) for each of the four administrative regions into which Sierra Leone is divided (the regions are so named according to the points of the compass i.e. East, West, North, and Southern regions). There is, however, no mention of regional representation in the 1991 Constitution as a condition for appointment to the Commission.

Between 1961 and August 2005, NEC (in addition to being part of the central administration of the Executive and Civil service structure) was a decentralized (quasi-managerial) body, with each Electoral Commissioner residing in his/her respective regional headquarter town (Freetown, Bo, Kenema and Makeni) and overseeing provincial/regional electoral operations; with the Chairman regularly calling Commission meetings to make policy. Following the reconstruction process in September 2005, the NEC became a central (quasi-judicial) executive body meeting regularly to make policy for implementation on a day-to-day basis.

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7 Justice Johann Kriegler in his “Assessment on Sierra Leone Local Government elections” report, December, 2004 maintains that “the chairman of the NEC is not merely the first among equals”. In law his position is superior to those of his fellow Commissioners.
and overseeing the broad direction of the EMB. The Commission has administrative and regulatory powers. With the passage of the Public Elections Act, 2012 (in May 2012) into law, the Commission became a cooperate body.

**Appointment of Commissioners and Related Matters.**

The President of Sierra Leone appoints all the members of the Commission, after consultation with leaders of all the registered Political Parties, subject to the Presidential nominees being interviewed by the Parliamentary Appointments Committee (PAC) and followed by the approval of Parliament (i.e. by a vote of majority of all Members of Parliament present, including members of the PAC).

The tenure of office of the Commissioners (including the Chair) is five years, and must by law, take an oath before assuming office. The President may remove a member of the Commission from office, only on grounds of inability to discharge his/her functions (whether due to mental disorder, infirmity of body or any other cause) or for gross misconduct.

The terms and conditions of service of Commissioners shall be prescribed by Parliament, in accordance with the State Salaries, Pension, Gratuities and other benefits Act, 2003 (Act No. 4 of 2003).

**Qualifications and disqualification for members of the Electoral Commission.**

There is apparently no academic qualification to become an Electoral Commissioner; but only persons of proven integrity and who are qualified to be Members of Parliament (MPs), and not over 65 years old, shall be eligible for appointment as members of the Electoral Commission. The qualifications for MP’s are contained in Section 75 of the 1991 Constitution. They are reproduced as follows:

“Subject to the provisions of section 76, any person who—

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8 The removal Procedure of Electoral Commissioners is provided for in section 5 of the Public Elections Act, 2012 and section 32 subsections 8 and 9 of the 1991 constitution.
is a citizen of Sierra Leone (otherwise than by naturalization); and

has attained the age of twenty-one years; and

is an elector whose name is on a register of electors under the Franchise and Electoral Registration Act, 1961, or under any Act of Parliament amending or replacing that Act; and

is able to speak and to read the English Language with a degree of proficiency sufficient to enable him to take an active part in the proceedings of Parliament, shall be qualified for election as such a Member of Parliament:

Provided that a person who becomes a citizen of Sierra Leone by registration by law shall not be qualified for election as such a Member of Parliament or of any Local Authority unless he shall have resided continuously in Sierra Leone for twenty-five years after such registration or shall have served in the Civil or Regular Armed Services of Sierra Leone for a continuous period of twenty-five years”.

Disqualifications
The following persons are disqualified from being members of the Electoral Commission.

- a person who is disqualified to be elected as an MP;

- a Minister of government;

- a Deputy Minister;

- a public officer;

- a person who is 65 years old or above.
Organizational Structure of the EC: 1961 – August, 2005

It has been stated that between 1961 and August, 2005 the Commission was a “decentralized” public institution, with each of the four regional Electoral Commissioners overseeing the Commission’s regional/provincial operations in his/her regional areas of responsibility; while the Chairman regularly called Commission meetings to make policy.

Also during the period under review, the staff members of the Electoral Commission were civil servants, recruited through the Public Service Commission (PSC). The head of the Civil Service staff of the Electoral Commission, who served as Secretary (later Executive Secretary) to the Commission, was a serving senior Public Officer posted from the open Civil Service structure. As Secretary to the Commission, he also served as the Chief Elections Officer. The above staff structure was in conformity with the structure that existed in other Ministries in the Sierra Leone Civil Service. As already stated, the Elections Office (as the EMB, with its supporting staff, was then called) operated under the direct supervision of the Ministry of Internal Affairs, and thus was part of Sierra Leone’s unified Civil Service.

The Civil Service staff members of the Commission were placed into two functional categories, namely: the administrative staff and the professional (or elections staff). The administrative staff members were responsible for the day-to-day affairs of the Commission, including taking down minutes during Commission’s meetings, finance and logistics matters, and recommendation for promotions. Members of the administrative arm of the Commission belonged to the “open service” of the Sierra Leone Civil Service. In other words, quite unlike the professional staff, they could be transferred from one ministry or department to the other.

The administrative staff comprised, in order of seniority;

- the Secretary to the Commission;
- the Deputy Secretary (who was the principal assistant to the Secretary);
Assistant Secretary;

the Staff Superintendent (who as Chief Clerk, was the intermediary between the senior staff cadre and the lower staff cadre); and

the general support staff (which comprised the clerical and minor grades, including drivers, messengers and cleaners).

The professional arm of the Electoral Commission, which was mostly made up of elections officials, consisted of the following:

- Principal Elections Officer (PEO);
- Senior Elections Officers (SEOs);
- Elections Officers (EOs);
- Assistant Elections Officers (AEOs);
- Publicity Officer (PO);
- Utility Officer and Supervisors.

Staff members of the professional wing had the responsibility for the actual implementation of election tasks, including voter education programmes, registration of voters, recruitment and training of election workers, who may be temporarily employed for specific election tasks like polling day exercises. The professional staff also had the responsibility to advice Electoral Commissioners on all election activities, when asked to do so. It is important to note that for the first time in the Commission’s history ten (10) graduate officials were recruited in April 1990, through the Public Service Commission, to directly serve as Elections Officers, and one (1) graduate to serve as Publicity Officer. Also in 1996, four (4) more graduates were recruited as Elections Officers; while in 2000, more District Elections Officers, Assistant District Elections Officers; Senior Supervisors and Supervisors were recruited through the PSC.
It is important to mention that the senior administrative staff of the Commission, during the period 1961 to August 2005, exercised an enviable degree of seniority and importance over their counterparts in the professional wing. This was due to the fact that, inter alia, for most part of its history, the Electoral Commission was an agency of Government placed, as stated earlier, under the umbrella of the Ministry of Internal Affairs with responsibility to post administrative staff members to the Commission. The above view was noted by the International Foundation for Election Systems (IFES) in their December, 1991 Pre-election Assessment report on Sierra Leone, which is reproduced as follows:

In general, it appears that the administrative wing exercises a level of seniority over the professional staff. There may be room for the Commission to re-evaluate the correspondent authority accorded each branch. The team sensed that the professional staff may not be sufficiently involved in administrative decision making. It appeared to the team that the professional staff has to make do with what the administrative staff determines is required for a particular election activity, rather than actively supervising or, at least equally participating in defining the requirements. Fiscal matters and logistics strategies appear to be decided without sufficient regard for the input or consultation of the professional side of the civil service staff.9

The role of members of the professional wing continued to be supervisory (or advisory), even after the recruitment of the aforementioned graduate Elections Officers in 1990. However, the reconstituted National Electoral Commission of March, 2000, which replaced the Interim National Electoral Commission (INEC), brought an improvement in the role played by members of the professional arm of the Commission. For example, among others, Elections Officers prepared the Commission’s strategic plan for 2001-2005 and took part in the preparation of the elections budget for the 2002 elections. The operational plans for the 2002 electoral process were also prepared by the professional staff. There have been some improvements in the role of the professional wing in election activities since then.

9 IFES, Sierra Leone: A pre- election Assessment Report, December, 1991 p35
Besides the central office of the Electoral Commission in Freetown, the capital of Sierra Leone, there is a District Elections Office in each of the 12 provincial administrative districts into which Sierra Leone is divided, and two in the Western Area: one in Freetown and one at Waterloo to serve the rural District of the Western Area. Each District Office was under the general supervision of the central office. Each of the District Elections Offices was headed by a professional civil servant designated as Elections Officer, supported by a sizable number of permanent staff (of civil servants). A Senior Elections Officer was based in each of the three provincial regional elections offices in Bo, Makeni, and Kenema, and one in Freetown for the Western Area, with responsibility for the supervision of the District Elections Offices assigned to each region. Temporary election workers may be recruited and trained at district level, to carry out election exercises like voter registration and polling day activities anytime each exercise was due. But such temporary workers were relieved of their duties immediately after the completion of the election exercise for which they were recruited. As already stated, an Electoral Commissioner was assigned to each of the regions of the country, with responsibility for policy formulation and the supervision of the operations of the District Election Offices within the region.

**Structure of the Commission: September 2005 to December 2009**

The restructured Commission in September 2005 started with three (3) departments:

- Finance and Administration Department;
- Operations Department and
- Audit Department.

There were seven (7) units which operated within the first two departments and a Legal Affairs Desk. Each unit was headed by a Senior Elections Officer called a unit chief.
Finance and Administration Department

1. Administration and personnel Unit,

2. Finance unit.

Operations Department

3. Field Coordination and Reporting unit;

4. Information Technology and Voter’s roll unit;

5. Citizens Outreach /External Relations unit;

6. Procedures, Training and Capacity Building Unit;

7. Logistics/Procurement Unit;
   - Legal Affairs Desk

Additional Staffing:
At the peak of electoral operations, the Commission employs temporary staff, who include: Ward Coordinators, Voter Registration Staff, Training Officers, Voter Education Officers, Logistics Assistants, Nomination and Polling staff.

District Electoral Offices
The Commission continued to operate from its National Headquarters in Freetown, and 14 Electoral District Offices in the provinces and the Western Area. A District Electoral Officer (DEO) heads each district electoral office assisted by an Assistant District Electoral Officer (ADEO). Each district electoral office is responsible to ensure the implementation of the Commission’s operation plan at district level.
Expansion of the National Electoral Commission in January 2010

By January 2010 the restructured Commission, which began as ‘a lean and mean’ public institution in September 2005, had expanded from its initial aforementioned three Departments and seven Units to one with seven Directorates and thirteen Units. The seven Directorates or Departments are as follows:

- Finance and Administration;
- Human Resource and External Relations;
- Training, Voter Education and Capacity Building (procedures development was later added to this Unit);
- Information and Technology;
- Legal Affairs, Procedures, Research and Documentation;
- Operations Department; and
- Audit.

There are four Regional Offices, with a Regional Chief Field Coordination Officer as head and, as already stated, a total of 14 District Electoral Offices.

Functions of the Electoral Commission

The functions or responsibilities of the Electoral Commission are clearly stated in Chapter 4 section 33 of the 1991 Constitution of Sierra Leone. Under this section:

…. The Electoral Commission shall be responsible for the conduct and supervision of the registration of voters for, and of, all public elections and referenda; and for that purpose shall have power to make regulations by statutory instrument for the registration of voters, the conduct of presidential, parliamentary or Local Government elections and referenda, and other matters connected therewith, including regulations for voting by proxy.

In practice nearly all aspects of electoral matters are vested in the Electoral Commission of Sierra Leone. The only exceptions are those functions connected with the registration and regulation of the conduct of political parties, performed by the PPRC. The constitutional functions of the Electoral Commission are briefly explained as follows:
1. **Organization and Conduct of Public Elections**

Under the Constitution, responsibility for the organization, conduct and supervision of public elections and referenda is vested in the Electoral Commission. The public elections referred to include: national elections like Presidential, Parliamentary and Local Government elections i.e. elections for Mayors, District Council Chairpersons, and Councillors for the 19 local government bodies set up by Acts of Parliament (e.g. The City Councils of Freetown, Bo, Makeni, Kenema, Koidu New-Sembehun and 13 District Councils). Also, under provisions in the Chieftaincy Act, 2009, the EC has a joint responsibility with the Ministry in charge of Local Government and chieftaincy matters to conduct the various aspects of Paramount Chieftaincy elections. For the purpose of the conduct of elections, the EC is empowered to recruit personnel and provide logistics for that purpose.

2. **Voter Registration**

Responsibility for the registration of voters is also vested in the Electoral Commission. In other words, the responsibility for the registration of all eligible citizens (and the compilation of a voter register, including its maintenance and revision) as stipulated by law, is in the hands of the Electoral Commission. Chapter 4 Section 38 subsection (8) of the 1991 Constitution provides that:

> “The registration of voters and the conduct of elections in every constituency shall be subject to the direction and supervision of the Electoral Commission, and it shall cause the register of voters to be revised and reviewed at least once in every three years”.

3. **Making of Regulations**

The Constitution and Public Elections Act, 2012 (sections 33 and 166, respectively) furthermore, empowers the Commission to make by statutory instrument, elections related regulations which act as guidance for election policies and procedures for voter registration exercise, the conduct of all public elections and related matters, including proxy voting. Such an
empowerment is indeed necessary if the independence of the Commission is to be strengthened.

4. Delimitation and Revision of Constituencies

In Sierra Leone, the Constitution does not make provision for a Boundary Commission, as is found in some countries. Instead, the delimitation and revision of electoral constituency and ward boundaries are other responsibilities of the Electoral Commission; subject to the approval of Parliament. These functions are clearly stated in the Constitution under chapter 4 section 38, subsections (1) and (4):

(1) “Sierra Leone shall be divided into such constituencies for the purpose of electing the Members of Parliament ... as the Electoral Commission, acting with the approval of Parliament signified by resolution of parliament, may prescribe.

(4) The Electoral Commission shall review the division of Sierra Leone into constituencies at intervals of not less than five and not more than seven years ....”

By the delimitation of constituencies or wards we mean the drawing up of boundaries of electoral areas, usually of roughly equal population, for the purpose of electing representatives to Parliament or a local authority. In order to enhance the integrity of the electoral process, the function of drawing up constituencies (or wards) should be done in a fair manner. This is usually done by using a stipulated formula, which in Sierra Leone [as contained in Chapter 4 section 38 subsections (3) and (6)] is the “population quota”; which is defined as “... the number obtained by dividing the number of inhabitants of Sierra Leone by the number of constituencies into which Sierra Leone is divided under this section”. It should be mentioned that the last demarcation of constituencies and wards in Sierra Leone took place in 2006 and 2008, respectively.

5. Others

Other functions performed by the Commission include:

- Voter education;
- The day-to-day administration of the Commission, through its Executive Secretary;

- Investigation and adjudication of election related complaints e.g. those from the omissions and objections to names on the provisional voters register; and

- Establishing procedures for the conduct of voter registration, Polling, counting and for reporting the results of elections from polling stations to the Commission’s headquarters in Freetown, and for announcing and gazetting the official results.

6. In addition to (or to complement) the functions prescribed in section 33 of the 1991 constitution, the following are other functions of the Commission, as contained in the Public Elections Act, 2012, section 7 sub sections 1 and 2:

(a) The continuous registration of eligible voters for all public elections and referenda;

(b) The preparation, maintenance and regular revision of the register of voters;

(c) The delimitation of constituencies and wards in accordance with the Constitution and any other enactment;

(d) The regulation of the process for nomination of candidates for elections;

(e) The conduct of civic electoral education;

(f) The facilitation of the observation, monitoring and evaluation of elections;

(g) The promotion of knowledge of sound democratic election processes;

(h) (Performance of) such other functions as maybe provided for by the Constitution (or any other subsidiary legislation).
In accordance with the Act, the Commission may utilize appropriate technology and adopt appropriate approaches in the performance of its functions.

Because of the complexity of the above functions, members of the Electoral Commission and its technical staff need to be professionally competent with a high degree of proven integrity and impartiality. Indeed, it is only when that happens that the integrity of the country’s electoral process will be achieved.

**Mission and vision Statements of the EC**

The mission and vision statements of the Commission are as follows:

- **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.” (Source: Strategic Plan of NEC, 2010-2014)

- **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” (Source: Strategic Plan of NEC 2010-2014).

**Guiding Principles of the EC**

In the attempt to attain its mission and vision, the principles that guide NEC are:
• Independence;

• Transparency;

• Credibility;

• Impartiality;

• Professionalism and dedication;

• Integrity;

• Accountability;

(Source: NEC Strategic Plan 2010-2014).

**Proceedings or internal Operations of the Commission**

The proceedings of the Commission, including the regulation of the conduct of its staff, are provided for in the Public Elections Act, 2012, and its Standing Orders A, B, and C. Members of the Commission meet regularly to make policy and take broad direction of the operations of the EMB. Commission meetings are generally called by the Chief Electoral Commissioner.

The quorum for any Commission meeting shall be any three members. The Chief Electoral Commissioner (CEC) shall preside over Commission meetings at which he/she is present; while a member who is elected by the members present from among themselves shall preside over any meeting at which the substantive Chair is absent.

The time and venue of Commission meetings are determined by the Chair of the Commission, with each member having one vote. However, where there is a tie of votes on any issue, the Chair (or any other member presiding) shall have a casting (or better still, a second) vote.

Commission decisions in respect of “all acts, matters or things authorised or required to be done by the Commission” must be supported by simple “majority”
of votes of the members present and voting. In most cases, after a lengthy debate, decisions are reached by a consensus.

At present the meetings of the Commission are not open to the public, including the press. As a democratic public institution using public funds, it is advisable that some of the meetings of an EMB should be open to the public, including the media; except where necessary to prevent the disclosure of confidential (or classified) information. The Commission is yet to make its meetings public as recommended in the Pilgrim and Fynn’s (Jr) report of March 2006.\(^\text{10}\)

However, in accordance with the Public Elections Act, 2012, the Executive Secretary of the Commission shall attend Commission meetings to, inter-alia, record and keep minutes. Where necessary, staff of the Commission may be requested to attend Commission meetings to clarify matters being discussed.

In addition to making regulations, by statutory instrument, the Commission may issue standing orders for the internal regulation of its business and general conduct of its staff, but such regulations and standing orders must be consistent with the 1991 Constitution of Sierra Leone and any other existing legislation.

\(^{10}\) Jessie V. Pilgrim (UNDP Legal Consultant) and Reginald Fynn, Jr. (Legal Retainer to NEC): Comments and Recommendations on Legislation of Sierra Leone (9\(^{th}\) March 2006) pages 4 and 23.
CHAPTER 4

Introduction
This chapter deals with developments within the EMB since its inception in 1961 (i.e. from Electoral Commission to Independent National Electoral Commission under the military and then to National Electoral Commission), its membership and various activities. It gives a detailed account of the chequered history and activities of the Commission from 1961 to 2010.


The Commission was, indeed, a credible institution that efficiently managed the country’s electoral process, especially from the period 1962 to 1968. However, the position was to change gradually for the worse, especially starting from the period 1973 up to 1986. During this period (1973–1986), the credibility of the Commission was seriously damaged, as it was politicized and used as a “dumping ground” by the then governments of the day. The result of the above situation was that many, if not most, Sierra Leoneans lost confidence in the political system, and thus became apathetic to all aspects of the electoral process. The public’s perception of the Electoral Commission then, especially the period under review, was that it was not independent; but looked rather like an “agency of the ruling party” established to maintain it in power through elections that were neither free nor fair. Worst still, the facilities under which the Electoral Commission and its staff worked were poor and totally inadequate. For example, the wooden building which at that time housed the headquarters of the Commission and its staff at Tower Hill in Freetown was dilapidated and a total write off (see appendix 1). The said building has been demolished and a modern building constructed as the Commission’s headquarters. Besides, the Electoral Commission then hardly had any equipment. Little wonder then that the integrity of Sierra Leone’s elections process, during the period under review, until 1996 was questionable.
The same was true for the provincial offices of the EC. They were merely “cubicle” like offices attached to the offices of the District Officers (DOs) of the Ministry of Interior.

**Changes in the membership of the Electoral Commission: 1986-1992**

In an apparent bid to improve the image of the Electoral Commission, the membership of the Commission was constituted immediately after the 1986 general elections. The reconstituted Commission was led by Mr. Max A. Bailor, who was then a retired principal of the Albert Academy (a secondary school in Freetown). The public’s perception of Mr. Max A. Bailor (RIP) was that he was “a man of integrity, and a man who would remain neutral in the exercise of his election duties.” Other members of the Max A. Bailor led Commission were:

- Mr. A.R Siaffa, Electoral Commissioner for the Eastern Region;
- Mr. Cecil D. Williams, Electoral Commissioner, Western Region;
- Mr. J.B. Paine, Electoral Commissioner, Northern Region;
- Mr. Alex Karemo, Electoral Commissioner, Southern Region;
- Mr. Leonard Balogun Koroma, served as Secretary to the Commission;

The Commission under Max Bailor began improvements in the electoral process of the country; leading to the conduct of the 1991 referendum, which saw the replacement of the 1978 One-Party Constitution with the current Constitution of Sierra Leone, 1991 (Act No 6 of the 1991). This move was indeed by then a seemingly impossible task.

The leadership of the Electoral Commission again changed after the 1991 multi-party referendum. Max A. Bailor was replaced as Chair of the Electoral Commission in 1992 by another retired principal of the Collegiate Secondary School in Freetown, Mr. Willie Pratt. The other members of the Commission remained the same.

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The Pratt led Commission was, however, short lived and inactive due to the already mentioned 29th April 1992 National Provisional Ruling Council (NPRC) military coup led by Captain Valentine E.M. Strasser. The NPRC military junta, after deposing President Joseph Saidu Momoh and his All Peoples Congress (APC) led government in the 1992 coup, suspended the new 1991 multi-party constitution and banned all Political Parties and activities. This action of the NPRC, coupled with the aforementioned armed RUF rebellion against the APC, temporarily halted the earlier momentum towards the democratization process, through multi-party elections, scheduled to have taken place in May 1992. This action thus made the Electoral Commission temporarily ineffective and redundant. The Electoral Commission remained redundant until it was replaced in 1994 by the Interim National Electoral Commission (INEC).


Internal pressures (i.e. an intractable civil war and the inability of the NPRC to end it, urban protests by Civil Society and University Students, all of which had rekindled popular demands for democratic multi party elections) coupled with pressures from the international donor partners, “convinced the junta to announce a democratic transition programme in November 1993”.12

The NPRC’s democratization programme, amongst others, provided for:

- the lifting of the ban on Political parties and activities;
- the establishment of an EMB called Interim National Electoral Commission (INEC);
- the holding of democratic presidential and parliamentary elections (by end of 1995) and;

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Membership of INEC

The membership of INEC, which was established by NPRC Decree No.1 of 1994, was as follows:

- Dr. James O. C. Jonah, who had by then retired as United Nations Under Secretary-General for Political Affairs, as Chairman;
- Professor H. B. S. Kandeh, a professor at the University of Sierra Leone with a lot of experience in geography, population studies and computers (Electoral Commissioner for the Southern Region);
- Dr. A. T. Fadlu-Deen, who was a medical practitioner and former UNFPA Country Director in Ghana and Somalia (Electoral Commissioner for the Western Region);
- Mr. Ibrahim M. Sesay, a geographer and demographer, also of the University of Sierra Leone (Electoral Commissioner for the Eastern Region);
- Mr. Alimami Cyllah, who was then a Director of Amnesty International in Washington in the United States of America (Electoral Commissioner for the Northern Region);
- Mr. D. A. B. Minah, a retired professional Civil Servant with long standing experience, who served as the Commission’s Executive Secretary.

Initial Activities of INEC:

1. Efforts to restructure INEC

The earlier efforts of INEC to restructure itself are discussed in chapter 7 of this monograph.

2. Establishment of Electoral laws (NPRC Decrees Nos. 14, 15, 16, and 17).

In preparation for the 1996 elections, the then existing electoral legislation (i.e. The Franchise and Electoral Registration Act No 44 of 1961 and the Electoral Provisions Act No 14 of 1962) were reviewed, repealed and replaced with NPRC Decree No 15 of 1995 (i.e. the Franchise and Electoral Registration Decree, 1995), and Decree No. 16 of 1995 (i.e. The Electoral Provisions Decree, 1995).
Other NPRC Decrees that were passed were: Decrees Nos. 14 and 17 of 1995 (i.e. The Political Parties Registration of conduct Decree, 1995 and The Presidential Elections Decree, 1995, respectively).

3. Registration of Political Parties
With the lifting of the ban on political activities by NPRC Decree No. 17 of 1995, which was preceded by the establishment of the Interim National Electoral Commission, at least 16 political parties were registered.

In fulfillment of one of its responsibilities, INEC undertook the registration of political parties for the first elections that were held (in February and March 1996), under the provisions of the 1991 multi-party Constitution. Following the lifting of the ban on political activities, 17 political associations applied to INEC for registration as political parties in 1995. After thoroughly going through certain procedures, as laid down by INEC (including the examination of applications and other relevant documents for registration, inspection of proposed political party offices and documents relating to such offices, and the settlement of objections), 16 out of the 17 political associations were successfully registered (or re-registered) to function as political parties for the 1996 elections.

They were as follows: -

1. All Peoples Congress (APC), led by Edward Mohamed Turay (later by Alhaji S.A.T. Koroma, Interim Chairman);

2. Coalition for Progress Party (CPP), led by Mrs. Jeredine Williams-Sarho;

3. Democratic Center Party (DCP), with Abu Aiah Koroma as leader;

4. Democratic Labour Party (DLP), with George E.L. Palmer as leader;

5. National Alliance Democratic Party (NADP), led by Mohamed Yayah Sillah (the party later changed its name to Sierra Leone Democratic Party);

6. National Democratic Alliance (NDA), with Amadu M.B. Jalloh as head;

7. National People’s Party (NPP), led by Andrew Turay;
8. National Republican Party (NRP), which was led by Stephen Sahr Mambu;

9. National Unity Movement (NUM), with Desmond Luke as leader (later by Sam Leigh as Interim chairman);

10. National Unity Party (NUP), led by Dr. John Karimu (later by John Benjamin as Interim leader);

11. People’s National Convention (PNC), with Edward John Kargbo as leader;

12. Peoples Democratic Party (PDP) – Sorbeh, headed by Thaimu Bangura (later by Osman Kamara as interim leader);

13. Peoples Progressive Party (PPP), led by Dr. Abass Chernor Bundu;

14. Sierra Leone Peoples Party (SLPP), led by Alhaji Dr. Ahmad Tejan Kabbah;

15. Social Democratic Party (SDP), with Andrew Victor Lungay as its leader;

16. United National People’s Party (UNPP), led by Dr. John Karefa – Smart.

4. National Consultative Conferences: Bintumani 1 and 2

Prior to the February 1996 Presidential and Parliamentary elections, INEC convened national consultative conferences in Freetown to discuss the current status of the electoral process. These conferences (which were attended by stakeholders, including civil society and women’s groups) have been euphemistically dubbed the Bintumani 1 and 2 conferences. The latter conference (Bintumani 2) was convened on 12th February, 1996 when it became apparent that the military junta “would renege on its commitment to hold multiparty elections” and its “Peace before Elections” stance, which “threatened to derail plans for the elections” (Kandeh, 1978). Following intense pressure, the NPRC bowed to popular demand for multi-party Presidential and Parliamentary elections, which were conducted by INEC on the 26th and 27th February 1996, using the Proportional Representation, National List Syste.

The 1996 Presidential and Parliamentary elections did not end the civil war between the RUF and government; as Freetown was invaded on 6th January 1999 by a combination of “renegade soldiers and RUF rebels”. This invasion forced the government into signing the 1999 Lome Peace (Agreement) with the RUF (Kandeh, 1998). It has been argued that bad governance (due to the strangle hold on power by the central government, as a result of years of one party rule, 14th June 1978–30th September 1991, through the conduct of fraudulent elections during the same period) was, among others, a major cause of the civil war. Accordingly, the Lome Peace Agreement (LPA), which was signed on 7th July, 1999, made specific provisions for the creation and strengthening of local government (as a mechanism for the devolution of political power to local communities), and the creation of a new body to manage elections. The LPA expressly stipulated that:

“(a) new National Electoral Commission ... shall be set up by the Government (of Sierra Leone) not later than three months after the signing of the present Agreement”.

Creation of a new National Electoral Commission (NEC).

The above provision of the LPA was given substance when the democratically elected SLPP led government, under Ahmad Tejan Kabbah, dissolved the then INEC and appointed a new National Electoral Commission (NEC) in March 2000, under the Chairmanship of Mr. Walter Nicol, a former Inspector General of Police. The new NEC was made pursuant to Section 32 of the 1991 Constitution of Sierra Leone.

The membership of the new NEC was as follows:

- Mr. Walter O. F Nicol (RIP), Chief Electoral Commissioner and Chairman;
- Alhaji Mohammad Musa King, Electoral Commissioner for the Western Area;

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Mr. John Borbor Paine, Electoral Commissioner for the Northern Province. He was later replaced by Mr. F. M. Marrah, as a result of the former’s death;

Mr. Joseph Buakei Aruna, Electoral Commissioner for the Eastern Province;

Mr. Francis Lissa Hindowa, Electoral Commissioner for the Southern Province;

Mr. David Sanu Kai-Rogers, Executive Secretary to the Commission.

Two years after the creation of the new NEC, Parliament passed the National Electoral Commission Act, 2002. The (NEC) Act made detailed provisions for the structure and functioning of the NEC. Of significance is the fact that section 9 of the said Act formally empowers the Commission to “hire and fire its own staff and to interface with the National Treasury for funding directly from the consolidated Revenue Fund” (Kriegler, December 2004). Therefore, to use the words of Justice Kriegler, “according to the letter of the law” (i.e section 32 of the 1991 Constitution of Sierra Leone and provisions in the NEC Act, 2002) the NEC became fully empowered to function satisfactorily as an independent election management body free from political control\(^ 1\)

**The New NEC conducted the 2002 Presidential and Parliamentary elections.**

In preparation for the country’s post-conflict elections of 2002, the new NEC, inter alia, made improvements in the electoral system (these improvements are discussed further in this monograph). Of importance, the NEC published in February 2001 a five year Strategic Plan; introduced a new electoral system called the District Block Representation List System (DBRLS), which replaced the Proportional Representation National list System (PRNLS) used in the 1996 Parliamentary elections\(^ 2\). Moreover, the NEC registered eleven Political Parties (out of which five had contested the 1996 elections), including the Revolutionary

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\(^1\) Justice Johann Kriegler, *ibid*

\(^2\) For details on types of electoral systems used in Sierra Leone see chapter 10 of *The Electoral Commission and the Management of elections in Sierra Leone* by M.N. Conteh (2012, unpublished).
United Front party, for the 2002 Presidential and Parliamentary elections (Kandeh 2003).  

An Act of Parliament (Act No 4 of 1999) titled “The Revolutionary United Front of Sierra Leone (Participation in Political and democratic Process” enabled the RUF to register as a Political Party on the 22nd November 1999. The NEC also, prior to the 2002 elections, convened round table conferences of all registered Political Parties, Civil Society and established consultative committees to facilitate and formalize consultations between NEC and stakeholders.

In spite of the fact that the 2002 Presidential and Parliamentary elections were successfully conducted by the NEC and accepted by the international community, the NEC as an EMB faced a lot of difficulties. Of importance, notwithstanding its legal status, the reconstituted NEC was unable to conduct the 2002 elections all by itself, without international assistance. Following the official declaration of the end of the war on the 18th January 2002, there was substantial assistance by the international community (both financial and technical) in the planning and organisation of the 2002 Presidential and Parliamentary elections, which it was hoped to bring sustainable peace to Sierra Leone. Besides the aforementioned perceived inability of the NEC to conduct the 2002 elections all by itself, there was “little capacity building within and transfer of skills to the NEC in the course of the 2002” elections (Kriegler, December 2004).

Like the 1996 elections, the SLPP led by President Ahmad Tejan Kabbah won the 2002 elections.

Notwithstanding an extensive review of the EMB by the International Foundation for Election Systems (IFES) and the production of a comprehensive report (containing a set of detailed prioritised and cost recommendations, with a view of restructuring and organisational streamlining of the Commission), the then NEC

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failed to take the opportunity after the 2002 elections to “enhance the skills and increase the capacity of the Commissioners and staff of the (organisation)”\textsuperscript{17}.

**Changes in the membership of the NEC: January 2004 – September, 2005**

In January 2004 all the aforementioned Commissioners and the Executive secretary of the NEC were replaced. Their removal from office and replacement was apparently as a result of “… rumours and press report” (followed by “enquiries from donors”) “suggesting financial corruption at a high level within the NEC.”\textsuperscript{18}

The newly reconstituted NEC was led (i.e. Chaired) by Mr. Eugene Davies, a former Civil Servant who retired as Establishment Secretary in Sierra Leone’s Civil Service. Mr. Eugene Davies was a disciplined gentleman whose integrity, in the eyes of the public, was beyond reproach. He was professionally competent in the field of Public sector Administration, amongst others. Though a retired civil servant, Mr. Davies was prepared to put his expertise and long standing experience at the disposal of NEC and Sierra Leone. The entire membership of the NEC was as follows:

- Mr. Eugene Davies, Chief Electoral Commissioner and Chairman;
- Mr. Edward Ambrose Nyaley, who had returned from the USA, was appointed Electoral Commissioner for the Eastern Region;
- Mr. Algassimu Sahid Jarr (later Alhaji) was appointed Electoral Commissioner for the Northern Region. He retired as Permanent Secretary in the Ministry of Lands (Sierra Leone’s Civil service) before proceeding to the USA;
- Mr. Winston B. Minah, was appointed as Electoral Commissioner, Southern Region. He had also served in the Sierra Leone Civil Service before his appointment as Electoral Commissioner;

\textsuperscript{17} Justice Johann Kriegler, opcit. See also IFES report on the restructuring of NEC
\textsuperscript{18} Justice Johann Kriegler Report p3 opcit.
Mr. Freddie Bright, who was appointed as Electoral Commissioner, western Area, also served in the Sierra Leone Civil Service before his appointment;

As was usual in the then NEC (but contrary to the NEC Act, 2002) Mr. Kai Moses Kpakiwa, who was then a serving senior civil servant, was appointed as Executive Secretary (ES) of the NEC. Under the NEC Act, 2002, the ES exercises direct supervision of the Commission’s staff (who were also, until September 2005, civil servants recruited through the Public Service Commission). Mr. Kpakiwa was, on the 19th September 2005, replaced by Dr. Hindowa B. Momoh, as Executive Secretary of the restructured NEC.

The reconstituted NEC and the 2004 Local Government Elections

The democratically elected parliament, which followed the 2002 elections, adopted the Local Government Act, 2004 (LGA, 2004), with a view of strengthening local government as a mechanism for the devolution of political power to local communities. The passage of this Act (and the conduct of local government elections) re-introduced elected local councils in 2004 (after elected local councils were abolished in 1972). The reconstituted Eugene Davies led NEC was faced with the task of conducting the 2004 Local government elections. The conduct of the said elections was beset by a number of difficulties; ranging from the general lack of operations of elected local councils (as already stated, elected local councils having been abolished in 1972), to the limited timeframe available for the conduct of the elections due to the belated appointment of all the Commissioners and the adoption of the Local Government Act, 2004. These problems were compounded by the lack of professional skills and capacity of the newly appointed Commissioners and staff of NEC to conduct elections, especially local government elections, after 32 years of the abolition of elected local councils. Nonetheless, the 22nd May 2004 local government elections (again conducted with significant technical and financial input from the international community) “were characterised as substantially free and fair by the Political role

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19 The Chief Commissioner and his four colleague Commissioners were appointed in January 2004, the Local Government Act (LGA), 2004 was passed on 24th February, 2004; while the elections were conducted on the 22nd May 2004.
players, the international community, the media and the Sierra Leonean civil society generally” (Kriegler 2004 p3). Later indications of irregularities, however, as a result of an elections audit by NEC, tarnished the above impression.

Aftermath of the 2004 local government elections and NEC’s restructuring process.

The 22\textsuperscript{nd} May 2004 local government elections have been described as a “political success”, and “a major step forward in the devolution of power to the people of Sierra Leone; which, in turn, is a step along the road to sustainable democracy in the country” (Kriegler, 2004). Shortly after the conduct of the elections, NEC and IFES, as already stated, jointly conducted a “forensic audit” of selected samples of polling stations nationwide. Put differently, it was a step-by-step inspection of the electoral materials which related to selected polling stations used for the local government elections.

The result of the said audit indicated, among others, “widespread and blatant ballot stuffing either by or with the connivance of electoral staff.” Put another way, the report of the audit revealed “compelling evidence of widespread systemic fraud” in the 2004 local government elections.\textsuperscript{20}

Against the backdrop of the aforementioned lack of capacity within NEC to conduct credible elections all by itself, compounded by electoral fraud, all previous missions and studies relating to NEC and Sierra Leone’s democratic electoral process (including the 2002 IFES report and reports by Ron Gould, 17th -24th May 2004, and the aforementioned Kriegler reports of December 2004 and March 2005) recommended, inter-alia, an urgent need for the “transformation of the NEC into a professionally (independent) equipped body”; the “training and capacity building of both Commissioners and staff of NEC”.

Given the numerous studies recommending the restructuring of the NEC since 1996, the NEC Commissioners, led by the chair Eugene Davies, and senior staff

continued the efforts to restructure the Commission after the 2004 local government elections. The NEC received maximum cooperation and collaboration from the Government of Sierra Leone (GoSL), the international partners (especially, UNDP, DFID, EU, IFES and UNAMSIL) in its reconstruction process.

The origin of the restructuring process of Sierra Leone’s EMB is discussed in chapter 7. It was begun by INEC, but abandoned due to the NPRC juntas’s refusal to honour it.

**Resignation of Mr. Eugene Davies as the Chairman of NEC**

It is important to point out, however, that, as an aftermath of the local government elections, the Chairman of the NEC, Mr. Eugene Davies, resigned his position in September 2004 (after 9 months in office, and nearly 4 months after conducting the elections), apparently due to political interference.

Prior to the official announcement of the local government elections results, the NEC had dismissed eighty appeals it had received against a variety of electoral complaints. Only one appeal was upheld by the Commission. As a result of ballot stuffing, provisional results indicated that the SLPP candidate in ward 3, Koya Chiefdom, Port Loko District (Mr Sultan Abdul Karim Kamara) was winner. This was immediately followed by an appeal from the APC candidate (Mr. Mohamed Koroma). After investigation at the NEC data centre, followed by a recount of all polling station results in the ward, the NEC confirmed ballot stuffing in favour of the SLPP candidate (100 ballots were illegally introduced in the ballot box in favour of the SLPP candidate Mr. Sultan Abdul Karim Kamara). The NEC then reversed the provisional results and declared the APC candidate winner of the elections conducted in the said ward.

However, “acting on the advice of the (then) Attorney General” (and Minister of Justice, Mr. F. M. Carew), the NEC’s “decision was reversed”. The NEC Chairman, Mr. Eugene Davies, consequently “resigned, citing as one of the precipitating reasons for his resignation this decision by the Attorney General (AG)”. The NEC Chair regarded the AG’s decision “as governmental interference with the NEC’s independence” (Kriegler, 2004); quite contrary to Section 32 (11)
of the Constitution of Sierra Leone, 1991. It is, however, fair to state poor conditions of service for both Commissioners and staff may be additional reasons for the Chairman’s resignation. The former AG’s decision to reverse the NEC’s decision on the Koya ward 3 electoral fraud was only the last straw that broke the camel’s back.

**Efforts to restructure NEC Restarted**

Notwithstanding the resignation of the NEC Chair, some of the other members of the Commission and a few senior staff members continued the reconstruction process of the NEC, under the guidance and assistance of the United Nations Mission in Sierra Leone (UNAMSIL) Electoral Adviser (Adrian Maurice). It is important to mention the names of one Commissioner and two senior staff members whose efforts in NEC’s restructuring process were invaluable. In his March 2005 aforementioned Interim Assessment Report on Sierra Leone’s National Electoral Commission, Justice Johann Kriegler, United Nations Development Programme (UNDP) hired Special Electoral Adviser to the Special Representative to the United Nation’s Secretary General (SRSG), specifically mentioned the invaluable efforts of Commissioner Algassimu S. Jarr (Electoral Commissioner North), Stephen Aiah Mattia (the then Principal Electoral Officer) and Mohamed Nfah – Alie Conteh (the then Senior Electoral Officer, Western Area, who incidentally is the author of this monograph) in the restructuring process of NEC. In his words:

> Despite their lacking a Chairman and notwithstanding (the Commission’s) grossly inadequate human and material resources, Commissioner A.S. Jarr and two senior staff members, Messers S.A. Mattia and M.N. Conteh, have shown remarkable dedication in the face of daunting odds…”

The contribution of three other officers (Mrs. Florence K. Kebbie, Timothy N. Bangura and Sheku C. Johnny) in the restructuring process are also worthy of note. The aforementioned lady and gentlemen, under the guidance and assistance of the already mentioned Adrian Maurice (then UNAMSIL Electoral

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21 Justice Johan Kriegler ibid (Mr Enogene Davies was only replaced on the 16th May 2005 by Christiana A.M. Thorpe (later Dr), the country’s first female Chair of NEC).
Adviser), with the support of the GoSL and the International Community, completed on 15 December 2004 a plan for a comprehensive electoral reform programme and the reconstruction of NEC, called Electoral Reform Matrix, based on 7 intervention areas (commonly called 7steps). The NEC organised a restructuring retreat from 16-17th February 2005. It was attended by stakeholders and representatives of the International Community. The “seven steps” and NEC’s reconstruction process are dealt with in chapter 7 of this monograph. It was, at this stage that pressure was put on the GoSL (by the donor Community) to appoint a new Chair for NEC.

**Christiana Thorpe Appointed Chairperson of NEC: May 2005- May, 2010**

In the place of the resigned Chair of the Commission, the President of the Republic of Sierra Leone appointed in May 2005, Christiana A.M Thorpe (later Dr), to serve as Chief Electoral Commissioner and Chairperson (CEC/Chair). The process of appointment was completed on the 16th May 2005 (see appointment process in chapters 3 and 5 of this monograph). Dr. Christiana Thorpe assumed office on the 16th May 2005, thereby making her the first female to become CEC/Chair of NEC in Sierra Leone’s electoral history. The other members of the Commission (Edward A. Nyaley, Freddie C. Bright, Algassimu S. Jarr and Winston Minah, Electoral Commissioners East, West, North and Southern Regions, respectively) remained the same until after the 2007 Presidential and Parliamentary elections.22

Dr. Christiana A.M Thorpe was a disciplined and hardworking woman with many years of experience as a secondary school teacher and principal. She later served the aforementioned NPRC regime as Secretary of State in the Ministry of Education and founder of the Forum for African Women Educationalist (FAWE), a renowned NGO that caters for the education of the girl child.

Beginning in September 2005, Dr. Christiana Thorpe and her team of Commissioners (in collaboration with the GoSL and international partners) began

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22 Commissioner Freddie Bright was later replaced by Commissioner Daphne Olu-Williams in June, 2006.
the implementation of a comprehensive electoral reform programme, called the 7 steps Electoral Reform Matrix and the reconstruction of NEC. By 2010, the team successfully completed, among others, the transformation of the NEC into a comparatively professionally equipped EMB with trained and qualified staff; delimited 112 electoral constituencies and 394 ward boundaries in 2006 and 2008, respectively; conducted the 2007 Presidential and Parliamentary elections (which resulted to the peaceful handing over of power to the opposition APC Party for the first time since the 1967 elections) and the 2008 local government elections. With support from the GoSL, the international partners (UNDP, DFID, Irish Aid, Japan, Germany) and a dedicated staff, the Christiana Thorpe’s led team succeeded in transforming Sierra Leone’s system of administering elections from its chequered state between the 1970’s and 1990’s to a model in Africa. By 2010, as stated by the European Observation Mission to the 2007 elections, “in 2007, the NEC (led by Dr Christiana Thorpe) proved to be one of the most important factors behind the success of the (2007) elections”.23

Further Changes in the Membership of NEC (June 2006 – March 2008) and aftermath of the 2007 elections

Changes were continued to be made in the membership of the Commission. On the 13th June 2006 the then Electoral Commissioner for the Western Area, Mr. Freddie C. Bright, was replaced by Mrs. Daphne Olu-Williams. The replacement was apparently due to the former’s poor attitude to work and alleged unprofessional conduct, contrary to NEC’s guiding principles of impartiality and integrity. In an earlier mission report on Sierra Leone before the 2004 local elections, Ronald Gould had this to say:

“The partisan actions of the NEC Commissioner of the Western Region, which were reported in the press, had the potential of damaging the perception of the NEC as a whole, as being politically independent, neutral and non-

23 Magnus Oman (2008) Article titled “The 2007 Presidential and Parliamentary elections in Sierra Leone” in electoral Studies 27 (The words in brackets are those of the author)
partisan. Fortunately the Chairman (Eugene Davies) acted quickly and affectively to resolve this problem...”

Effective from the 13th June 2006 to March 2008 Daphne Olu-Williams was part of Christiana Thorpe’s team and thus played major role in that team’s success.

**Cancellation of 477 Polling Station Results in the 2007 Presidential run off elections and the Replacement of two Commissioners**

As already stated, the Christiana Thorpe led Commission conducted the 2007 elections. In accordance with “regulations” (or minutes of commission meeting) which had earlier been signed by all members of the Christiana Thorpe’s led Commission (regarding “over voting” at Polling Stations), 477 Polling Stations results (out of 6,157 Polling Stations), which had recorded a turn out higher than the registered number of voters, in the Presidential run-off elections, were invalidated by the Commission. The NEC later released the invalidated results, but claimed that the inclusion of the invalidated results in the officially released results would not have altered the outcome. Though the cancelled polling stations were nationwide, some analysts believe that majority of the invalidated polling station results were found in the strong holds of the then incumbent SLPP (see table). An unsuccessful injunction was filed by the SLPP to stop NEC Chair from announcing the results.

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24 Ron Gould, Electoral Consultant: Report on Mission to Sierra Leone (Local Elections) 17th -24th May 2004 (p 9). The above comments referred apparently to Freddie C. Bright who was the then Electoral Commissioner, Western Region with Eugene Davies as Chairman NEC.
In an apparent refusal to accept the decision to cancel the 477 Polling station results, two of the Commissioners (i.e. the Eastern and Southern Regional Commissioners, Messrs Edward Nyaley and Winston B. Minah, respectively) out of a membership of five, “dissociated” themselves and walked out of the British Council hall in full view of the press and observers (national and international) on the day of the announcement of the results (17th September, 2007). With the official quorum of three commissioners, the NEC Chair, Dr Christiana Thorpe, announced the results.

It has been argued by one school of thought that the decision of the said Commissioners was not only unprofessional but was contrary to the principle of collective responsibility; moreso when they had signed the aforementioned minutes and they did not resign their positions, but continued to go to work even after the results were announced. Another school of thought has argued though, that notwithstanding NEC’s power, in accordance with Sections 33 and 127 of the Constitution and the then Electoral Laws 2002, respectively, to make regulations by statutory instruments, the aforementioned rules lacked the force of law; as they were not placed before Parliament for the required 21 day period,
as per section 170, subsection 7 A, B and C of the Constitution of Sierra Leone (Act No 6 of 1991), which is quoted here for ease of reference:

“Any orders, rules or regulations made by any person or authority pursuant to a power conferred in that behalf by this Constitution or any other law-

(a) Shall be laid before Parliament;

(b) Shall be published in the Gazette on or before the day they are so laid before Parliament;

(c) Shall come into force at the expiration of a period of twenty-one days of being so laid unless Parliament, before the expiration of the said period of twenty-one days, annuls any such orders, rules or regulations by the votes of not less than two-thirds of the Members of Parliament.”

The SLPP presidential flag bearer and candidate Solomon Berewa, conceded defeat, but the SLPP remained critical of the elections and took NEC to court regarding the 477 invalidated polling station results (Oman, 2008).

Summary of Principal steps in the SLPP vs NEC case
Following the declaration of the presidential run-off elections on 17th September 2007 (which the SLPP lost to the APC’s Ernest Bai Koroma), the SLPP on the 13th December 2007 filed the above case to the High Court asking, inter-alia, for the following:

- High Court Order requiring NEC to produce data relating to the invalidated 477 polling station results;
- Declaration that the presidential run-off results are null and void;
- Declaration that NEC had no power to nullify results.

NEC in reply to the above filed a preliminary objection on the ground that the SLPP had filed the case in the wrong court (i.e. The High Court instead of the Supreme Court, which has jurisdiction to deal with matters relating to presidential elections).
The High Court (presided by Hon. M. Sey J.) on 13th February 2008 agreed with NEC’s position that the case had been filed in the wrong court, and thus dismissed the case. The SLPP appealed in the Court of Appeal on 7th March 2008 against the above ruling. The Court of Appeal gave judgment endorsing the aforementioned High Court ruling and dismissed the Appeal on the 8th January 2009.

The SLPP, which was still not satisfied with the judgment made by the Court of Appeal, filed an application on 30th April 2009 in the Supreme Court asking for the following:

- An order granting leave and enlargement of time within which to appeal; or
- An order granting enlargement of time within which application for leave may be made.

The NEC took preliminary objections to the above on grounds that, inter-alia, the motion has been filed out of the time limited for the filing of such a motion and as such it should be dismissed. On perusal of the motion, the Supreme Court reserved its ruling on the 10th June 2009.

On the 2nd May 2011, the Supreme Court pursuant to section 126 of the 1991 constitution “... granted leave (to the SLPP) for an enlargement of time within which to appeal to the Supreme Court from a decision of the Court of Appeal” in the aforementioned matter.

Though the SLPP on 3rd May 2011 filed the Notice of Appeal at the Supreme Court Registry, yet “the copy of the said Notice of Appeal was not served on the respondents”; contrary to Supreme Court rule 35(1), which requires that (paraphrased) every appellant shall, within 7 days after filing a Notice of Appeal, serve a copy of such notice on the respondent(s). Given the non compliance with the 7 days provision of the above rule, and having considered the prevailing circumstances and evidence in the said matter, the Supreme Court ruled against the applicant i.e. the SLPP. (Note that though the above mentioned Supreme
Court order was made on the 2\textsuperscript{nd} May 2011, yet the application came before the court only on 17\textsuperscript{th} November 2011).

**Comments:**

It must be noted that the above Supreme Court (and other Courts rulings) were not on the original case (or motion) filed by the SLPP asking the High Court for the earlier mentioned orders; but rather on lapses on the legal procedures by which the case was brought to court by the SLPP. In short, the argument on issues which were originally brought by the SLPP were not argued in any of the aforementioned courts (i.e. High Court, Court of Appeal, and Supreme Court); instead only the procedures by which such issues were brought to court were litigated on (Reginald Sydney Fynn Jnr, 2009).

The SLPP vs. NEC matter is dealt with in some detail in this monograph because of its importance not only to the 2007 presidential and parliamentary elections, but to the electoral history of Sierra Leone and NEC as an independent EMB.

**Changes in the membership of the Commission: March 2008-2011**

An apparent consequence of the actions of the Eastern and Southern Regional Electoral Commissioners was their replacement. Mr. Sylvanus Torto replaced Edward A. Nyaley as Electoral Commissioner, Eastern Region in March 2008; while Mrs Florence Kulla Kebbie replaced Winston B. Minah as Electoral Commissioner, Southern Region, also in March 2008.

Before becoming Electoral Commissioner, Sylvanus Torto was a senior Lecturer at Sierra Leone’s Institute of Public Administration and Management (IPAM) in Freetown. He had earlier served as Commissioner in the Truth and Reconciliation Commission (TRC). Commissioner Torto resigned as NEC Commissioner in October 2009 to contest Paramount Chieftaincy election in Nimikoro Chiefdom, Kono District. He was subsequently replaced on 30th March 2010 by Mr. Stephen Aiah Mattia, who resigned as the Commission’s Executive Secretary to become Electoral Commissioner.
Commissioner Kebbie was a gender activist and a professional election administrator. Before becoming Electoral Commissioner she had served NEC as Elections Officer. She was one of the aforementioned staff that contributed to the present reconstruction of NEC.

Also on 12th March 2008, Commissioner Daphne Olu-Williams was replaced by Mrs. Hannah Kawaley as Electoral Commissioner for the Western Area. Commissioner Kawaley brought with her in the NEC at least 40 years of experience in educational administration, after retiring as principal of one of the Girls Secondary Schools in Freetown (i.e. Methodist Girls High School).

As she turned 65, on 3rd September, 2010 Commissioner Hannah Kawaley resigned from the Commission on the 7th October, 2010, as per section 32(4) of the 1991 Constitution. She was replaced by Commissioner Miatta French on 13th January, 2011, who until her appointment was Director of Operations in the NEC. She is also a professional elections administrator, who joined the Commission as staff on the 1st of September, 2005.

The circumstances which led to the replacement of Commissioner Daphne Olu-Williams were unclear and thus were shrouded in mystery. It was understood that she had been appointed to serve as “Chairman of an Insurance Board,” a position she did not accept. However, it has been argued that Daphne Olu-Williams replacement may not be unconnected with “familiar happenings which were internal to the Commission” (Olu-Williams, 2010). It is not certain what the “familiar happenings, which were internal to the Electoral Commission” were. But in her book “Through The Storms of life: From Test to Testimony”, Daphne Olu-Williams made clear reference to the following:

- the relocation of the “Office of the Commissioner, Western Area to the Freetown centre, at Adelaid Street ... on instructions from Madam Chair” (Page 41);

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25 Daphne Olu-Williams had this to say in her book “The Circumstances leading to my replacement had not been made clear even to me, how much more to the public” Olu- Williams 2010, p 53.
the alleged “unauthorised use of (her) signature” on the Boundary Delimitation document, “describing the act as fraudulent” (Page 42).

Commissioner Algassimu S. Jarr, Electoral Commissioner Northern Region, was replaced on 21st May 2009 by Mr. Mohamed N'fah-Alie Conteh as a result of age (retiring age for Commissioners is 65 years) and end of tenure of office (Commissioners serve for a 5 year term, though renewable). Both Commissioner M.N. Conteh (the writer of this monograph) and Commissioner Mattia have been Elections Administrators attached to NEC since 1990, where they had risen, through the ranks, from Elections Officers to the positions of Director of Operations and Executive Secretary, respectively. As stated elsewhere in this monograph, they played an invaluable role in the reconstruction of NEC from its previous stage of being an appendage of the Ministry of Interior to its present status as an example of an independent EMB in Africa. As officers (and later Commissioners) of the NEC, the two gentlemen served as the “institutional and human memories” of the restructured NEC.

Thus, Johann Kriegler, special Electoral Adviser to the then SRSG again stated in his March 2005 report:

“…only Commissioner Jarr is punctilious in his NEC duties and only he was willing to have a meeting with the writer (of the report) on Easter Monday. Of the senior staff only Messers Mattia and Conteh appear to take their duties seriously” (Kriegler, March 2005).

Without doubt on their appointment as Electoral Commissioners, Commissioners Conteh, Mattia, Kebbie and later Miatta French brought to the Commission a wealth of professional practical experience in election administration.

These ladies and two gentlemen, as already stated, witnessed and made invaluable contributions to the transformation of the NEC, from its former status as an appendage to the Ministry of Interior and staffed by civil servants, to its
model status as a professional EMB that is capable of conducting transparent and credible democratic elections.

It is only but fair to conclude this chapter by stating that the restructured Commission led by Dr. Christiana Thorpe, with support from the staff, GoSL and the international community, was very instrumental in the transformation of the system of administration of elections in Sierra Leone from its worst state in the 1970’s and 80’ to its current model system in the African Continent.

Whatever criticism levied against Christiana as Chair of NEC, in fairness, by 2010 Christiana Thorpe’s achievements included the receipt of the following honours:

- Star of Sierra Leone Award 2007, for services to Humanity;
- Honouring Women 2007- Award for outstanding role in promoting women’s issues, the empowerment of women in their communities and in national development;
- 2nd Runner Up African of the year 2008- Award by Media Trust Nigeria;
- Award of honor for outstanding contribution towards national development, God’s conquering Army Ministry (Sierra Leone) 2nd August, 2009;
- 2009 German African Award – from the German Africa Foundation;
- Officier d l’ordre National, December 2009- Award from the Government of Ivory Coast.

Finally, by 2010, Dr. Thorpe was a member of the Board of the Electoral Institute for the Sustainability of Democracy in Africa (EISA) and an Executive Committee member of the ECOWAS Network of Electoral Commissions (ECONEC).

**Dr. Christiana Thorpe re-appointed as Chair of NEC for a second five year term: 5th July 2010 – 4th July 2015**

Following the end of her first 5 year tenure with NEC on 16th May, 2010, Dr. Christiana Thorpe was reappointed and confirmed by Parliament on 17th June
2010 for a second 5 year term as CEC/Chair of NEC, amidst opposition from the leading opposition SLPP\textsuperscript{26}. Her second five year tenure formally started on the 5th July, 2010, after taking the oath of office before His Excellency the President of Sierra Leone, Dr. Ernest Bai Koroma, at State House in Freetown.

\textsuperscript{26} The SLPP MPs in parliament unanimously staged a peaceful walk out of parliament on 17\textsuperscript{th} June, 2010 in protest against the reappointment of Dr. Christiana Thorpe. SLPP Deputy Minority Leader, Hon. Emmanuel Tommy, had earlier quoted Parliamentary Standing Order 32 subsection (6) against the reappointment, among others; which is quoted as “Reference shall not be made to any matter on which a judicial decision is pending” – an apparent reference to the NEC versus SLPP court matter over the results cancellation in the 2007 elections.
CHAPTER 5

INDEPENDENCE OF THE ELECTORAL COMMISSION OF SIERRA LEONE

Introduction-
In order to build the confidence of the electorate and political parties in the electoral process and ensure its integrity, the independence of an EMB must be an “integral component” of the credibility of the process.

Meaning of independence of an EMB
For want of an appropriate definition independence means “an autonomous and impartial EMB”. In other words, independence of the Electoral Commission means not only the separation (of its personnel) from the three branches of government (i.e. Legislative, Executive and Judiciary), but also its complete freedom from administrative or political interference in the performance of its functions.

Put another way, independence in the context of the electoral process refers to the ability of the EMB to perform its functions and to assert its constitutional authority without undue influence and political pressure from the executive or any other political party. Thus, independence implies the ability of the Commission to hire and fire its own staff, the impartiality and incorruptibility of Commissioners and staff and freedom from administrative or political interference in the performance of their duties.


Despite the constitutional provision of independence under Section 32 (11) and the aforementioned constitutional provision of appointment of Commissioners (which allows the involvement of all the registered political parties in the nomination process and subject to parliamentary approval), the constraints to the full independence of the EC between 1961 to August 2005 were as follows:

1. The Commission as an agency of the central government

As already stated in chapter 2, before its restructuring phase (1961-August-2005), the Electoral Commission was placed under the direct supervision of the Ministry of Internal Affairs, for administrative, technical and financial reasons. This no doubt posed a major challenge to the Commission’s independence in the performance of its duties.

2. Lack of independence in the appointment of staff

During the period under review, the Commission hadn’t the sole authority to “hire and fire” its staff. This was because (as stated earlier) Civil servants, headed by an Executive Secretary, who were recruited through the Public Service Commission (PSC), staffed the Commission. Such staff had no loyalty to the Electoral Commission, but to the central government that appointed them. Because of this, the independence of the Commission as an elections management body was jeopardized, as it did not have the opportunity to hire qualified staff that will be directly accountable to it. Given that the staff of the institution is the key resource for the electoral process, this situation posed a serious challenge to the Commission.

3. Lack of budgetary independence

In order to enhance the independence and impartially of an EMB, it should have some degree of budgetary independence, or at least a self accounting status through government subventions; subject only to a post-election or periodic audit. That is to say, it should have its own budget directly voted for by Parliament and not get its allocation from a Ministry or a central government department. This was not the case with Sierra Leone’s Elections Commission prior to September, 2005. By then an annual budget was submitted to the Ministry of Finance for review, following which it was sent to Parliament for approval. The result of such arrangement was that the ability of past Commissions to properly execute election tasks on a timely basis was hampered by bureaucratic red tape. Besides, previous Commission members were placed in a position wherein needed budgetary proposals had to be reviewed downwards to meet the demands of the Ministry of Finance. Consequently, more often than not,
the nature and level of funding and expenditure were inadequate for the Commission to fulfill its mandate and responsibility.

Legal framework on independence
The legal framework for the EC of Sierra Leone provide for its independence, size, composition, membership appointment, security and tenure of its membership, as well as their removal. The Constitutional and statutory independence of the EC from the executive is clearly stated in section 32 (11) of the 1991 Constitution of Sierra Leone (Act no. 6 of 1991) as follows:

“In the exercise of any functions vested in it by this Constitution, the Electoral Commission shall not be subject to the direction or control of any person or authority”

The independence of the Commission is further guaranteed in section 3 of the Public Elections Act, 2012 and the following areas:

1. Membership selection and appointment process

   (a) The Electoral Commission (EC)

   Composition (Section 32 subsections 1 and 2 of 1991 Constitution):
   - 5 members: Chief Electoral Commissioner, who serves as chair and 4 others called Electoral Commissioners.

   The lack of political party representatives in the Commission implies the independence and impartiality of its members.

2. Requirement to Consult Political Parties and Parliamentary Approval

   As an additional requirement in the selection and appointment process of Commissioners, the 1991 Constitution, section 32 (3), provides that:

   “The members of the Electoral Commission shall be appointed by the President after consultation with the leaders of all registered political parties and subject to the approval of parliament.”
In order to guard against partisan appointment and encourage cross party support for members of the Commission (and their implied independence), the Constitution makes consultation with registered Political parties (even those with no seats in Parliament, and approval by Members of Parliament, at least a majority) by the President as a requirement for the selection and appointment process of Commissioners. As already stated, before approval by Parliament the selected candidates are subjected to an interview by a committee consisting of representatives of all parties in Parliament. The requirement for consultation with other parties and approval by Members of Parliament in a way means that there is less likelihood of candidates with perceived partisan views to be appointed. However, it must be noted that the requirement to consult does not always ensure that the ruling party must take note of the views of other parties. There are a few instances where the desenting views of the opposition on the appointment of Commissioners have not been considered.

3. Tenure of office of Commissioners

The tenure of office of the Chairperson and all other members of the EC shall be five years from the date of appointment and are eligible for re-appointment (Section 32 (7) of the 1991 Constitution.

4. Oath Taking and terms and conditions of service of Commissioners

Members must by law take an oath before the President before assuming their functions, while their terms and conditions of service (including their remuneration, allowances and privileges) shall be prescribed by Parliament under the State Salaries, Pensions, Gratuities and other Benefits Act, 2003. Such terms and conditions of service shall not be altered to the detriment of members of the Commission.

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5. Security and Removal Process of Commissioners
A Commissioner may be removed from office by the President only under specified circumstances as stated under the law i.e. “inability to discharge the function of his office, whether arising from infirmity of mind or body or any other cause, or for gross misconduct” (Section 32 subsection 8 of the 1991 Constitution and Section 5 of the Public Elections Act, 2012).

The security of tenure of Commissioners is further enhanced by the provision in section 5 (2) of the Public Elections Act, 2012 that the President must set up a tribunal to enquire into the cause for the removal of a Commissioner for gross misconduct and recommend as appropriate (as per the provisions of Section 137 of the 1991 Constitution, subsection 5, paragraphs (a) and (b) and sections 6 and 7, as appropriate).

However, the above provisions for removal of Commissioners have not guaranteed their tenure, as dismissal of all Commissioners of the NEC from office since the coming into effect of the 1991 Constitution and other subsidiary legislation have taken place without the setting up of any tribunal. One will agree with Jinadu Adele (2011) that, given the “overbearing might of the presidency and the slow and costly nature of the judicial process” in Sierra Leone, “the recourse to the courts... to question whether the President acted in conformity with” the law “is always medicine after death”29

6. Independence in the Appointment of Staff
The independence of the Commission is also enhanced by the Public Elections Act, 2012 which empower it to appoint its own staff members, who are not civil servants. In other words, the EC is a public institution with powers to recruit its own staff based on conditions of service it prescribes. This provision enhances the autonomy of the Commission by allowing it not only to recruit qualified staff members who are loyal to it,

29 Jinadu Adele op.cit page 225.
but also to dismiss them if they fall foul of the prescribed rules and regulations.

7. Legal advice and Representation
In order to further strengthen its autonomy from the executive, the NEC since its restructuring process in 2005 has secured the services of Legal Retainers (instead of relying on the services of Lawyers provided by the Attorney-General and Minister of Justice, who is a Minister of Government) to provide Legal advice and representation in all legal matters.

Funding of EMBs
EMBs in Sierra Leone are primarily funded by the Government of Sierra Leone (GoSL) from the consolidated revenue fund for their day-to-day affairs and to conduct their constitutional responsibilities. This is done “through budgeted remittances from the Ministry of Finance” and Economic Development (MoFED). However, due to financial constraints by the GoSL, as a result of the war and other economic factors, post war electoral operations of EMBs in Sierra Leone (starting even with the 1996 elections to the 2012 elections) have been funded mostly by the international donor community, through an electoral basket fund project managed by the UNDP office in Sierra Leone (see appendix 4). Of course inadequate funding of EMBs by the GoSL and their over reliance on donor funding may have negative effect on their operations and independence.

With the passage of the Public Elections Act, 2012 (in may, 2012) the EC was empowered to receive gifts, grants, and “bequest” (ie property given away by a will). However, the EC is not allowed to receive gifts, grants or bequests from either a political party or from a person or organization if the receipt of such gifts, grants and bequests will result to the EC to compromise its neutrality and independance (Abridged version of the Public Elections Act, 2012 by NEC).The EC receives subventions from the MoFED, but such funds are audited annually by the Audit Service.
Conclusion

To conclude, like in many other emerging democracies, the issue of EMB independence in Sierra Leone is critical and controversial in the administration of credible elections in the country. Inspite of the aforementioned constitutional provisions of independence of the Electoral Commission, “in practice”, the “autonomy” of the Commission, “has in many respects rested on the determination of ” the “Chairperson” (and commissioners) “to live up to (the) ideal” of independence, impartiality and neutrality (Jinadu, 2011). Three such Chairpersons of the NEC that come to mind are James Jonah (1994-2000), who headed the then Interim National Electoral Commission (INEC) under the then military regime, National Provisional Ruling Council; Eugene Davies (January 2004 to September 2004), who resigned his post as a result of governmental interference with NECs independence; and Dr. Christiana Thorpe, Chair of NEC (2005 -2010), under whose leadership the 2007 elections were conducted, which were won by the opposition APC.

\[30\] Jinadu Adele ibid page 220.
CHAPTER 6

THE ELECTORAL COMMISSION AND ELECTORAL REFORM MEASURES IN THE MANAGEMENT OF ELECTIONS IN SIERRA LEONE: 1961-2004

Introduction

This chapter discusses general improvements which took place (from 1961-2004) not only within Sierra Leone's Electoral Commission, but also in the system of administering transparent and credible democratic elections in the country. In short, the contents of this chapter relates to electoral reform measures by the EMB (with support from the GoSL and international partners) in the electoral process during the period 1961 to 2004.

Definitions of the terms Electoral Process and Electoral reform

In this chapter the term electoral process refer to the entire set of a country's electoral arrangements, as prescribed in its electoral legislation. These include, the electoral legal framework, electoral system, the EMB, issues related to strategic planning, funding and organization of core electoral activities, recruitment and training of electoral staff and public sensitization.

By electoral reform is meant, changes (or improvements) targeted at improving the management of elections or electoral administration in a given country. It may be targeted at “...the electoral legal framework (including the ...EMB), the administrative and technical processes of electoral management, and the political context for Electoral Activities” (International IDEA 2006). Electoral reform, or better still, improvements in election administration may be due to a number of factors, inter-alia:31

- growing national dissatisfaction in the system of administering elections due to failure to deliver transparent and credible elections;

- a “package of general democratization initiatives” due to conflict;

- response to national and international pressures.

It is important to note that the EMB, with support from the Government, the international community and stakeholders, can play a major role in reforming a country’s electoral process.

**Status of Election Administration in Sierra Leone: 1961-1986**

As already stated in chapter 2, the 1961 Independence constitution established the EC to conduct general elections. Parliament later in 1962 passed the relevant electoral legislation (i.e. the Electoral Provision Act No. 14 of 1962); under which the immediate post independence elections of 1962 and 1967 were conducted.

Sierra Leone’s enviable experiment with democratic elections (began in 1951, under the supervision of the British Colonial Administration, and continued immediately after independence) reached its climax with the 1967 elections. However, the immediate post 1967 period, unto the 1986 elections (especially the One-party era), marked a gradual and systematic decline in the system of election administration in Sierra Leone. There was failure, during the period under review, on the part of both the central government and the respective Electoral Commissions to deliver competitive, transparent and credible democratic elections. This was due to, amongst others, the absence of internationally accepted structural and procedural measures in the way elections were conducted, and the lack of Political will to conduct competitive transparent elections. Thus, as already stated in chapter one, elections conducted in 1973, 1977, 1982 and 1986 have been described as “fraudulent rituals whose outcomes were never in doubt”; as they were “characterized by electoral violence, fraud and substantial numbers of unopposed candidates” (Hayward and Kandeh, 1987).

With the passage of time (especially with the “internationalization of electoral frameworks” and the system of administering elections around the world, particularly after the mid 1980’s) Sierra Leone, like many other countries in the Commonwealth and UN system, came under pressure to introduce electoral reform measures. Thus, between 1990 and 2008, there was gradual but systematic structural and procedural changes in the way public elections were
conducted in Sierra Leone. The electoral reform measures introduced during the said period are discussed in the next few pages.

**Electoral Reform under the Max Bailor led Commission: 1990-1992**

Following the reconstitution of the Max Bailor led Commission, Mr. Max A. Bailor and his colleagues realized the need to develop the capacity of the Electoral Commission. For example, it was during his chairmanship that the aforementioned 10 graduate Elections Officers and 1 Publicity Officer were recruited in 1990, through the Public Service Commission, to man nearly all the election offices in the country. The appointment of the graduate Election Officers, who were at the same level as other Administrative Officers in the open Civil Service, was the beginning of a process aimed at the improvement of the public image, credibility and efficiency of the Electoral Commission. Moreover, in 1990 amendments were made to the voting method. A scheme was devised by the Commission, which saw the introduction of symbols to represent candidates. The introduction of a single ballot box for all candidates, to be publicly displayed for the insertion of ballot papers was another innovation. Further still, the Electoral Commission under the Chairmanship of Mr. Max A. Bailor, saw the beginning of the computerization of the voters register. This technical aspect of the electoral process was indeed a novelty in the electoral history of Sierra Leone. Finally, it was also under him that the Electoral Commission conducted the referendum that saw the replacement of the 1978 One-party Constitution with the 1991 multi-party Constitution of Sierra Leone. This was by then a seemingly impossible task. As already stated, the Max Bailor led Commission was replaced in 1992.


We have stated that following the announcement of its transition programme from a military to civilian democratic rule, the NPRC established the Interim National Electoral commission (INEC), under Decree, No.1 of 1994.
INEC also brought marked structural and procedural improvements in the country’s election administration system.

INEC, backed by a team of international consultants and the Commission’s dedicated staff, no doubt, for the first time after many decades, improved both the national and international image of the country’s electoral management body. INEC brought marked improvements, both in the management of the country’s electoral process and in the provision of facilities and equipment, for the election management body and staff.

The following improvements were introduced both in the Commission and in the elections process.

We have already described the dilapidated structure at Tower Hill (see appendix 1), which previously housed the Electoral Commission. INEC succeeded in finding a suitable building for its staff and head office accommodation. The former Town Hall building at Government Wharf in Freetown (which currently serves as the office of the SLPP) was refurbished and adequately furnished to serve the needs of the Commission.

Moreover, INEC made great strides in the technical aspects of the management of elections. This time, the computerization efforts started by the Max Bailor led Electoral Commission were remarkably improved; as the Commission embarked on an up-to-date computerization system of voter registers. Modern computers with all their accessories were installed in the headquarter office in Freetown. The computerization of the voters roll was done by the Commission itself, and in the commission building, rather than being contracted to another agency, as was done under Max Bailor in 1991.

The Commission realized the need for effective communication between the Electoral Commission headquarters and election staff in the district offices (especially during peak periods of electoral exercises). Thus, Very High Frequency (VHF) radio communication equipment were installed in the headquarter office in
Freetown and in nearly all the district election offices. It is, however, regrettable to know that nearly all of those radio communication equipment in the district election offices were looted during the nine month military interregnum of the Armed Forces Revolutionary Council (AFRC), referred to earlier.

Another area of advancement in the Commission was the establishment by INEC of the Voter Education Department, with the assistance of both international and local consultants. The aim of the department was to educate voters (whose number had increased, following the reduction of the voting age from 21 to 18 years old in 1991) on each stage of the electoral process. In addition, the voter education department ran workshops during which key voter education trainers were trained in all the provincial headquarter towns in the country. Public education programmes were devised by the department and aired out on radio stations in the country.

For the first time in the history of the Electoral Commission, a logo was designed for the Commission. The logo shows “a hand depositing a ballot Paper, in the shape of the map of Sierra Leone, into a Ballot Box incorporating the colours of the national flag”, of Sierra Leone – Green, white and Blue\(^\text{32}\). (see cover of this monograph).

Improvement was also made on the country’s electoral laws. It was through the effort of INEC (which employed a legal consultant, through the assistance of the Commonwealth), that the country’s electoral laws were reviewed by the Government and mostly kept in line with international standards. Of significance is the provision, inter alia, in the electoral laws of Sierra Leone for national and international elections observers (who must be accredited by the Electoral Commission), to observe the electoral process. This indeed was another innovation in the country’s electoral process.

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Also, in its attempt to improve the delivery of election services, all temporary workers employed by INEC to perform specific electoral tasks, like voter registration, polling day duties, were given training (not “briefing” as was previously the case) during training workshops before embarking on such election duties. Of more significance is the fact that it was during the era of INEC that the Commission’s technical staff began attending international training workshops on elections. The first of such workshop was the Elections Management Training Workshop for Senior Elections Officials from Commonwealth African countries held in Windhoek, Namibia, from 6 – 15 June 1995; then another one held in Gaborone, Botswana, from 2 – 13 June 1997; and another held in Harare, Zimbabwe, from 2 – 13 November 1998. Electoral Commissioners also had the opportunity of observing the first democratic elections held in South Africa in 1994. As already stated, INEC conducted the 1996 “conflict management” Presidential and Parliamentary elections, using a new electoral system called, Proportional Representation, National List (PRNL).

Finally, attempts by INEC to restructure the Commission along professional lines and improve staff conditions of service were frustrated by the NPRC regime (see INEC’s efforts to restructure the Commission in Chapter 7 of this monograph).


As already stated, INEC was dissolved and replaced with the NEC (as per the aforementioned LPA and later the NEC Act, 2002).

Improvements were further made during the period of the reconstituted NEC. The following are worthy of note:

- For the first time in the electoral history of Sierra Leone, the Commission prepared its Strategic plan in February 2001 for the period 2001 – 2005. As a technical document, the plan contained, among other things, the Commission’s mission statement in accordance with the 1991 Constitution; its vision as a public institution and a set of specific goals and objectives to be achieved both in the short-term and long-term.
Following the strategic plan was the development of a more specific operational plan against specific objectives contained in the plan.

- NEC also rehabilitated its regional offices in Bo, Kenema, Makeni, and opened a new office at Waterloo to serve the rural areas of the Western Area.
- Communication equipment were also installed at the Headquarters office and all district offices.
- Following its reconstitution, the NEC convened the already mentioned round table conferences of all registered political parties and representatives of civil society. It also established Consultative Committees to facilitate and formalize consultations between the Commission and stakeholders in the electoral process.
- Moreover, in a bid to develop the capacity of the Commission, two Electoral Commissioners and one Elections Officer participated in the 2000 Commonwealth Election Management Workshop held in Mauritius.
- In addition, four (4) members of NEC (the Chairman, two Commissioners and the Executive Secretary) were part of the Sierra Leone delegation that undertook a study tour and Election Observation Mission to Ghana (26th November to 9th December, 2000). The United States Agency for International Development (USAID) and Britain’s Department for International Development (DFID) jointly funded the study tour, through the International Foundation for Election Systems (IFES).33
- The Commission also organized (through the assistance of IFES) a training workshop for its core technical staff, called the Basic Election Administration Training (BEAT) from 18-22nd December 2001, and two Post Elections Assessment Retreats (i.e. the Post Election Assessment Retreat for the 2002 Presidential and Parliamentary Elections and the Post Local Government Elections retreat held in 2004).
- In the area of voter registration, the reconstituted NEC introduced the establishment of fixed registration centres and the voter picture identity card.

33 International Foundation for Election Systems is a non-profit and non-partisan organisation that provides consultative assistance and technical support to election management bodies and other democratic institutions in the world.
• The NEC successfully conducted the 14th May 2002 Presidential and Parliamentary elections. However, it failed to either improve the conditions of service of its staff or restructure the Commission along professional lines.

**Conclusion on electoral reform measures**

From the above discussion, it is evident that the process of electoral reform in Sierra Leone, though gradual, had been systematic since the 1990’s. Notwithstanding the AFRC Military coup of 1997, there has been, since the 1996 conflict elections, commendable progress in the democratic developments of Sierra Leone, especially in the system of administering credible democratic elections.

However, reviews of the elections conducted between 1996 and 2004 (including the structural and procedural practices, administrative strategies, policies and capacity of the EMB), reveal that more electoral improvements were needed to meet international electoral standards. As already stated in previous chapters, NEC as an EMB, since 1996, lacked the capacity to conduct transparent and credible elections all by itself, without the technical assistance of the International Community. Against the backdrop of NEC’s perceived inability to conduct elections all by itself, there were many studies carried out, which recommended the restructuring of NEC into a professionally equipped EMB. NEC’s lack of training and capacity to conduct elections all by itself was clearly stated in its Restructuring document of 17th May 2005 as follows:

*In essence, the reports (ie previous reports) and discussions highlight the fact that elections in Sierra Leone (2002, 2004) could not have been successfully conducted without the assistance of external agencies, namely the EU, DFID, IFES Ltd, UNDP, AND UNAMSIL, who provide (d) elections expertise, logistical assistance and financial aid, and who have through those processes carried out in part or full substantive tasks on behalf of the NEC.*
It would therefore be reasonable to conclude that much of the delivery of expert election services in Sierra Leone has been de facto in the hands of foreign agencies, without whose assistance fair and free elections could not have been achieved.\textsuperscript{34}

Since the end of the civil war in 2002, therefore, the international community had provided significant assistance required for the conduct of all the elections held since then, including the transformation of NEC as a professional independent EMB. Some of the reform measures that occurred after 2005 are discussed in the next two chapters.

\textsuperscript{34} Policy paper for the restructure of NEC: Resolution No 1 of 2005 (relating to the 7 steps of the electoral reform and national elections) page 3 of 6 (words in brackets are mine).
CHAPTER 7

RESTRUCTURING OF THE NATIONAL ELECTORAL COMMISSION: 2005-2010

Introduction

It has been argued that, notwithstanding all the aforementioned electoral reform measures and huge support by the international community, “the NEC would not for sometime be able, itself and without outside assistance, to conduct the country’s elections.” 35 This assessment was true by the 2007 Presidential and Parliamentary elections (i.e. two years into NEC’s restructuring process) as it was by the time of the 2002 Presidential and Parliamentary elections and 2004 local government elections. It must, however, be admitted that the image and technical capacity of NEC under the Christiana Thorpe led Commission improved significantly following its restructuring process in 2005-2010.

This chapter, therefore, discusses the transformation (or restructuring process) of Sierra Leone’s EMB from a poorly equipped and dependent body (i.e. an appendage of the Ministry of Internal Affairs, and dependent on the technical support of the International Community) into a comparatively professionally independent, well-resourced and credible public institution; with mandate to conduct all public elections and perform related tasks. It gives a comprehensive road map of the transformation process since the period of INEC in 1994.

Earlier efforts to restructure the Commission under INEC: 1994-1996

Efforts to actually restructure the Electoral Commission into a professionally equipped EMB, functioning independently of government, dates back to 1994, under the Interim National Electoral Commission (INEC). When INEC was established in 1994, it inherited a dilapidated and ill equipped office structure nationally, and a staff with very little capacity to conduct credible democratic elections.

35 Johann Kriegler, UNDP Senior Electoral Advisor in his already mentioned December 2004 Assessment Report on Sierra Leone’s Local Government elections (page 2).
Under NPRC Decree No. 1 of 1994, INEC had “a free hand to restructure itself” and “was under no compulsion to retain the old staff” it inherited\(^{36}\). In keeping with its independence, and in pursuance of its restructuring exercise, as provided for in the aforementioned Decree, the Commission took the following initial challenges:

- The acquisition of suitable staffing and office accommodation;
- The commissioning of a personnel audit of the organisation it had inherited, undertaken by the Institute of Public Administration and Management (IPAM);
- INEC wrote a proposal for a “new (staff) structure of salaries and allowances attached to the respective offices” (INEC report, 1994-1996, December 1996).

In pursuance of its restructuring exercise for the Commission, INEC submitted to the NPRC military regime a scheme containing the following:\(^{37}\)

- A new staff structure;
- A new salary structure and conditions of service; and
- A self accounting status, with payments made on a quarterly basis to INEC’s operational account to reduce the bureaucratic and red tape which existed in the Civil Service.

INEC’s proposed structure allowed for growth, especially professional growth, thereby ensuring that “a person who chose elections as a career had the opportunity to grow from Assistant District Election Officer to Executive Secretary…” \(^{38}\)

Given that the Commission had, as per the aforementioned Decree, been removed from Sierra Leone’s unified civil service, the above proposed staff structure had proved to be operationally more efficient in similar EMB’s.

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\(^{37}\) INEC Report p6 ibid.
\(^{38}\) INEC Report p5 ibid.
However, when it received the above proposal, the NPRC military regime rejected INEC’s plan to restructure itself. Consequently in order to meet its mandate, INEC resorted to obtaining, through bi-lateral assistance, the required component of professional staff as consultants in the various fields to assist its work i.e. the so-called dependence syndrome to conduct national elections (INEC Report p6).

Notwithstanding the junta’s refusal of plans to restructure the EMB, and in order “to achieve that level of autonomy and efficiency that is provided for in the (1991) Constitution”, with a view to achieve the tenets or principles on which good electoral management is founded, INEC in its 1996 report (page7) made the following recommendations:

The Commission:

- Must be given self accounting status;
- Should have an independent staff over which it has power to hire and fire;
- Must be allowed to develop its own staff structure with conditions of service quite separate from that obtainable within the (Sierra Leone) Civil Service;
- Should develop its own training scheme which would give every trainable staff the opportunity to progress in the elections service to the highest level of professionalism.

**NEC’s restructuring Process after the 2002 Presidential and Parliamentary elections**

Even with the end of the civil war (18th January 2002), and the approach of the 2002 presidential and parliamentary elections, there was still little or no capacity building within, and transfer of skill to the NEC. Consequently the international community had to make substantial input in the planning and organisation of the 2002 presidential and parliamentary elections. The main international contributors were the UNDP, IFES ltd with funding from DFID, the Commonwealth and the EU.
In pursuance of the restructuring exercise of the NEC, IFES Ltd (in collaboration with the then NEC staff, notably Messer’s Stephen A. Mattia, Mohamed Nfah-Alie Conteh, Timothy N. Bangura, Sheku C. Johnny and Mrs Florence K. Kebbie) conducted an extensive review of the EMB and produced later in the year a report on the proposed restructured NEC. The IFES (ltd) report contained “a comprehensive set of detailed, prioritised and costed recommendations for the complete restructuring and organisational streamlining of the whole organisation” (Kriegler, December 2004 p37). Not withstanding the release of the IFES Ltd report, nothing substantial was done between the 2002 elections and the 2004 Local Government elections.

The 2004 Local Government elections and NEC’s restructuring process.

As already stated, despite the poor service in the Commission and other odds (inter-alia, no electricity, inadequate equipment and stationery), Commissioner A.S.Jarr, Messer’s Stephen A. Mattia and Mohamed N. Conteh (the author of this monograph) took the lead in the restructuring process, with a view that the organisation will be capable of fulfilling its constitutional mandate of conducting transparent and credible democratic elections. During the process, the guidance and assistance of the then UNAMSIL Electoral Adviser (Adrian Morrice) and IFES Ltd were invaluable. It was sad to note that the other three Commissioners (Nyaley, Minah and Bright of the Eastern, Southern and Western regions, respectively) showed a lukewarm attitude towards the restructuring process. This was quite unlike the positive attitude of the then Chair Eugene Davies (and later Dr. Christiana A. Thorpe) who gave his blessings to the endeavours of the aforementioned servants of the NEC restructuring process.

Major steps in the transformation process of NEC

The following were among the important steps aimed at the restructuring of NEC as an EMB that is capable of conducting national elections all by itself, with little or no outside technical assistance:

39 For more details see IFES Ltd report titled: “A review of the organisational and service delivery structure of Sierra Leone’s National Electoral Commission, December 2012 (the report was produced by IFES Ltd in collaboration with the NEC).
1. **Review of restructuring documents**

This process involved the desk review, analysis and updating of all previous NEC restructuring documents including lessons learnt, since the 1996 elections to the 2004 Local Government elections. This review and analysis of the previous studies and reports recommending the restructuring of NEC, culminated into the development of a medium term strategy for the structural reform of NEC and a comprehensive electoral plan styled; “Outline of areas for intervention to strengthen the NEC: Parliamentary and Local Government Elections, 12th December 2004”. The above plan was submitted in draft to the Government of Sierra Leone (GoSL) and the donor partners on 1st February 2005.

2. **Restructuring Retreat**

The NEC, in collaboration with the Government of Sierra Leone (GoSL) and development partners, conducted a restructuring retreat from 16th – 17th February 2005, with a view to develop the course and structure of the restructured NEC, notably:

- Its functional structure and personnel to staff the organisation;
- How it can achieve the administrative independence provided for in the then NEC Act, 2002; and
- How to achieve a self accounting (or subvented) public institution status for the NEC, subject only to audit by the Auditor-General’s Department (now the Audit Service Sierra Leone).

The restructuring retreat was attended by all NEC Commissioners (except the Chair, Eugene Davies who had resigned), senior staff and a number of key representatives from the GoSL (including the Establishment Secretary and representatives from the Ministry of Finance), the donor community (including UNDP Senior Governance Advisor, UNAMSIL) and IFES Ltd.
3. Development of a Policy Paper

After examination of the various restructuring options in the aforementioned retreat, the NEC Prepared another Policy document titled; “Policy Paper for the Restructuring of the NEC,” 17th May 2005. The Policy Paper had details of the envisaged staff structure of NEC, including salaries and other costs, and a plan for the transfer of the then NEC Civil Servants to the Office of the Establishment Secretary. The Policy Paper was accepted and approved by all the Commissioners, including the newly appointed Chair, Christiana Thorpe, on the 17th May 2005. Both NEC’s outline plan (2005-2008) and Policy Paper referred to here, provided the foundation for the project titled “Support to Electoral Reform and the National Electoral Commission”.

Legal Basis for NEC’s restructuring Process.
The National Electoral Commission Act, 2002 (NEC Act, 2002) was made pursuant to sections 32 and 33 of the 1991 Constitution of Sierra Leone. Section 8 (3) of the NEC Act, which deals with the staff of NEC, empowers the Commission to appoint its own staff, subject to its prescribed terms and conditions.

“The Executive Secretary and other staff of the Commission shall be appointed by the Commission subject to such terms and conditions as the Commission may determine.”

Section 9 (1) provides for the charge of administrative and other expenses on the consolidated revenue fund.

Electoral Reform programme-7 steps.
On 15th December 2004, the National Electoral Commission (NEC), with support from the Government of Sierra Leone (GoSL) and the development partners, completed the aforementioned plan for a comprehensive electoral reform programme. In August 2005, the implementation of the restructuring process began under seven major intervention steps (or areas, commonly called Electoral Reform Matrix) as follows:

- Restructuring of NEC;
- Staff Capacity Development;
- Infrastructure Development;
- Information Technology;
- Reform of Electoral Laws and regulations;
- Boundary Delimitation;
- Voter registration.

As part of its restructuring process in August 2005, the civil servants of the NEC, recruited through the Public Service Commission (PSC) were transferred to the Establishment Secretary’s Office for new postings within the country’s open Civil Service. The Commission thereafter recruited its own staff as per the NEC Act, 2002. Thus since 2005, the management of elections in Sierra Leone has witnessed a major shift from an Election Office staffed by civil servants contained within a central government department to the establishment of an “independent statutory Commission” with power to conduct all public elections and to recruit its own staff.

**Challenges of the restructured Commission**

- Funding of logistical support and maintenance services, and the electoral process;
- Sustainability of the restructured NEC and its independence;
- Retention of the services of the professional election administrators vis-à-vis international competition and staff remuneration;
- Issues of electoral fraud, the acceptance of final results by losers and elections violence;
- Provision of convenient district offices and storage facilities.
Conclusion

- Restructuring process formed the basis of successful conduct of the 2007 Presidential and Parliamentary elections, 2008 Local Government elections and the various bye-elections that followed.

- On the whole, NEC’s capacity to deliver professional election services all by itself has improved tremendously.

- Improved public perception of NEC as an independent EMB.

- The GoSL and international partners were very supportive of the restructuring process and activities of the Commission.
CHAPTER 8

THE ELECTORAL COMMISSION AND ELECTORAL NETWORKING: 2005-2010

Introduction

This chapter deals with the Commission’s networking activities with other similar Election Management Bodies, elections related international or national Non Governmental Organizations and government ministries, both in country and within or outside the sub region of West Africa; with a view to develop capacity by sharing skills, experiences and electoral materials, through the exchange of visits, election observation missions and workshops.

Background information to electoral networking.

Since the 1996 elections, Sierra Leone like many emerging democracies around the world, has realized that the conduct of transparent and credible democratic elections is no longer the business of one country alone. Rather, it has attracted the attention of not only the international community, but specifically also the attention of elections related International Non Governmental Organizations (INGO’s) and EMBs within and outside the African Continent. Given the “complexity and specialist skills” required in the management of transparent and credible democratic elections, compounded by the “rapid development in technology, communications and other electoral initiatives”, election administrators and EMB’s need no longer operate in isolation from each other and without any external support, but to cooperate with a view to improve their capacity (International IDEA, 2006 and Ron Gould, 2004). Thus, the need for regional and “global electoral network” cannot be over emphasized. Globalization, the dynamic changes (i.e. structural and procedural, as well as the use of new technologies) in the way democratic elections are conducted around the world, and the “internationalization of electoral frameworks and administration” since the 1980’s, have continued to put emerging democracies and their EMB’s under pressure to introduce both electoral reform and networking measures.

Also, the signing of regional and international (elections and human rights related) instruments, questions raised in international election observation
reports relating to international “best practice” (i.e. yardsticks by which a
democratic country’s electoral process and management are assessed), continues
to add to the aforementioned pressure.

In Sierra Leone, as already stated elsewhere, the most prominent regional and
international instruments on human and political rights (signed by the
government(s) include:

- the International Covenant on Civil and Political Rights (ICCPR) 1966,
- the Convention on the Elimination of all forms of Discrimination Against
  Women (CEDAW) 1979,
- the ECOWAS Protocol on Democracy and Good Governance 2001,
- and the African Union Charter on the Principles Governing Democratic
  Elections in Africa.

What is electoral networking and why is it important?

Networking (generally) has been defined as:

“a process of bringing together scattered interests and common goals for the
purpose of creating a platform under which a framework can be facilitated
for better performance. Networking is a dynamic process that has grown into
the harmonization of similar functions to prevent duplications among various
bodies that exist in a particular field”40.

As applied to elections and EMB’s, electoral networks (or EMB networks) means
the process of bringing together electoral managers (or EMB’s) into a common
platform (or forum) either at national level (e.g. in countries with decentralized
EMBs as in the UK, the USA), regional, sub-regional or at global level, with a
view to enhance cooperation in the way democratic elections are conducted using
the internationally acknowledged (or regional) standards for election
administration.

40 Quotation from ECOWAS Report titled “Towards West African Electoral Management Bodies Networking with
**Factors that encourage electoral (or EMB) networking**

- The need for a “common interest” in the management of democratic elections;
- To foster “capacity development” among EMB’s (or election administrators) and serve as useful forum to address common issues of concern e.g. funding, use of technology in elections;
- Share electoral ideas, electoral materials and exchange personnel between EMB’s and to share experience between election administrators;
- The identification of other priorities for collaboration.

**Examples of Electoral Network Organizations include:**

- The Association of Election Administrators (AEA) in the UK;
- The National Association of State Election Directors and the National Association of Secretaries of State in the USA;
- The Association of African Election Authorities (AAEA), established in 1997;
- The ECOWAS Network of Electoral Commissions (ECO-NEC) established in 2008;
- The Commonwealth Electoral Network (CEN) established in 2010;
- The Association of Central and Eastern European Elections Officials (ACEEEEO).

**The NEC and International Electoral networking: 2005 – 2010**

The restructuring process of the NEC has been dealt with extensively in previous chapters. Electoral networking with EMB’s (including INGO’s and other election administrators), as a key component of institutional capacity building measures, was part of NEC’s already mentioned comprehensive reform programme began in 2005. As part of its “Electoral Reform Matrix – 7 steps”, as contained in the already mentioned policy paper for the reconstruction of NEC, it is stated as follows:

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41 International IDEA handbook chapter 11, opcit.

42 The Commonwealth Electoral Network (CEN) was created to facilitate experience sharing, create peer support mechanisms and promote good practice in the field of election management. Its aim is to be a practical, accessible, engaging reference point for election management professionals across the Commonwealth.
“To link and network the NEC to other Electoral Management Bodies (EMB’s) and electoral INGO’s so as to share skills and experiences, and possibly electoral commodities.” NEC planned to implement its networking activities “through exchange visits, election observation or monitoring and attendance at international workshops on election administration” and other experience sharing programmes. (NEC’s 7 steps Electoral Reform Matrix – step 2. 4 p3 of 6).

Electoral network is thus a major feature of NEC’s election administration policies.

Between 2005 and 2010 there was a considerable effort on the part of NEC to network with other EMB’s, INGO’s both at regional and global levels. NEC’s electoral networks were, and still are, however, constrained by inadequate resources to participate in regional networking activities. NEC had therefore only mostly attended activities paid for by either from the then Electoral basket fund or by the organisation sending the invitation.

The following are among the networking activities of the Commission during the period under review:

The Chief Electoral Commissioner and Chairperson (CEC/Chair) and or the other Electoral Commissioners and some staff members attended a series of conferences, workshops and Election Observation Missions, including:

- 3rd General Assembly meeting of the Association of African Election Authorities (AAEA), held in Nairobi, Kenya from 8th -10th December 2005; and the AAEAs 7th Advisory Board Meeting held in Kigali, Rwanda from 5th -6th October 2006.
- Electoral boundary delimitation study tour to Accra, Ghana and Gaboronne, Botswana from 26th February -6th March 2006, in preparation for Sierra Leone’s constituency boundary delimitation exercise for the 2007 Parliamentary elections.
- ECOWAS meeting to review the draft ECOWAS Handbook for Election Observation Missions held in Accra, Ghana on the 13th October 2006.
The CEC/Chair attended series of ECONEC Coordinating Committee meetings, including the one held in Abidjan, Cote D'Ivoire from 9th -12th August 2008. In fact at the time of writing she was a member of the Steering Committee of ECONEC.

The NEC had a special relationship with the Electoral Commission of Ghana (EC Ghana), to the extent that it sent two teams of staff on attachment programme to the EC of Ghana in October and November 2008 and in June 2010.

ECOWAS Electoral Assistance Activities Evaluation meeting held in Lome, Togo from 27th -28th October 2008;

The 17th Annual conference of the Association of Central and Eastern European Elections Officials (ACEEEO) held in Constanta, Romania, from 11th -13th September 2008.

The NEC Sierra Leone, in addition to networking with EMB’s, also networked and attended workshops organised by International NGO’s and Civil Society Organisations, during the period under review, 2005-2010. Prominent amongst these organisations were: the Open Society Initiative for West Africa (OSIWA); WANEP, and the Electoral Institute for the sustainability of Democracy in Africa (EISA). In fact, at the time of writing, the CEC/Chair of NEC Sierra Leone (Dr Christiana Thorpe) was a member of the Board of EISA.

Members of the Electoral Commission of Liberia also undertook a study tour to the NEC Sierra Leone, from 3rd -13th March 2009 on the latter’s boundary delimitation process held in 2006 and 2008.

Commissioners and some management staff were part of the International Election Observation Missions organized by ECOWAS, Commonwealth, Carter Foundation and the African Union, to observe various elections in Africa, including the Ghana elections of 2008, the 2009 South Africa elections and the 2010 Guinea and Ivory Coast democratic elections.

At least three NEC staff members were allowed to go on long-term Election related missions with the UN and Carter Centre either as Volunteers or long term observers in 2010 in Sudan.
The CEC/Chair of NEC was part of a pre-election assessment mission held in October 2010 for the Ivory Coast (Cote D’voire) and Nigeria elections in 2010 and 2011, respectively.

One senior NEC staff and International IDEA collaborated in carrying out a research on inter-party dialogue in Sierra Leone. The outcome of the research was validated by concerned stakeholders in Freetown on Friday 22nd October 2010.

**National Networking**

Networking was not only confined to EMBs and INGO’s at regional level. The NEC also networked with national organisations, Ministries, Departments and Agencies (MDA’s) in Sierra Leone that perform election related activities.

- Prominent amongst these MDA’s including the National Registration Secretariat (the body responsible for issuing national identity cards); the Office of National Security (the national security architecture that is responsible for national security, including electoral security).
- Of importance, NEC collaborated with Statistics Sierra Leone (SSL) in carrying out the delimitation of electoral constituency and ward boundaries in 2006 and 2008, respectively.
- Between November 2009 and December 2010, NEC collaborated with the Ministry of Internal Affairs, Local Government and Rural Development (MIALGRD) to conduct at least 40 Paramount Chieftaincy (PC) elections nationwide, as per the Chieftaincy Act of 2009 which gave joint responsibility in the PC election process to both NEC and MIALGRD
- The NEC also networked with the other democratic and human rights Commissions in the country: the National Commission for Democracy (NCD); the Political Parties Registration Commission (PPRC); the Human Rights Commission, Sierra Leone (HRC/SL). The NEC held joint experience sharing workshops with these Commissions. Sierra Leone’s national capacity democratic building institute called **Institute of Electoral Administration and Civic Education (INEACE)** was founded by the NEC in collaboration with the aforementioned democratic Commissions in 2009. The experience gained
from its various networking activities contributed immensely to institutional capacity building of the Commission.

- Finally, the NEC networked with civil society organizations in the country, notably the National Elections Watch (NEW), which is a coalition of several civil society organizations. NEW, as a domestic election observation group, observed the 2007 Presidential and Parliamentary elections, the 2008 Local Government elections and all the bye-elections that followed.

The Commission has therefore used electoral networking as part of its capacity building strategy since its restructuring in 2005.
CHAPTER 9

HISTORY OF ELECTIONS IN SIERRA LEONE: 1951-2004

Introduction

This chapter briefly examines the country’s practical experience with elections, both of a democratic (i.e. free, fair, transparent and credible) and undemocratic nature.

A. Pre – Independence Elections

1. The 1951 General Elections

As already stated, the history of elections (i.e. political pluralism and electoral democracy) dates as far back as in 1951, when the first general elections were held (though on a limited scale) under the control of the British colonial administration. The 1951 general elections were preceded by the formation of “indigenously constituted” political parties in the true sense of the word.

Two main Political Parties and a number of independent candidates contested the 1951 general elections on a limited and mostly indirect franchise:

- The National Council of Sierra Leone (NCSL), which was then a Creole based colony party;
- The Sierra Leone People’s Party (SLPP), which was widely representative.
- Independent candidates also contested the elections.

The elections were won by the SLPP (led by Sir Milton Margai), which got six (6) seats (2 from the Colony and 4 from the Protectorate);

- while the NCSL won five (5) seats (all from the Colony).
- Ten (10) Independent Candidates from the Protectorate also won seats.
• All the Independent Candidates crossed over to the SLPP, thus giving the latter an absolute majority in the Legislative Assembly.

2. The 1957 General Elections
The second general elections were held in 1957 on a much extended and direct franchise (based on the recommendation of the 1954 Keith-Lucas Commission). The 1957 general elections were more pluralistic and open than the 1951 elections, because more parties contested. They were as follows:
• The SLPP;
• The NCSL;
• The United Progressive Party(UPP);
• The Sierra Leone Progressive Independence Movement (SLPIM);
• The Sierra Leone Labour Party (SLLP).

A total of 121 candidates contested the elections, 47 of whom were Independents.
• The SLPP won the elections with 21 contested seats and 4 unopposed (or uncontested) seats,
• the UPP won 9 seats (7 from the Protectorate and 2 from the Colony),
• the SLPIM won 1 seat in Kono district,
• 12 seats went to Independent Candidates.
• 12 Paramount Chief Members of Parliament were also elected.
• All Independents and Paramount Chiefs crossed over to the SLPP.
• The Legislative Council was renamed House of Representatives.

B. Post – Independence Elections
1. The 1962 General Elections
Sierra Leone’s third general elections (the first after Independence) were held on the 23rd May 1962. They have been rated as the
“freest and fairest elections” held “during the (immediate) post colonial period”.43

Before the holding of the 1962 elections, Parliament had passed the Electoral Provisions Act No. 14 of 1962. It was a comprehensive piece of legislation which provided for all aspects of a national election, be it general elections for Ordinary Members of Parliament, elections for Paramount Chief Members of Parliament or Local Government Elections. Indeed the 1962 Electoral Provisions Act has since served as Sierra Leone’s parent electoral statute (with some amendments, of course).

Four (4) major parties contested:

- The SLPP;
- The APC (which was formed, as already stated, as a result of a split within the SLPP; over, among other reasons, disagreement over whether general elections were to be held either before independence or after independence);
- The UPP;
- The SLPIM (which had succeeded the Kono Progressive Movement);
- Independent Candidates also contested.

The results were as follows:

- The SLPP returned 28 members,
- the APC 20 members (4 of whom were as a result of a merger with the SLPIM),
- Independents 14,
- 12 Paramount Chief Members of Parliament.
- As with the previous elections, Independent candidates and Paramount Chiefs aligned themselves with the SLPP, which formed the government.

43 IFES: Sierra Leone: A pre-election Assessment Report, December 1991 p7 (The word in brackets is that of the author of this monograph.)
Analysis of the 1962 elections

While the 1962 General elections may be regarded as being one of Sierra Leone’s “freest and fairest” elections, yet the results of the elections indicated that the country’s political parties were either regionally or ethnically based. This is confirmed by the following; while most of the SLPP’s 28 seats were won in the South and East, all of the 16 seats won by the APC were from the Northern Province and the Western Area, which was formally called Colony. In addition, the SLPIM, which was a Kono based party won its 4 seats in the Kono area. Besides, the emergence of a new regional division between the north and southeast was to become more serious than the one between the Colony and the Protectorate that had hitherto existed. One could perhaps be tempted to say that the seeds of regional or ethnic polarization in the provinces had begun to sprout. Moreover, since the political parties that contested the elections were not totally national in outlook and character, the electorate therefore assessed the candidates not much because of their political affiliation but "pretty much on their own personal performance and position". Finally no one political party was able to attain a clear majority of the seats in the House of Representatives. However, it should be emphasized that even after independence Sierra Leone continued her experiment with electoral democracy, an experiment started under British tutelage in 1951.

2. The 1967 General Elections

The next general elections were held on the 17th March 1967 for Ordinary Members of Parliament and on the 21st March 1967 for Paramount Chief Members of Parliament. These elections were witnessed by tense election campaign between the two (2) major parties, the SLPP and APC.

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44 Mary Louise Clifford, Opcit p86.
The elections, which were violent in some parts of the country, also saw the introduction of undemocratic elements in the country’s electoral history.

For example, by the close of nominations 6 SLPP candidates were declared “unopposed”; “although the APC had indicated its intention of opposing if permitted to do so”\(^45\). They were as follows:

- Sir Albert Margai (the incumbent Prime Minister) of Moyamba South Constituency,
- Mr. Samuel Margai of Bonthe South Constituency,
- Mr. S. Y. Kpakiwa of Kono North East Constituency,
- Mr. R. G. O. King of Koya Rural District,
- Mr. Maigor Kallon of Kailahun Central constituency, and;
- Dr. Hadj Momo Conteh of Tonkolili East Constituency.
- One Paramount Chief also went unopposed.

The 1967 elections were contested by two main political parties:— the SLPP (which put up candidates to run for all the remaining 60 contested seats) and the APC (which registered at least 50 candidates in the contested seats for Ordinary Members of Parliament). A total of 61 Independent candidates also contested in at least 37 out of 60 contested constituencies. The election contest was closely fought between the SLPP and the APC. However, a great deal of confusion surrounded the whole electoral process, especially the nomination and vote counting processes.

The APC, however, gained a majority of seats in the 1967 elections; but its leader, Siaka P. Stevens, was prevented from taking power by the already mentioned military coup of 1967.

\(^{45}\) Robert S. Jordan: government and power in West Africa (Faber and Faber, London 1969 p269)
The results of the elections (though, were not officially declared) were as follows:46

- “APC: 32 contested seats and non-unopposed”
- “SLPP: 22 contested seats and 6 unopposed”
- “Independents: 6,” (these were previously SLPP members)

Confusion over the election results led to the already mentioned first Military intervention in the Politics of Sierra Leone on the 21st March 1967. This was followed by the declaration of a state of emergency by the Force Commander, Brigadier David Lansana; who was later deposed by his Officers and the National Reformation Council (NRC) was formed with Lieutenant-Colonel Andrew T. Juxon-Smith as head of state.

After intense internal power struggle (which led to the overthrow of the NRC by Warrant Officers of the military and later headed by John Bangura) and a lengthy investigation into the conduct of the 1967 elections, government was returned to civilian control under Siaka P. Stevens and the APC on the 26th April 1968.

**Analysis of the 1967 elections**

The results of the 1967 general elections exposed further the continued polarization of Sierra Leone, along ethnic and regional lines. As already indicated, the confusion over the results of the said elections gave the first taste of political power to the Military in Sierra Leone; a phenomenon which regrettably continued up to 1997. However, the 1967 elections were significant for the following reasons:

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46 Section 122 of the Dove-Edwin Commission of Inquiry.
They showed that democracy was still at work inspite of attempts to introduce undemocratic elements in the electoral process.

The 1967 general elections showed further how determined the electorate was, by then, to have a change of government through the ballot box, despite the alleged malpractices of the then government in power headed by the late Sir Albert Margai.

Finally, the elections were unique in the sense that they gave the opportunity to the APC to become “the first opposition party to win a general election in independent Black Africa”47.


Sierra Leone’s experiment with democratic elections reached its climax with the 1967 elections. It is unfortunate to note that the period beginning with the 1967 elections, unto the 1986 elections, was marked by a gradual and systematic decline in the experiment of electoral democracy and political pluralism, began under colonial rule. Nearly all elections conducted under this period (i.e. 1973 – 1986) were not “free and fair”; or, better still, credible to say the least. They were characterised by violence, intimidation and electoral manipulation, which led to a large number of “unopposed” candidates and uncontested seats.

1. The 1973 general elections

The next general elections were held on the 15th May 1973, under a state of emergency. The 1973 elections were characterized by “a large measure of violence along with voting irregularities” initiated mostly by the ruling APC, thus allowing it to control every single seat in Parliament (Deveneaux, Gustav). There were nationwide violent clashes between the SLPP and APC supporters (other political parties like the United Democratic Party remained banned) during what was a very tense election campaign. The SLPP complained of APC violation of nomination procedures and organized interference in the nomination process, thereby preventing SLPP

47 The Rising Sun – APC Secretariat (1982) p66
candidates from reaching nomination centres. There were, for instance, allegations of the deliberate and forceful prevention of prospective SLPP candidates from reaching nomination centres; and the deliberate refusal to accept nomination papers of many SLPP prospective candidates by Returning Officers using flimsy excuses. Thus, by close of nominations 46 APC candidates were declared unopposed, out of 85 elective seats. The SLPP thus withdrew from the elections, apparently because of intimidation and violence against its supporters by the incumbent APC. The SLPP withdrawal made the results of the elections a foregone conclusion (i.e. victory for the APC).

The results of the 1973 elections were as follows:
- APC 4 contested seats and 80 unopposed;
- SLPP Nil;
- 12 Paramount Chief Members of Parliament;
- Independent 1 (but later declared support for the APC).

**Analysis of the 1973 general elections**

The results of the 1973 general elections indicated, among other things, that:

- Sierra Leone’s political experiment with genuine multi-party politics and democratic electoral process had been literally assassinated;
- The country now became a de facto one party state, with a Parliament “whose members owed their positions to the party rather than to their constituency electorates.....”
- The withdrawal of the SLPP from the 1973 general elections gave the APC the opportunity to be the only political party in the nation’s law making body (parliament).
- This paved the way for the passing of legislation without any organized opposition.

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• The results also indicated that Sierra Leone was to, henceforth, experience continued election manipulation and violence under a one party system.

2. The 1977 general elections
After violent nation-wide student demonstrations in opposition to the APC government, the next general elections were held on 5th May 1977 earlier that expected. The elections were contested by the APC, SLPP and a new party called the National Democratic Party. The 1977 elections, which were won by the APC, were not only “widely regarded as unfair” but the “most violent in the country’s history” (Deveneaux, Gustav). Thus, Sierra Leone became a de-facto one party state after the 1977 elections and a de-jure one party state on the 14th June 1978.

3. The 1982 general elections
The 1982 general elections were the first to be held under the one-party system. They were also characterized by allegations of fraud and electoral violence. The elections were contested under the APC.

• Seventeen (17) candidates were returned unopposed, out of 85 elective seats.

• All the 12 Paramount Chief Members of Parliament were returned unopposed.

President Siaka P. Stevens retired in 1985 and was replaced by his hand picked successor, President Joseph Saidu Momoh, an ex-Major General of the Sierra Leone Army.
4. The 1986 general elections

The second general elections under the one-party system were held in 1986. They were, however, characterized not only by a comparatively lack of violence, but also for multiple candidates competing for each seat in each constituency where the elections were contested. Nine (9) candidates, out of the 105 seats for Ordinary Members of Parliament, were declared unopposed.

D. Transition elections from military to civilian rule

The 1996 Presidential and Parliamentary Elections

Introduction

In an attempt to “liberalize” the one-party state, because of both internal and external pressures (i.e. civil society and principal aid donors, respectively), the government established a constitutional review Commission, which later recommended a return to multi-party politics. President Momoh, therefore, re-introduced multi party politics following the introduction of the 1991 Constitution. But as already stated, the Army again seized power on the 29th April 1992; and the National Provisional Ruling Council (NPRC), which seized power, set up the Interim National Electoral Commission (INEC) in 1994. INEC conducted Presidential and Parliamentary elections on the 26th and 27th February 1996, using the Proportional Representation National List System (PR System for the latter)\(^49\). Fifteen (15) Political Parties (including the APC and SLPP) contested the elections (See chapter 2 for other pre-elections preparations by INEC). Political campaign was peaceful. The elections were observed, for the first time in the electoral history of Sierra Leone, both by International and Local elections observers. They were largely regarded as free and fair though some armed elements tried to prevent the conduct of the elections in some places e.g. Freetown and Kenema. Also, the elections were not conducted in areas under the control of the RUF.

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Results of the 1996 elections

The results of the Parliamentary elections were as follows:

- Sierra Leone Peoples Party (SLPP) = 27 Seats (35.9%)
- United National Peoples Party (UNPP) = 17 Seats (21.5%)
- Peoples Democratic Party (PDP-Sorbeh) = 12 Seats (15.2%)
- All Peoples Congress (APC) = 06 Seats (5.7%)
- National Unity Party (NUP) = 04 Seats (5.2%)
- Democratic Centre Party (DCP) = 03 Seats (4.8%) \(^50\)
- 12 Paramount Chief Members of Parliament were also elected (5 of whom were returned unopposed).

With regards, the Presidential election no candidate was able to score 55% as required by the law, during the first election. A second presidential election was held on the 15th March 1996 between Alhaji Ahmad Tejan Kabbah of the SLPP and Dr. John Karefa-Smart of the UNPP, with each candidate polling 603,008 (59%) and 419,099 (41%) respectively. Alhaji Ahmad Tejan Kabbah of the SLPP thus won the elections, even though the UNPP leader, Dr John Karefa-Smart complained of irregularities. For example, many polling stations in the east of the country, especially in Kenema and Kailahun Districts, recorded a voter turnout higher than the registered number of voters. The same is true of polling stations in Pujehun and Bonthe districts. Those polling station results were not invalidated by the then INEC. Instead, it only deducted the excess votes of 570,000; thus leaving the percentage turn out of most of those polling stations at 100%. This situation is hardly possible and thus not in conformity with international electoral standards.

\(^{50}\) Because of a rounding up principle used by INEC the DCP got 3 seats in parliament, though it did not receive the 5% threshold.
E. Post – conflict elections:

1. Presidential and Parliamentary Elections of the 14th May 2002

Introduction

The National Electoral Commission (NEC), which replaced the INEC on the 20th March 2000, conducted the next presidential and parliamentary elections held on the 14th May 2002. As stated earlier, the period 23rd March 1991 to 18th January 2002 was characterised by a brutal civil war. The war was declared over on 18th January 2002, through the collaborative efforts of the UN, ECOWAS and the International Community. The end of the war was preceded by the disarmament of over 50,000 combatants. President Kabbah’s first five – year term that expired in March 2001, was extended for two six-month term to allow time for the completion of the disarmament process and prepare for the elections.

Preparations for the elections

The NEC began preparing for the elections as early as possible:

- It registered political parties within the law, in the absence of the Political Parties Registration Commission (PPRC); which had not yet been established.
- As already stated, a strategic plan was formulated and published by the NEC in February 2001. The plan, which was the first ever to be produced by an election management body in Sierra Leone, was a technical document which focused primarily on the process of conducting the elections. It also contained the Commission’s goal, objectives and a timeline for the elections;
- A process of consultations on the electoral process with political parties (including the RUFP) and civil society representatives was begun at a Roundtable Conference on 18th April 2000. This culminated into the formation of a National Consultative Committee (NCC) and Regional Consultative Committees (RCC), comprising representatives of registered political parties and civil society groups;

• The Electoral Laws Act, 2002, which consolidated the electoral legislation contained in the NPRC Decrees, was passed by parliament;

• An election budget (including, a possible run-off) to the tune of Le20,973,034,700.00 (US $11,417,000) was prepared by the NEC. But given the country’s difficult financial state as a result of the war, it became difficult for the Government of Sierra Leone to fund the elections process alone without donor assistance.

• The 1991 Constitution (section 38) was amended, to introduce the aforementioned District Block Electoral System to replace the proportional representation system used in the 1996 Parliamentary elections.

Electoral Process:

Voter registration, Nominations, Campaign and Election Day activities

1. Voter Registration

From the outset, the NEC recognized the need to prepare a fresh voter register, if the 2002 presidential and parliamentary elections were to be credible to Sierra Leoneans and the international community. This was a result of the fact that the previous voters register used to conduct the 1996 elections had become obsolete due to the mass displacement of people (both as internally displaced persons and as refugees in neighbouring countries). Moreover, the names of eligible people who were then behind rebel line were not included. The preparation of a new voters register posed a tremendous challenge for the NEC. This was due to the lack of adequate funds, and the fact that the disarmament of the warring factions was officially declared completed by the United Nation Mission in Sierra Leone (UNAMSIL) on the 17th January 2002, and thus making the country fully accessible to all stakeholders in the electoral process’.

With funds provided by Government of Sierra Leone (GOSL), the British Department for International Development (DFID) and USAID, the NEC conducted the voter registration exercise from the 24th January to the
13th February 2002 (the exercise was extended for 3 days). The fixed centre registration method (instead of the house-to-house method used in previous voter registration exercises) and a computerized system using OMR (Optical Mark Reader) technology for data compilation were used for the exercise. The exercise was also supported with a voter identity card.

A total of 5,400 registration centres were identified, most of them were later used as polling stations. A total of 2,348,657 eligible voters were registered to vote in the elections, including some returnee refugees. However, political parties criticized the NEC for its handling of voter registration exercise. There were complaints, for instance, of shortage of registration materials like registration forms, films and laminates in some areas, the exclusion of certain eligible voters and multiple registrations.

However (given that the disarmament process officially came to the end on the 17th January 2002, and the start of the exercise on the 24th January 2002, etc) the NEC must be commended for going closer to its original target of registering 2.7 million voters. As indicated above refugees who returned from neighbouring countries were also registered a few weeks to the elections.

2. Candidate Nomination
The nomination of candidates for the presidential and parliamentary elections took place on the 2nd and 3rd April 2002. Since the election process was considered as a “conflict management tool”\(^\text{52}\), the Commission adopted a flexible approach to certain aspects of the electoral process. Like the voters registration exercise, the period for nomination of candidates was extended by one day, to the 3rd April 2002, in order to allow the Revolutionary United Front Party (RUF) meet the nomination requirements. The participation of the RUF in the 2002 post-conflict presidential and parliamentary elections (unlike the 1996 elections, in

which the RUF did not contest) was considered by NEC to be more crucial to the overall success of the exercise than strict adherence to deadlines (Jimmy D. Kandeh 2003). The nomination process was peaceful, free and fair. Nine candidates were nominated for the presidential election, while 10 parties sent in list of candidates for the parliamentary elections. The District Block Representation PR list system was used for 2002 elections.

3. Campaign
The period for political campaigning as declared by the National Electoral Commission was 2nd April to 11th May 2002. Following the nomination process, was the signing of a code of conduct by leaders of all registered political parties that contested the elections. The campaign by all political parties was relatively peaceful, except for an ugly incident in the centre of Freetown on the 11th May 2002; when supporters of the Sierra Leone People’s Party (SLPP) and those of the Revolutionary United Front Party (RUFP) clashed and threw stones at each other. But for the timely intervention of the Sierra Leone Police and UNAMSIL peacekeeping force, such a clash could have disrupted the election day activities on the 14th May 2002. However, as stated above, the whole campaign exercise was generally peaceful. Given the difficult circumstances following the end of the war, the NEC was widely credited for successfully handling the 2002 electoral process. (See chapter 2 of this monograph for more details on the 2002 elections).

4. Special Voting day for the forces
For the first time in the electoral history of Sierra Leone a special day, called “Special Voting Day”, was set aside on the 10th May 2002 during which members of the Sierra Leone Police and the Sierra Leone Army, who would be on duty during election day, were allowed to vote prior to the elections. The “special voting day” was later criticised as it violated the secrecy of the votes of the forces.
5. Elections Day

Over 2 million voters voted on the 14th May 2002 to elect a president and 112 directly elected Members of Parliament. As stated earlier in this chapter, the District Block Representation System (DBRS) was used to conduct the parliamentary elections; using the country’s 14 electoral districts (12 in the provinces and 2 in the Western Area), with each district returning 8 Members to parliament.

Twelve (12) Paramount Chiefs (six of whom went unopposed) were indirectly elected on the 10th of June 2002 to represent 12 provincial districts.

Nine parties contested the presidential elections, while ten parties contested the parliamentary elections. The following political parties contested the presidential elections:

- All Peoples Congress (APC);
- Citizens United for Peace and Progress (CUPP);
- Grand Alliance Party (GAP);
- Movement for Progress Party (MOP);
- Peace and Liberation Party (PLP);
- Revolutionary United Front Party (RUFPP);
- Sierra Leone Peoples Party (SLPP);
- United National Peoples Party (UNPP);
- Young Peoples Party (YPP).

In addition to the above parties (besides the CUPP), the Peoples Democratic Party (PDP-Sorbeh) and the National Democratic Alliance (NDA) contested the parliamentary elections. The PDP and NDA did not contest the presidential race.

Results of the 2002 elections

The presidential elections were won by President Alhaji Ahmad Tejan Kabbah of the SLPP, whose party also won 83 seats out of the 112 directly elected seats in parliament. The APC won 27 seats, while the PLP won 2 seats in the Western Area. Parliament held its first sitting on 25th June 2002.
The elections were quite peaceful, and were observed by both International and Local election observers. They were said to be largely free and fair though with some irregularities e.g. under age voting and double voting. International and Domestic observers complained of inadequate voter education. However, it was widely agreed that the elections were peaceful, transparent and fair. International and Domestic observers and the UN Special Representative to Sierra Leone praised the organization of the elections and the behaviour of voters on polling day.

**Table 1:**

**Results of 2002 Parliamentary Elections**

<table>
<thead>
<tr>
<th>Name of party</th>
<th>Votes</th>
<th>% votes</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>SLPP</td>
<td>1,293,401</td>
<td>67.6</td>
<td>83</td>
</tr>
<tr>
<td>APC</td>
<td>409,313</td>
<td>21.4</td>
<td>27</td>
</tr>
<tr>
<td>PLP</td>
<td>69,765</td>
<td>3.6</td>
<td>2</td>
</tr>
<tr>
<td>RUFP</td>
<td>41,997</td>
<td>2.1</td>
<td>-</td>
</tr>
<tr>
<td>GAP</td>
<td>25,436</td>
<td>1.3</td>
<td>-</td>
</tr>
<tr>
<td>UNPP</td>
<td>24,907</td>
<td>1.3</td>
<td>-</td>
</tr>
<tr>
<td>PDP</td>
<td>19,941</td>
<td>1.0</td>
<td>-</td>
</tr>
<tr>
<td>MOP</td>
<td>15,036</td>
<td>0.7</td>
<td>-</td>
</tr>
<tr>
<td>NDA</td>
<td>6,467</td>
<td>0.3</td>
<td>-</td>
</tr>
<tr>
<td>YPP</td>
<td>5,083</td>
<td>0.2</td>
<td>-</td>
</tr>
</tbody>
</table>

**Total valid votes for Parliamentary Elections**: 1,911,346

*Source: NEC Sierra Leone*
Table 2:

Results of the 2002 Presidential Election

<table>
<thead>
<tr>
<th>Name of Candidates</th>
<th>Party</th>
<th>Votes</th>
<th>% Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernest Bai Koroma</td>
<td>APC</td>
<td>426,405</td>
<td>22.35</td>
</tr>
<tr>
<td>Raymond Bamidele Thompson</td>
<td>CUPP</td>
<td>9,028</td>
<td>0.40</td>
</tr>
<tr>
<td>Raymond Kamara</td>
<td>GAP</td>
<td>11,181</td>
<td>0.59</td>
</tr>
<tr>
<td>Zainab Bangura</td>
<td>MOP</td>
<td>10,406</td>
<td>0.55</td>
</tr>
<tr>
<td>Johnny Paul Koroma</td>
<td>PLP</td>
<td>57,233</td>
<td>3.00</td>
</tr>
<tr>
<td>Alimamy Pallo Bangura</td>
<td>RUFP</td>
<td>33,074</td>
<td>1.73</td>
</tr>
<tr>
<td>Ahmad Tejan Kabbah</td>
<td>SLPP</td>
<td>1,336,423</td>
<td>70.06</td>
</tr>
<tr>
<td>John Karefa-Smart</td>
<td>UNPP</td>
<td>19,847</td>
<td>1.04</td>
</tr>
<tr>
<td>John Andrew Turay</td>
<td>YPP</td>
<td>3,859</td>
<td>0.20</td>
</tr>
<tr>
<td>Totals</td>
<td>(rounded)</td>
<td>1,907,456</td>
<td></td>
</tr>
</tbody>
</table>

Source: NEC Sierra Leone
Elections for Paramount Chief Members of Parliament (PCMP’s)

Elections for Paramount Chief Members of Parliament (PCMP’s) were conducted on 10th June 2002 to elect 12 Paramount Chiefs, one per provincial district.

Nomination

Following the nominations, six (6) candidates went unopposed in 6 districts as follows:

Table 1:

<table>
<thead>
<tr>
<th>Region</th>
<th>District</th>
<th>Un-opposed Candidates</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Port Loko</td>
<td>Paramount Chief Bai Sama Lamina Sam III of Loko Masama Chiefdom</td>
</tr>
<tr>
<td>South</td>
<td>Bo</td>
<td>Paramount Chief Sanba Bindi Hindowa V Of Badjia Chiefdom</td>
</tr>
<tr>
<td>South</td>
<td>Pujehun</td>
<td>Paramount Chief Brima Victor Sidi Kebbie III of Malen Chiefdom</td>
</tr>
<tr>
<td>South</td>
<td>Moyamba</td>
<td>Paramount Chief Charles Caulker of Bumpeh Chiefdom</td>
</tr>
<tr>
<td>East</td>
<td>Kono</td>
<td>Paramount Chief Abu Ndawa Kongoba II of Mafindor Chiefdom</td>
</tr>
<tr>
<td>East</td>
<td>Kailahun</td>
<td>Paramount Chief Sahr Francis Kabba-Sei II of Penguia Chiefdom</td>
</tr>
</tbody>
</table>

Source: NEC
Election / Polling day

Following the conduct of elections for Paramount Chief MP’s on the 10th June 2002, six (6) more candidates were elected to parliament as shown below:

Table 2:

<table>
<thead>
<tr>
<th>Region</th>
<th>District</th>
<th>Candidate</th>
<th>Votes</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Kambia</td>
<td>P.C. Bai Sebora Somanoh “Kapen” III</td>
<td>1,141</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Kambia</td>
<td>P.C. Bai Kelfa Sankoh II</td>
<td>1,262</td>
<td>Elected</td>
</tr>
<tr>
<td>North</td>
<td>Bombali</td>
<td>P.C. Kandeh Luseni III</td>
<td>2,338</td>
<td>Elected</td>
</tr>
<tr>
<td>North</td>
<td>Bombali</td>
<td>P.C. Masa Yeli Tham II</td>
<td>1,009</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Koinadugu</td>
<td>P.C. Sheku Magba III</td>
<td>924</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Koinadugu</td>
<td>P.C. Alimamy Lahai Mansaray</td>
<td>2,031</td>
<td>Elected</td>
</tr>
<tr>
<td>East</td>
<td>Kenema</td>
<td>P.C. Madam Mamie G. Gamanga</td>
<td>3,465</td>
<td>Elected</td>
</tr>
<tr>
<td>East</td>
<td>Kenema</td>
<td>P.C. Sally Satta Gendemeh</td>
<td>2,672</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>Kenema</td>
<td>P.C. Alhaji Amara Jobo Goway-Sama V</td>
<td>1,168</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>Bonthe</td>
<td>P.C. Samuel Murana Koroma</td>
<td>396</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>Bonthe</td>
<td>P.C. Madam Margaret Thompson Seibureh</td>
<td>1,130</td>
<td>Elected</td>
</tr>
<tr>
<td>North</td>
<td>Tonkolili</td>
<td>P.C. Bai Sunthuba Osara III</td>
<td>2,379</td>
<td>Elected</td>
</tr>
<tr>
<td>North</td>
<td>Tonkolili</td>
<td>P.C. Bai Kanagbaro Sanko III</td>
<td>966</td>
<td></td>
</tr>
</tbody>
</table>

Source: NEC
2. Local Government Elections: 22nd May 2004

Introduction

Sierra Leone’s experiment with elections is not only centred on Presidential and Parliamentary elections. The country also had experimented with Local Government elections. Historically, Local Council elections were conducted on a partisan basis (though Independent Candidates also contested) beginning with District Councils elections in 1966.

However, the elective aspect of local government in Sierra Leone was frequently suspended in the past and replaced with appointed Management Committees. Given that the members of such Management Committees were appointed, they were therefore apparently not accountable to the electorate (the voters), but to those politicians who appointed them. District Councils were abolished in January 1972, while the elective aspect of Municipal Council (i.e. The Freetown City Council) and the then Town Councils (in Bo, Kenema, Makeni, Sherbro Urban and Koidu-New Sembehun Town Councils) was replaced by the appointment of Management Committees.

Reintroduction of Local Government

But, after the 1996 and 2002 Presidential and Parliamentary elections, the Government of Sierra Leone (GoSL), under the SLPP leadership committed itself to the policy of decentralization and to re-introduce elected local government bodies through out the country. The government set up a Task Force on Decentralization and Local Governance. The work of the first task force, which was set up in February 1997 was disrupted by the military coup of 15th May 1997. Another Task Force was set up in October 2002 to oversee the decentralization process and the re-introduction of a revamped local government system. Series of discussions held between the Task Force and other stakeholders showed popular request by Sierra Leoneans to bring back representative local government.
Among others, the Task Force was mandated to review the local government system and consolidate the then existing local government laws into a new Local Government Act. The consolidated Local Government bill went through Parliament and became known as The Local Government Act, 2004. (See chapter 2 for details on NEC and the 2004 elections).

After a period of 32 years (1972 – 2004, since the abolition of the elective aspect of local government), NEC conducted elections for 19 local councils on the 22nd May 2004. This led to the election, for a 4-year term, of 475 councillors by universal adult suffrage, and 34 Paramount Chief Councillors who were either nominated or indirectly elected by other Paramount Chiefs. The results are shown over leaf.


Presidential, Parliamentary elections and Local Government elections were also conducted by the NEC in 2007 and 2008, respectively. But these elections are not the subject for detailed discussion in this monograph.

Conclusion

It is evident that Sierra Leone has a long experience with electoral democracy and political pluralism, dating as far back as 1951. The experience is indeed both of a democratic and non-democratic nature.

**ELECTIONS RESULTS OF THE 2004 LOCAL GOVERNMENT**

<table>
<thead>
<tr>
<th>Council</th>
<th>Elected Candidates</th>
<th>No. of Wards</th>
<th>SLPP certified winners</th>
<th>APC certified winners</th>
<th>PLP</th>
<th>PDP</th>
<th>GAP</th>
<th>Independent certified winners</th>
<th>Total certified winners</th>
<th>Certified women candidates</th>
<th>No. Paramount Chiefs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>East</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kailahun</td>
<td>Kailahun District Council</td>
<td>33</td>
<td>32</td>
<td>-</td>
<td>1</td>
<td></td>
<td></td>
<td>33</td>
<td></td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Kenema</td>
<td>Kenema District Council</td>
<td>48</td>
<td>46</td>
<td>-</td>
<td>2</td>
<td></td>
<td></td>
<td>48</td>
<td></td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Kenema</td>
<td>Kenema Town council</td>
<td>03</td>
<td>12</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Kono</td>
<td>Kono District Council</td>
<td>29</td>
<td>27</td>
<td>-</td>
<td>2</td>
<td></td>
<td></td>
<td>29</td>
<td></td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Kono</td>
<td>Koidu New Sembehun Town Council</td>
<td>03</td>
<td>12</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td><strong>North</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bombali</td>
<td>Bombali District Council</td>
<td>26</td>
<td>06</td>
<td>16</td>
<td>4</td>
<td></td>
<td></td>
<td>26</td>
<td></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Bombali</td>
<td>Makeni Town Council</td>
<td>03</td>
<td>-</td>
<td>12</td>
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<td></td>
<td></td>
<td>12</td>
<td></td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Kambia</td>
<td>Kambia District Council</td>
<td>20</td>
<td>09</td>
<td>09</td>
<td>2</td>
<td></td>
<td></td>
<td>20</td>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Koinadugu</td>
<td>Koinadugu District Council</td>
<td>21</td>
<td>12</td>
<td>08</td>
<td>1</td>
<td></td>
<td></td>
<td>21</td>
<td></td>
<td>0</td>
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<tr>
<td>Port Loko</td>
<td>Port Loko District council</td>
<td>47</td>
<td>23*</td>
<td>22</td>
<td>2</td>
<td></td>
<td></td>
<td>47</td>
<td></td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Tonkolili</td>
<td>Tonkolili District council</td>
<td>22</td>
<td>13</td>
<td>09</td>
<td>-</td>
<td></td>
<td></td>
<td>22</td>
<td></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Bo</td>
<td>Bo District Council</td>
<td>41</td>
<td>36</td>
<td>-</td>
<td>5</td>
<td></td>
<td></td>
<td>41</td>
<td></td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Bo</td>
<td>Bo Town Council</td>
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<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Bonthe</td>
<td>Bonthe District Council</td>
<td>18</td>
<td>14</td>
<td>-</td>
<td>4</td>
<td></td>
<td></td>
<td>18</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Bonthe</td>
<td>Bonthe Municipal Council</td>
<td>03</td>
<td>12</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
<td>12</td>
<td></td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>Moyamba</td>
<td>Moyamba District Council</td>
<td>40</td>
<td>34</td>
<td>-</td>
<td>6</td>
<td></td>
<td></td>
<td>40</td>
<td></td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Pujehun</td>
<td>Pujehun District Council</td>
<td>22</td>
<td>21</td>
<td>-</td>
<td>1</td>
<td></td>
<td></td>
<td>22</td>
<td></td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Western Area Rural</td>
<td>Western Area Rural District Council</td>
<td>04</td>
<td>03</td>
<td>12</td>
<td>1</td>
<td></td>
<td></td>
<td>16</td>
<td></td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Western Area Urban</td>
<td>Freetown City Council</td>
<td>08</td>
<td>04</td>
<td>28</td>
<td>-</td>
<td></td>
<td></td>
<td>32</td>
<td></td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>394</td>
<td>328</td>
<td>116</td>
<td>31</td>
<td></td>
<td></td>
<td>475</td>
<td>52</td>
<td></td>
<td>34</td>
</tr>
</tbody>
</table>

* There was a dispute over the winner of a seat (ward 3 in Koya), between SLPP and APC. NEC declared the APC candidate winner, but the decision was overturned by the Attorney General. This led to the resignation of the NEC boss Eugene Davies as Chief Electoral Commissioner due to political interference, among others. See Chapter 4 for more details. (Source: National Electoral Commission (2004)
Results of 2007 Parliamentary and Presidential Elections

Table 1:

Results of parliamentary elections in Sierra Leone, 11th August, 2007

<table>
<thead>
<tr>
<th>Party</th>
<th>Votes (%)</th>
<th>Seats</th>
<th>Change since 2002 elections</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Peoples Congress (APC)</td>
<td>40.8%</td>
<td>59</td>
<td>+32 seats</td>
</tr>
<tr>
<td>Sierra Leone Peoples Party (SLPP)</td>
<td>39.5%</td>
<td>43</td>
<td>-40 seats</td>
</tr>
<tr>
<td>Peoples Movement for Democratic</td>
<td>15.4%</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>Change (PMDC)</td>
<td>-</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>National Democratic Alliance (NDA)</td>
<td>1.8%</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Convention Peoples Party (CPP)</td>
<td>0.9%</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>United National Peoples Party (UNPP)</td>
<td>0.8%</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Independent Candidates</td>
<td>0.6%</td>
<td>0</td>
<td>-2</td>
</tr>
<tr>
<td>Peace and Liberation Party (PLP)</td>
<td>0.4%</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Valid votes</td>
<td>1,790,589</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total votes</td>
<td>1,972,198</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turnout (of registered voters)</td>
<td>75.3%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: NEC (2007)
### Table 2

**Results of presidential elections in Sierra Leone, 11th August and 8th September, 2007**

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Vote share</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>First round</td>
<td>Second round</td>
<td></td>
</tr>
<tr>
<td>Ernest Bai Koroma (APC)</td>
<td>44.3%</td>
<td>54.6%</td>
<td></td>
</tr>
<tr>
<td>Solomon Berewa (SLPP)</td>
<td>38.3%</td>
<td>45.4%</td>
<td></td>
</tr>
<tr>
<td>Andrew Turay (CPP)</td>
<td>1.6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alhaji Amadu Jalloh (NDA)</td>
<td>1.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kandeh Baba Conteh (PLP)</td>
<td>0.6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charles F Margai (PMDC)</td>
<td>13.9%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abdul Kady Karim (UNPP)</td>
<td>0.4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valid votes</td>
<td>1,839,208</td>
<td>1,740,058</td>
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</tr>
<tr>
<td>Total votes</td>
<td>1,984,106</td>
<td>1,783,851</td>
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</tr>
<tr>
<td>Turnout (of registered voters)</td>
<td>75.8%</td>
<td>68.1%</td>
<td></td>
</tr>
</tbody>
</table>

*Source: NEC (2007)*
# Results Summary of 2008 Local Government Elections

## Table 1:

<table>
<thead>
<tr>
<th>Locality</th>
<th>APC</th>
<th>IND</th>
<th>NDA</th>
<th>PMDC</th>
<th>SLPP</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Kailahun District Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>2</td>
</tr>
<tr>
<td>2. Kenema District Council</td>
<td>1</td>
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<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>3. Kenema City Council</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>4. Koidu/New Sembehun City Council</td>
<td></td>
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<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>5. Kono District Council</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6. Bombali District Council</td>
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</tr>
<tr>
<td>7. Makeni City Council</td>
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<tr>
<td>8. Kambia District Council</td>
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<td></td>
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</tr>
<tr>
<td>9. Koinadugu District Council</td>
<td>1</td>
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<td></td>
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<tr>
<td>10. Port Loko District Council</td>
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</tr>
<tr>
<td>11. Tonkolili District Council</td>
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<tr>
<td>12. Bo District Council</td>
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<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>13. Bo City Council</td>
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<td></td>
<td></td>
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<tr>
<td>14. Bonthe District Council</td>
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<td></td>
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</tr>
<tr>
<td>15. Bonthe Municipal Council</td>
<td>1</td>
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<tr>
<td>16. Moyamba District Council</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>17. Pujehun District Council</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>18. W A Rural District Council</td>
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<td>1</td>
</tr>
<tr>
<td>19. Freetown City Council</td>
<td></td>
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</tr>
<tr>
<td><strong>National</strong></td>
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<td>19</td>
</tr>
</tbody>
</table>

Percentage of Male Mayor/Chair: 100.00%
Percentage of Female Mayor/Chair: 0.00%

Source: (NEC)
Result Summary of 2008 Local Government Elections

Table 2:

Councillor Election - Seats by Political Party / Independent Candidates

<table>
<thead>
<tr>
<th>Locality</th>
<th>APC</th>
<th>IND</th>
<th>NDA</th>
<th>PMDC</th>
<th>SLPP</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Kailahun District Council</td>
<td>2</td>
<td></td>
<td></td>
<td>27</td>
<td>29</td>
<td>30</td>
<td>26</td>
<td>3</td>
</tr>
<tr>
<td>2 Kenema District Council</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>34</td>
<td>30</td>
<td>30</td>
<td>26</td>
<td>4</td>
</tr>
<tr>
<td>3 Kenema City Council</td>
<td></td>
<td></td>
<td></td>
<td>32</td>
<td>32</td>
<td>32</td>
<td>28</td>
<td>4</td>
</tr>
<tr>
<td>4 Koidu/New Sembehun City Council</td>
<td>15</td>
<td></td>
<td></td>
<td>15</td>
<td>17</td>
<td>17</td>
<td>15</td>
<td>2</td>
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<tr>
<td>5 Kono District Council</td>
<td>1</td>
<td>0</td>
<td>2</td>
<td>24</td>
<td>26</td>
<td>26</td>
<td>20</td>
<td>6</td>
</tr>
<tr>
<td>6 Bombali District Council</td>
<td></td>
<td>1</td>
<td></td>
<td>27</td>
<td>21</td>
<td>21</td>
<td>18</td>
<td>3</td>
</tr>
<tr>
<td>7 Makeni City Council</td>
<td>15</td>
<td></td>
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<td>15</td>
<td>18</td>
<td>18</td>
<td>14</td>
<td>4</td>
</tr>
<tr>
<td>8 Kambia District Council</td>
<td>21</td>
<td>2</td>
<td>2</td>
<td>25</td>
<td>23</td>
<td>23</td>
<td>19</td>
<td>4</td>
</tr>
<tr>
<td>9 Koinadugu District Council</td>
<td>19</td>
<td>5</td>
<td>2</td>
<td>24</td>
<td>18</td>
<td>18</td>
<td>15</td>
<td>3</td>
</tr>
<tr>
<td>10 Port Loko District Council</td>
<td>33</td>
<td>1</td>
<td></td>
<td>34</td>
<td>32</td>
<td>32</td>
<td>27</td>
<td>5</td>
</tr>
<tr>
<td>11 Tonkolili District Council</td>
<td>26</td>
<td>2</td>
<td>2</td>
<td>28</td>
<td>23</td>
<td>23</td>
<td>19</td>
<td>4</td>
</tr>
<tr>
<td>12 Bo District Council</td>
<td></td>
<td>1</td>
<td>2</td>
<td>23</td>
<td>21</td>
<td>21</td>
<td>17</td>
<td>4</td>
</tr>
<tr>
<td>13 Bo City Council</td>
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<td>18</td>
<td></td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>14</td>
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<tr>
<td>14 Bonthe District Council</td>
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<td>6</td>
<td>9</td>
<td>12</td>
<td>4</td>
<td>4</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>15 Bonthe Municipal Council</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>18</td>
<td>15</td>
<td>15</td>
<td>12</td>
<td>3</td>
</tr>
<tr>
<td>16 Moyamba District Council</td>
<td>6</td>
<td>1</td>
<td>7</td>
<td>24</td>
<td>22</td>
<td>22</td>
<td>18</td>
<td>4</td>
</tr>
<tr>
<td>17 Pujehun District Council</td>
<td>1</td>
<td>21</td>
<td>1</td>
<td>22</td>
<td>18</td>
<td>18</td>
<td>16</td>
<td>4</td>
</tr>
<tr>
<td>18 W A Rural District Council</td>
<td>18</td>
<td>1</td>
<td></td>
<td>20</td>
<td>16</td>
<td>16</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>19 Freetown City Council</td>
<td>49</td>
<td></td>
<td></td>
<td>49</td>
<td>34</td>
<td>34</td>
<td>28</td>
<td>15</td>
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<tr>
<td>National Totals</td>
<td>253</td>
<td>17</td>
<td>0</td>
<td>16</td>
<td>170</td>
<td>170</td>
<td>142</td>
<td>86</td>
</tr>
</tbody>
</table>

| Percentage of Male Councillors  | 81.10% |
| Percentage of Female Councillors| 18.90% |

Source: NEC
## Table 3:

**COMBINED RESULTS SUMMARY OF THE LOCAL GOVERNMENT ELECTIONS-2008 BY PARTY**

<table>
<thead>
<tr>
<th>Regio n</th>
<th>District</th>
<th>Name of Local Council</th>
<th>No. of wards</th>
<th>APC certified winners</th>
<th>SLPP certified winners</th>
<th>PMDC certified winners</th>
<th>Independent certified winners</th>
<th>Total certified winners</th>
<th>Total certified wemen candidates</th>
<th>No. of Paramount Chiefs</th>
</tr>
</thead>
<tbody>
<tr>
<td>East</td>
<td>Kailahun</td>
<td>Kailahun District Council</td>
<td>29</td>
<td>0 0</td>
<td>27 1</td>
<td>0 0</td>
<td>2</td>
<td>30</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>East</td>
<td>Kenema</td>
<td>Kenema District Council</td>
<td>29</td>
<td>1 0</td>
<td>32 1</td>
<td>0 0</td>
<td>1</td>
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<td>4</td>
<td>3</td>
</tr>
<tr>
<td>East</td>
<td>Kenema</td>
<td>Kenema City Council</td>
<td>3</td>
<td>0 0</td>
<td>12 1</td>
<td>0 0</td>
<td>0</td>
<td>13</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>East</td>
<td>Kono</td>
<td>Kono District Council</td>
<td>24</td>
<td>22 1</td>
<td>2 0</td>
<td>0 0</td>
<td>0</td>
<td>25</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>East</td>
<td>Kono</td>
<td>Koidu New Sembehun Town Council</td>
<td>3</td>
<td>15 1</td>
<td>0 0</td>
<td>0 0</td>
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<td>2</td>
</tr>
<tr>
<td>North</td>
<td>Bombali</td>
<td>Bombali District Council</td>
<td>27</td>
<td>24 1</td>
<td>0 0</td>
<td>0 0</td>
<td>3</td>
<td>28</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>North</td>
<td>Bombali</td>
<td>Makeni City Council</td>
<td>3</td>
<td>15 1</td>
<td>0 0</td>
<td>0 0</td>
<td>0</td>
<td>16</td>
<td>7</td>
<td>1</td>
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<tr>
<td>North</td>
<td>Kambia</td>
<td>Kambia District Council</td>
<td>25</td>
<td>21 1</td>
<td>2 0</td>
<td>0 0</td>
<td>2</td>
<td>26</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>North</td>
<td>Koinadugu</td>
<td>Koinadugu District Council</td>
<td>24</td>
<td>19 1</td>
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<td>25</td>
<td>6</td>
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<tr>
<td>North</td>
<td>Port Loko</td>
<td>Port Loko District Council</td>
<td>34</td>
<td>33 1</td>
<td>0 0</td>
<td>0 0</td>
<td>1</td>
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<td>2</td>
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<tr>
<td>North</td>
<td>Tonkolili</td>
<td>Tonkolili District Council</td>
<td>28</td>
<td>26 1</td>
<td>0 0</td>
<td>0 0</td>
<td>2</td>
<td>29</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>South</td>
<td>Bo</td>
<td>Bo District Council</td>
<td>26</td>
<td>1 0</td>
<td>23 1</td>
<td>2 0</td>
<td>0</td>
<td>27</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>South</td>
<td>Bo</td>
<td>Bo City Council</td>
<td>3</td>
<td>0 0</td>
<td>18 1</td>
<td>0 0</td>
<td>0</td>
<td>19</td>
<td>4</td>
<td>1</td>
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<td>South</td>
<td>Bonthe</td>
<td>Bonthe District Council</td>
<td>18</td>
<td>3 0</td>
<td>9 1</td>
<td>6 0</td>
<td>0</td>
<td>19</td>
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<td>2</td>
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<tr>
<td>South</td>
<td>Bonthe</td>
<td>Bonthe Municipal Council</td>
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<td>6 0</td>
<td>6 1</td>
<td>0</td>
<td>13</td>
<td>8</td>
<td>0</td>
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<tr>
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<td>Moyamba District Council</td>
<td>24</td>
<td>6 0</td>
<td>17 1</td>
<td>1 0</td>
<td>0</td>
<td>25</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>South</td>
<td>Pujehun</td>
<td>Pujehun District Council</td>
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<td>1 0</td>
<td>0</td>
<td>23</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>West</td>
<td>Western Area Rural</td>
<td>Western Area Rural District Council</td>
<td>20</td>
<td>18 1</td>
<td>1 0</td>
<td>0 0</td>
<td>0 1</td>
<td>21</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Western Area Urban</td>
<td>Freetown City Council</td>
<td>29</td>
<td>49 1</td>
<td>0 0</td>
<td>0 0</td>
<td>0 0</td>
<td>50</td>
<td>15</td>
<td></td>
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<tr>
<td>Total</td>
<td></td>
<td></td>
<td>394</td>
<td>253 10</td>
<td>170 8</td>
<td>16 1</td>
<td>0</td>
<td>17</td>
<td>475</td>
<td>86</td>
</tr>
</tbody>
</table>

*19 Chairpersons/Mayors + 456 Councillors = 475 Certified winners.

**Source:** NEC
References


Daphne Olu-Williams “Through the Storms of Life- From Test to Testimony” Spring Publishing House P.O. Box 806 Yenagoa, Bayelsa State, Nigeria


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Tucker, Peter L: “The Sierra Leone Constitution for Laypersons,” 2003, Published by Copy Zone.

APPENDIX

Appendix 1: Old wooden building of the Electoral Commission at Tower Hill in Freetown

Appendix 2: New Headquarter building of the NEC under construction
Appendix 3: The NEC Organogram

Table 1: Comparative Cost of Contributions to NEC Budget: 2005-2009 electoral cycle

<table>
<thead>
<tr>
<th>Description</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government of Sierra Leone</td>
<td>288,375.28</td>
<td>2,062,395.48</td>
<td>3,880,430.23</td>
<td>2,206,945.00</td>
<td>1,273,854.74</td>
<td>9,712,001.11</td>
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<tr>
<td>Basket fund/UNDP</td>
<td>-</td>
<td>1,988,098.00</td>
<td>2,108,897.00</td>
<td>1,353,981.00</td>
<td>3,425,474.00</td>
<td>40,042,356.00</td>
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<tr>
<td>Others*</td>
<td>-</td>
<td>63,882.46</td>
<td>1,072,647.00</td>
<td>-</td>
<td>-</td>
<td>1,136,530.37</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>288,375.28</td>
<td>4,114,375.94</td>
<td>26,042,050.15</td>
<td>15,746,757.37</td>
<td>4,699,328.74</td>
<td>50,890,887.48</td>
</tr>
</tbody>
</table>


Source: National Electoral Commission of Sierra Leone.

Table 2: Comparative Percentage Cost to NEC Budget, 2005-2009

<table>
<thead>
<tr>
<th>Description</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government of Sierra Leone</td>
<td>50</td>
<td>15</td>
<td>14</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>Basket fund/UNDP</td>
<td>48</td>
<td>81</td>
<td>86</td>
<td>73</td>
<td></td>
</tr>
<tr>
<td>Others*</td>
<td>2</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

Source: National Electoral Commission of Sierra Leone.
Table 3: Cost per voter analysis, Sierra Leone, 2007 and 2008 elections

<table>
<thead>
<tr>
<th>Description</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Cost</td>
<td>-</td>
<td>-</td>
<td>26,042,050.15</td>
<td>15,746,757.37</td>
<td>-</td>
<td>41,788,807.52</td>
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<tr>
<td>Total Voters</td>
<td>-</td>
<td>-</td>
<td>2,619,569.00</td>
<td>2,761,243.00</td>
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<td>5,380,812.00</td>
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<tr>
<td>Cost per Voter</td>
<td>-</td>
<td>-</td>
<td>9.94</td>
<td>5.70</td>
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</tr>
</tbody>
</table>

*Table 3 provides an analysis of cost per voter for the 2007 and 2008 elections and the average cost per voter for the 2 elections.
Source: National Electoral Commission of Sierra Leone.

Appendix 5. Members of the Electoral Commission and their functional responsibilities as at 2010

Table 1:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Gender</th>
<th>Regional Oversight Responsibility</th>
<th>Functional Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Christiana A.M. Thorpe</td>
<td>Chief Electoral Commissioner and Chairperson</td>
<td>F</td>
<td>National</td>
<td>Chair of Commission and Head of Policy</td>
</tr>
<tr>
<td>Mr. Mohamed N’fah- Alie Conteh</td>
<td>Commissioner</td>
<td>M</td>
<td>Northern Region</td>
<td>Information Technology/ Voters Roll and Legal Issues</td>
</tr>
<tr>
<td>Mr. Stephen A. Mattia</td>
<td>Commissioner</td>
<td>M</td>
<td>Eastern Region</td>
<td>Operations</td>
</tr>
<tr>
<td>Mrs. Hannah Kawaley**</td>
<td>Commissioner</td>
<td>F</td>
<td>Western Area</td>
<td>Infrastructure, Training, Capacity Building and Voter Education</td>
</tr>
<tr>
<td>Mrs. Florence K. Kebbie</td>
<td>Commissioner</td>
<td>F</td>
<td>Southern Region</td>
<td>Outreach, External Relations and Personnel</td>
</tr>
</tbody>
</table>

(**Mrs. Hannah Kawaley retired as Commissioner in September, 2010 due to statutory retirement age)**
## Members of the Electoral Commission and their functional responsibilities; 2011-2012

### Table 2:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Gender</th>
<th>Regional Oversight Responsibility</th>
<th>Functional Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Christiana A.M. Thorpe</td>
<td>Chief Electoral Commissioner and Chair person</td>
<td>F</td>
<td>National</td>
<td>Chair of Commission and Head of Policy</td>
</tr>
<tr>
<td>Mr. Stephen Aiah Mattia</td>
<td>Commissioner</td>
<td>M</td>
<td>Eastern Region</td>
<td>Operations/Information Technology/ Voters Roll Procurement and Logistics</td>
</tr>
<tr>
<td>Mr. Mohamed N’fah Alie Conteh</td>
<td>Commissioner</td>
<td>M</td>
<td>Northern Region</td>
<td>Boundary Delimitation, Legal Affairs, Research and Documentation</td>
</tr>
<tr>
<td>Mrs. Florence K. Kebbie</td>
<td>Commissioner</td>
<td>F</td>
<td>Southern Region</td>
<td>Training, Capacity Building, Voter Education, Procedures &amp; Gender</td>
</tr>
<tr>
<td>Ms Maitta L. French</td>
<td>Commissioner</td>
<td>F</td>
<td>Western Area</td>
<td>Human Resource and External Relations</td>
</tr>
</tbody>
</table>

Source: NEC Sierra Leone