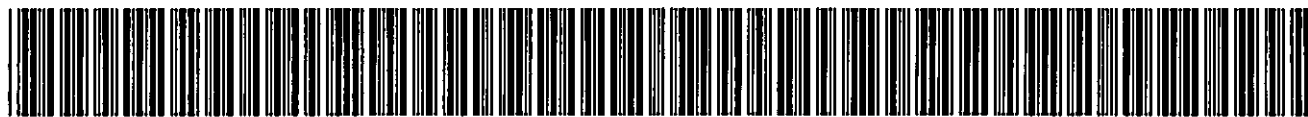


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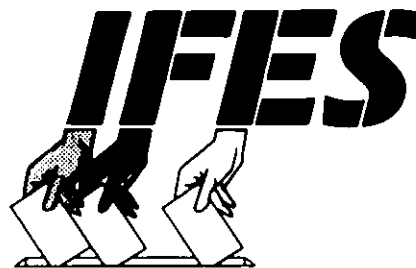


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SIERRA LEONE

**A PRE-ELECTION
ASSESSMENT REPORT**

DECEMBER, 1991



INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS



INTRODUCTION

In the fall of 1991, the Government of Sierra Leone approached the U. S. Embassy and other foreign governments requesting assistance in meeting the material, technical and financial demands of making a smooth transition to multi-party democracy, and implementing its first presidential and parliamentary elections under its newly adopted constitution. In response, the U. S. Embassy in Sierra Leone contacted the International Foundation for Electoral Systems (IFES), an independent, non-governmental organization based in Washington, D.C. Under a grant from the U. S. Agency for International Development, IFES assembled a three-member team of consultants, including members from the United States and the United Kingdom, to visit Sierra Leone on a 13 day mission to assess the strengths and weakness of the new election process, and the Government's readiness and capability of conducting free, fair and democratic elections in 1992.

It was anticipated that the focus of the IFES team's examination would be on the electoral system itself. Generally, the team was to evaluate elements related to the overall effectiveness of the system's legal and administrative procedures in meeting acceptable standards commonly associated with the conduct of free, fair and accountable elections. Based on its findings, the team was also to make recommendations for improvements to the process as well as proposals for participation by friendly foreign governments and donor agencies in supporting Sierra Leone's pursuit and implementation of a peaceful and effective transition to a multi-party democratic system of government. The various components to be reviewed included:

- the legal structure underpinning the electoral process;
- specific technical applications related to voter registration and maintenance of voter rolls;
- preparation, procurement and distribution of balloting materials and other

election commodities;

- polling place procedures;
- voter education and motivation;
- training of election officials;
- component groups of the electorate, including opposition parties, military, civic organizations, and student groups; and
- ballot security, vote counting and certification of election results.

The team has attempted to provide a comprehensive exploration of all of these elements in the report that follows.

However, the team discovered that there were other considerations which were as significant to the prospects of a successful transition to a multi-party democracy as any of the particulars of the electoral system itself. Some of these considerations are also discussed in this report. They relate to the social and economic environment, and the political context in which the elections are to take place. Most significantly, they relate to the sense of distrust and suspicion which appears to pervade the perceptions and expectations of the people of Sierra Leone and which was openly expressed to the team in essentially every encounter in which the members engaged during the course of their stay.

The team members were moved by the enthusiasm and candor with which they were received by every group with whom they met. But of greater significance was the way in

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which the team was perceived and heralded as a glimmer of hope. The team was deeply struck by the widely held belief expressed to them at every turn that it would only be through the oversight, intervention and active participation of outside forces, foreign governments and international technical advisors and monitors that free and fair elections could be held in Sierra Leone. There appears to be a general sense of doubt surrounding the motivations and level of commitment of the current government and ruling party in seeing the new form of government come to fruition, as well as concern regarding the independence and general competence of the Electoral Commission.

If there is a theme which underscores the content of this report, it is that perceptions can be as debilitating and disruptive to the conduct of free and fair elections as any realities might be.

Therefore, some of the findings and recommendations forthcoming in the body of the report will focus as much on overcoming the negative perceptions and feelings of skepticism as on the assessment and improvement of the election process itself. The general feelings of distrust and skepticism shared by virtually every segment of the social, political and economic structure in Sierra Leone hang as a shadow over many very positive elements which the team believes could potentially serve as a sound foundation on which to build a new democracy and the new multi-party government.

It is important that readers of this report understand that the IFES team also found many solid building blocks on which to lay a legitimate foundation for the nurturing of faith, and which may serve as a valid basis on which the international community and other interested parties can justify their active participation and support.

Fundamental to the team's positive findings were:

- A sound Constitution, based heavily on the British model, but incorporating

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strong separation of powers concepts borrowed from the United States Constitution;

- A population for whom the concepts and principles of free and fair democratic elections are not totally unfamiliar;
- A newly designed and well thought out voting system which, if implemented properly, has the potential to satisfactorily meet commonly accepted standards for administering fair and accountable elections;
- A renewed atmosphere of free expression as evidenced in the fledgling press;
- A resilient, patient and resourceful people instilled with a respect for law and a fundamental desire for civil peace, and imbued with social and religious tolerance.

In addition, as diverse as sentiments were on a wide scope of issues, the team also found a strong core of unity regarding several critical points which were universally shared by all groups with whom the team met. Every group expressed the same views on the following issues which are discussed in detail in the body of this report.

- Free and fair elections will not be possible until the incursion of Charles Taylor's Liberian rebels threatening the southeast part of the country is contained and the displaced citizens are returned to their homes.
- The independence and absolute neutrality of the Electoral Commission must be guaranteed.
- The participation of international advisors and monitors will be critical in

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guaranteeing the integrity of the electoral process.

- All parties must be assured equal access to the ballot and to the media, and exclusive access by the ruling party to government resources must be curtailed.
- The registration of voters and compilation of a voter registry must be completely redone starting from scratch.
- The role of the Inspector General and the Special Services Division of the police must be redefined in a manner which guarantees their neutrality and independence from influences of or allegiances to the ruling party.

These common concerns provide a comprehensive agenda for the government's consideration, as well as some unique opportunities for overcoming the perceptions which cloud the people's confidence. Addressing these concerns will be crucial for setting the tone for a smooth, peaceful and ultimately successful transition to a free and fair multi-party electoral system.

Finally, the IFES team must emphasize to all readers of this report that its very presence in Sierra Leone was prompted by an invitation of the government of Sierra Leone. That invitation is reflective of President Joseph S. Momoh's personal commitment to achieving multi-party democracy. The generosity and openness with which he received the team in a personal meeting, and the candor with which he shared his views, set the tone for all our meetings with government officials throughout our mission. The team is very grateful for the frankness with which all questions were answered, for the free access it was given to documents and records, and for the generous cooperation afforded us by everyone with whom we met.

The team wishes to specifically express its gratitude to the First Vice President and Minister of Internal Affairs, Abdullai Conteh, and Executive Secretary to the Electoral Commission,

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L. B. A. Koroma, who paved the way for the team's progress in meeting its objectives, as well as to Mr. A. T. Bangura, Mr. S. A. Mattia and all other civil servants of the Electoral Commission whose dedication and assistance to our efforts were unflagging.

I. THE CONTEXT OF DEMOCRATIZATION IN SIERRA LEONE

THE HISTORICAL AND GEOGRAPHICAL CONTEXT

Sierra Leone is a West African nation whose name derives from "Mountain Range of the Lions," reflecting the shape of mountain ranges visible from the country's ocean shore line. The country has a land area of 27,699 square miles marked by high mountains, lowland plateaus, and swamplands. The climate is tropical and humid with a mean rainfall of approximately 100 inches annually (although much greater along the coast) and a wet season stretching from May to early December.

Sierra Leone has a total population of just over 4 million people; between 75 and 85 percent of the populace is illiterate. The largest ethnic groups are the Temne of the north and the Mende of the south, totaling approximately 60 percent of the populace. Minority ethnic groups include the Sherbro, the Kono, the Koranko, the Kissi, the Limba, the Susu, the Loko, the Fula, as well as the Creoles, the Freetown-based descendants of black African slaves transported to Africa from England.

Freetown, the capital of Sierra Leone, was founded in 1787 as a settlement of freed British slaves; it is from this that the city derives its name. Sierra Leone was declared a British Crown Colony in 1808, and continued to be ruled as a British colony until independence in April 1961. Similar to the case of the descendants of freed American slaves in neighboring Liberia, the urbanized Creoles were given enormous political and economic advantages, which they were able to retain until just after World War II. At that point political and social reforms expanded opportunities for elites from other ethnic groups based "up-country," i.e., in the rural areas, where the vast majority of Sierra Leoneans live.

Administratively, the rural districts had typified England's colonial policy of "indirect rule,"

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wherein a great deal of power and authority were accorded to local chiefs, who remained responsible to their European administrative officer. Whereas the Creoles had lost their hold over Freetown even before independence, aspects of the system of strong chiefly rule have been retained throughout the independence period. Thus, the ruling political party (first the Sierra Leone People's Party, then the All-People's Congress) has relied heavily on the acquiescence and local-level power of chiefs, sub-chiefs and section chiefs (in descending order of hierarchy). In fact, the country's twelve "paramount" chiefs, who are elected on a district-wide basis, have been accorded parliamentary representation throughout the post-colonial period.

As a colony, Sierra Leone received only a very modest level of development investment, in deference to Great Britain's more highly prioritized West African holdings, Nigeria and Ghana. However, Sierra Leone is rich in mineral and cash crop resources, including diamonds - the country's principal source of foreign exchange - as well as gold, bauxite, iron ore, rutile, coffee, cocoa, groundnuts, ginger, and palm oil. Plentiful rainfall and highly arable soil, especially in the eastern and southern portions of the country, have made possible the cultivation of a wide range of food crops, including rice, cassava, manioc, maize, potatoes, corn, and many different vegetables and fruits.

THE POLITICAL CONTEXT AND ELECTORAL EXPERIENCES

Sierra Leone's experience with political pluralism and elections began under colonial rule in 1951, with the formation of indigenously constituted political parties and the holding of limited-scale elections under British tutelage. Those elections were won by the Sierra Leone People's Party (SLPP), led by Sir Milton Margai. More fully pluralistic and open general elections were held in 1957, with the SLPP winning 25 parliamentary seats, the United Progressive Party (UPP) obtaining 5 seats, and the Kono Progressive Movement (KPM) gaining a single seat. A split within the SLPP eventually led to the formation of

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the All-People's Congress (APC) in 1960, led by Siaka Stevens, which at that point became the country's major opposition party.

Post-Independence Elections

Sierra Leone's first post-independence national elections were held in 1962; they were the freest and fairest elections Sierra Leone has experienced during the post-colonial period. The country's two political parties, the APC and the SLPP, won 20 and 28 seats respectively, so that the SLPP retained control of parliament and consolidated its status as the country's ruling political party. Sierra Leone was led by Prime Minister Sir Milton Margai and (following Milton's death in 1964) by his brother Sir Albert Margai. It should be emphasized that the Margais had presided over a democratically constituted legislature with a prominent voice accorded to the opposition political party, the APC.

The next set of general elections, held in 1967, were also considered to be largely free and fair despite some violence between members of the competing parties, with the APC winning a narrow majority (32 seats to the SLPP's 28). However, almost immediately after Siaka Stevens, as APC leader, had been sworn in as Prime Minister, military officers led by Force Commander Brigadier David Lansana staged a coup d'etat and effectively ended Sierra Leone's initial experiment in post-colonial electoral democracy. Prime Minister Stevens was deposed, but a counter-coup several days later relieved Force Commander Lansana of power and established a military regime officially committed to returning power to elected civilians. After several internal power struggles and a lengthy investigation into the fairness of the 1967 elections, a parliamentary government was reconstituted in April 1968 according to the results of the 1967 election, with the APC becoming the ruling political party and Siaka Stevens assuming the Prime Minister's office.

President Siaka Stevens and the Single Party State

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Under the rule of Siaka Stevens, the APC progressively consolidated its control over the Sierra Leonean government. A series of electoral petitions led to by-elections in 1968 and 1969 in which, despite a great deal of violence initiated by SLPP militants, APC candidates were victorious, so that the APC gained control of 65 out of 78 seats of parliament. However, the trend away from electoral fairness and toward violence had assumed enormous proportions by the time of the 1973 general elections, this time with APC loyalists utilizing a large measure of violence along with voting irregularities to assure their candidates' success. As a result of the violence and manipulations, the APC had attained control of every single seat in parliament, and Sierra Leone had become a de facto (although not yet de jure) one-party state.

Nonetheless, the SLPP remained active (although without a parliamentary presence) and in 1977 managed to win 15 out of 87 seats during the general elections. However, the APC declared Sierra Leone to be a formally constituted single party state in mid-1978, which forced those SLPP Ministers of Parliament (MPs) to either resign or join the APC. From that point until mid-1991, the APC has been the sole political party in Sierra Leone, with very few social or political groupings daring to openly oppose APC policies within the country. Siaka Stevens retired as president in late 1985 and selected Joseph Saidu Momoh, an army major general, to serve as his replacement. As the sole presidential candidate, Momoh stood for electoral confirmation in the fall of 1985 and assumed the presidency in January 1986.

It is evident that Sierra Leone has wide experience with the electoral process, both of a democratic and a non-democratic nature. If the elections of 1962 and 1967 were regarded as largely free and fair, the elections of 1973 and 1977 were widely regarded as unfair, reflecting interference by ruling party loyalists and by armed secret policemen. The single party elections of 1982 also suffered a great deal of electoral violence, so much so that many eligible voters decided not even to venture to the polls. (The issue of electoral

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violence is discussed later in this report.) The national election of 1986 was noted for a relative lack of violence and for multiple candidates competing for each seat, although it too was a single party affair and there were many accusations of fixed results.

It is against this lengthy, complex and varied backdrop of electoral experience and political development that President Momoh initiated a new chapter of multi-party politics in Sierra Leone in 1990-1991.

THE ECONOMIC CONTEXT

Sierra Leone harbors bountiful natural resources, with nearly 70 types of agricultural crops, a number of valuable minerals, and breathtaking mountain views that offer promise of untapped tourist industry potential. Nonetheless, the colonial logic of economic exploitation set in motion a process whereby virtually all items of great value--diamonds, rutile, bauxite, gold, coffee, cocoa, etc.--are ushered directly out of the country and traded abroad for high profit, with the proceeds being directed into bank accounts located on other continents. Colonial-era firms established this mode of economic "development" before independence; indigenous political and economic elites have tended to perpetuate these practices during the post-colonial period. As a result, despite the export of hundreds of millions of dollars of produce and minerals in the post-colonial period, only very small amounts of revenue have been invested in the country's social, economic or infrastructure development. This, in large measure, accounts for the gradual but steady economic decline in Sierra Leone during the past three decades.

As a result, since independence, the size of the national economy has gradually shrunk, with the country's monetary unit, the leone, reaching very high inflationary levels during the past several years. The government hosted a meeting of the Organization of African Unity in 1980, and the expenses incurred nearly bankrupted the government and resulted in a high

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level of external debt which continues to damage the country's spending capacity.

Rating of Sierra Leone by the UNDP

In a recent (mid-1991) United Nations Development Program study, in which the world's nations were ranked according to a quality of life index (including such factors as life expectancy, child mortality and literacy), Sierra Leone was accorded the lowest rating in the world.

This ranking dramatically suggests the extent of economic disarray that now characterizes the nation's monetary, financial and trading sectors. All government ministries share an extreme lack of funds, so that even basic administrative and office-related needs remain unmet. This penury extends far beyond the central government. The country's poverty is pervasive in urban and rural areas and is reflected by such indicators as widespread health problems, nearly universal child malnutrition, and the progressive disintegration of Freetown's infrastructure (i.e., transport and communication). A particularly sobering phenomenon is the price of rice - the basic food staple of Sierra Leoneans - which has skyrocketed (in November/December 1991) up to ten thousand leones (US\$41) per sack. As a result, most people in Sierra Leone cannot afford to purchase rice. It is estimated that the country must import and distribute 81,000 tons of food aid over the next few months to assure basic food needs.

The "Informal" Economic Context

These macro-level, broadly based statistics accurately suggest the extraordinary decline of the country's "official," or "formal," (i.e., legally regulated) economic sector, and the dire consequences for most Sierra Leoneans. However, to describe the economy as simply one of massive poverty would be inaccurate. In fact, an enormous amount of trading activity occurs in what is generally referred to as the "informal" economic sector, i.e., outside the purview of legally monitored controls. This informal sector includes both petty trade and corruption. The petty trade sector refers to unmonitored mercantile exchanges carried out throughout the country's rural markets and on the streets of Freetown and the larger up-country towns. In fact, most Sierra Leoneans manage to get by through their involvement in this petty trade sector of the informal economy.

By "corruption" we refer to illicit deals, kickbacks and graft among such people as politicians, large merchants, small businessmen, all types of traders, professionals, wage earners, blue collar workers, and poor people. The most dramatic, visible manifestations of corruption involve tens of millions of dollars and are often linked to the smuggling of precious metals, especially diamonds, or the misuse of development aid provided by external donors. However, President Momoh appears to have worked hard to reduce financial malpractice within the government since he assumed office in 1986. Also, many Sierra Leoneans we talked with were confident that appropriate behavior by high government officials would set an important example for the general populace that would help to reduce incidents of corruption throughout society.

In sum, it is quite possible for corruption to play a much lesser role in the 1990s than it has in the past, but this will depend on the continuing efforts by the leaders of Sierra Leone to eliminate malpractice and to insist on proper accounting and financial allocation procedures. Equally important will be the efforts of the leadership to make clear to the general populace the extent to which steps have been taken to avoid irregularities.

RECENT EVENTS TOWARD POLITICAL LIBERALIZATION

Since the formal institutionalization of one-party rule in 1978, no serious challenge to this political structure was made until 1990, when President Momoh himself initiated discussion and debate over the issue of political liberalization. The first concrete action taken in this direction occurred on 17 August 1990, when the President effected a softening of the election rules, abolishing the restriction that no more than five candidates could run in an electoral constituency. Even more significantly, President Momoh established a National Constitutional Review Commission on 12 October 1990, headed by Dr. Peter L. Tucker and comprised of lawyers, academics, paramount chiefs, and clergymen, as well as APC officials. The Commission presented a proposed new constitution in March 1991, recommending that Sierra Leone begin a process of political reform that would lead directly to the establishment of a multi-party, electoral democracy. In a government White Paper released in May 1991, the government accepted this recommendation and most parts of the proposed constitution.

The Commission also recommended that a bicameral parliament be constituted, but this was rejected by the president, who opted for a unicameral parliamentary chamber. President Momoh did accept the Commission's recommendation that an executive presidency be created in which the president is directly elected by a popular vote and that the president's term of office is five years (as opposed to the current seven year term), with the same person able to occupy a maximum of two terms of office. Finally, the government agreed with the Commission's proposal that the country's 12 paramount chiefs no longer be accorded parliamentary representation but rather should form part of a State Advisory Council, along with 10 other citizens selected by the president. However, the legislature overturned this proposal in subsequent action and the Paramount Chiefs retained their

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parliamentary status.

The proposed constitution, along with some revisions, was passed by parliament in July 1991, and, according to official results, was approved by 75% of the general populace in a referendum held in August 1991. This constitution was officially instituted on 1 October 1991, although it provides for a maximum transition period of one year, thereby allowing the presently constituted parliament to remain seated until October 1992. President Momoh's seven year term concludes in November 1992, by which time presidential elections are to be held and the new five-year presidential term of office is to be instituted.

In many ways, it appears that President Momoh is himself the single most important force driving the democratization process forward in Sierra Leone. He certainly was the key architect of the reform effort in the initial months of its introduction. At this point (December 1991), however, the process of political liberalization has assumed its own momentum. At least nine political parties have already been formed and are vigorously seeking popular support, while the press has stepped up its level of critical analysis and politically interested individuals have become more visible and active.

One particularly challenging task will be for the government to sustain an atmosphere of democratic goodwill as the reform efforts continue. Twenty-three years of political leadership by the same political party has left much of the populace frightened, skeptical and even apathetic regarding the government's effort to introduce multi-party democracy and free and fair elections. It will take a special effort on the part of the present political leadership to assure the populace that the government's drive to institute multi-partyism is genuine and legitimate. Effective communication between the government and Sierra Leonean society is essential to sustaining the momentum toward electoral democracy that the present political leadership has already achieved.

THE ETHNIC CONTEXT

Sierra Leone is a multi-ethnic composite of peoples who have generally demonstrated a large degree of ethnic tolerance; the country has not experienced inter-ethnic tension or violence in its recent history. Nonetheless, the ethnic political factor is not irrelevant; in the past, certain political parties have had special ties to particular ethnic groups. It is for this reason that the 1991 constitution stipulates, in chapter IV, subsection 35, that any political party which has any type of ethnic affiliation and which does not have an organizational structure in every region of the country will not be allowed to officially register.

Also, President Momoh, himself a Limba (a minority ethnic group in the north), has been accused of giving excessive advantage to Limba in key government posts. These posts include the Head of the Armed Forces and the Inspector General of Police, the latter being also responsible for directing the activities of the secret police. The Speaker of Parliament and the Minister of Party Affairs are also Limba. Thus, it has been pointed out to the IFES team that the four most powerful political posts in Sierra Leone are held by Limba (the presidency, the Inspector General, the Armed Forces Head, and the House Speaker). Limba members have also been appointed to head key ministries since President Momoh has been in power, so that it is now believed that more than 30 percent of the top positions are held by members of this ethnic group.

However, the IFES team believes that extreme caution ought to be exercised in evaluating this type of ethnic political calculation. Although the assumption of top posts by Limba has led many Sierra Leoneans to believe that "the Limba" are virtually in command of the state, the actual political relations of power are likely to reflect a more complex ethnic constellation. Thus, some informants believe that President Momoh, rather than working with the Inspector General and with the Armed Forces Commander to form a Limba

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triumvirate, is in fact a "weak" leader who is himself fearful of the Inspector General in particular and has sought to distance himself from both him and from the Armed Forces head, despite their shared ethnicity.

Thus, while ethnicity appears to many Sierra Leoneans to be a major political factor at the elite level, this may not be as important a factor as most people believe. In fact, the IFES team is aware that President Momoh's closest personal advisers include individuals of a variety of ethnic backgrounds. It is probably the case that the ethnic variable is not irrelevant in the configuration of political power within the state, but it appears to the IFES team that most Sierra Leoneans assume ethnicity to play a far greater role in intra-elite political affairs, including planning for multi-party national elections, than it does in actual political practice. For this reason it is probable that efforts by the political leaders of Sierra Leone to emphasize to the populace the "multiethnicity" of the new political order will increase the likelihood that ethnic allegiance will not play an important political role in the 1992 elections.

IMPACT OF THE CHARLES TAYLOR REBELLION

An especially difficult obstacle to overcome before national elections can be held or a new voting registration effort completed is to decisively repel the invasion of eastern and southern Sierra Leone by the National Patriotic Front of Liberia (NPFL) led by Charles Taylor, the Liberian political rebel who is now in control of seven-eighths of the Liberian countryside. War between the armed forces of Sierra Leone and the NPFL rebel invaders has occurred periodically throughout this year (1991). Most recently - during the first week of December 1991 - Taylor's forces again seized hold of border-area towns, despite the Sierra Leonean government's previous claims that Taylor's forces had been fully subdued. Our informants suggest that Taylor's rebellion is a serious one and is not likely to be suppressed in the near future without large-scale outside intervention.

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The strength of Charles Taylor's rebellion lies in his control of the vast portion of neighboring Liberia, including most of the border region with Sierra Leone. The NPLF is widely regarded as extremely brutal and merciless, often raping and/or killing people who are not willing to cooperate fully with them. Taylor's men generally steal all items of value in the areas that they attack, and they have already destroyed the vast portion of this year's rice crop, which is principally grown precisely in the regions under assault. However, the primary reason that the NPLF is laying siege to eastern and southern Sierra Leone appears to be to gain control of the diamond mines in those areas. NPLF

The armed forces of Sierra Leone appear capable of containing Taylor's forces within the southern and eastern regions of the country but not of defeating them, nor of ousting them from Sierra Leonean territory. The ability of the army to fight Taylor's forces has recently been augmented by the provision of various types of support by Western governments. However, they continue to have supply and provisions difficulties: on December 4, 1991 their supply of ammunition was said to have been nearly depleted. And at the beginning of the second week of December Charles Taylor's rebels again invaded and seized hold of a portion of eastern Sierra Leone. The difficulties of the Sierra Leonean army are compounded by the fact that Taylor is apparently supported financially and logistically by two nearby African governments, enabling his fighters to purchase a large amount of modern weaponry, including heavy artillery.

As a protective action by ECOMOG (the military wing of ECOWAS, the Economic Community of West African States), a small battalion of Nigerian soldiers has reportedly been safeguarding at least one of the larger towns in the affected regions and possibly some of the diamond mines. Charles Taylor's forces seem to be unwilling to directly confront Nigerian military men. A larger role for the ECOMOG forces has occasionally been considered. During the first week of December 1991, the government of Sierra Leone as well as opposition political leaders called for the creation of a "buffer zone" between Sierra

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Leone and Liberia through the outside intervention of Western and/or ECOMAG military forces.

It is clear that national-scale elections cannot be held, and a re-registration process can be begun but not completed, so long as the rebellious forces of Charles Taylor remain capable of capturing portions of Sierra Leonean territory. This is one of the few points on which the Sierra Leonean government and the political opposition parties are agreed. The IFES team also concurs that national scale legislative or presidential elections cannot be held until the border area with Liberia can be secured and protected from Taylor's forces. In addition to the logistical impossibility of holding elections in nearly one-third of the country until the NPLF is pushed out of Sierra Leone, the invasion has resulted in the physical displacement of at least 250,000 Sierra Leoneans (of a total population of just over 4 million). Many of these people had to flee far from their home region, with thousands temporarily re-locating out of the country to Guinea or elsewhere. These displacements are one manifestation of the overwhelming logistical difficulties that would be involved in coordinating a national election while NPLF forces are still active within Sierra Leone.

One point on which the Sierra Leonean government and opposition political parties do not concur is the extent of the effort by the government to pursue this war against Charles Taylor's forces. The political opposition party leaders the team talked with are universally convinced that President Momoh and his APC-dominated government do not wish to see this war end, because forestalling the war's conclusion also necessitates the continual postponement of elections. The opposition leaders are certain that the president seeks to present himself to the Sierra Leonean public and to the international community as committed to multiparty democracy, and for this reason has allowed opposition parties to form, but will do everything possible to forestall national elections, including allowing the war with Taylor's forces to be prolonged. A number of informants the IFES team talked with also asserted that the government has executed people accused of supporting the NPLF in some of the towns the rebels have occupied. Other informants indicated that people

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campaigning for various political parties in the areas affected by violence have been accused of supporting the rebels and treated accordingly.

The IFES team has not obtained evidence of these latter accusations, and it seems that, with the government's recent call for outside intervention to oust the Liberal rebels, President Momoh's commitment to ending this conflict is genuine. The IFES team re-emphasizes the necessity of terminating the threat to political and social stability posed by the NPLF forces before national elections can be effectively organized and carried out. This is the single most important impediment to the holding of a successful re-registration and to the carrying out of free and fair national-scale elections in 1992.



II. RELEVANT LAWS, CODES AND REGULATIONS

THE CONSTITUTION

The Constitution of Sierra Leone (Act No. 6 of 1991) came into force on 1 October 1991. The move to multi-party politics is known throughout Sierra Leone as "the new dispensation". It is a detailed constitution covering many of the principles which are expected from a written constitution but also contains much which might have adequately been contained in other Acts of Parliament, not least because of the requirements of Section 108 concerning amendment.

Embodied within the Act are the following chapters:

- Chapter I The Republic of Sierra Leone
- Chapter II Fundamental Principles of State Policy
- Chapter III The Recognition and Protection of Fundamental Human Rights and Freedoms of the Individual
- Chapter IV The Representation of the People
- Chapter V The Executive
- Chapter VI The Legislature
- Chapter VII The Judiciary
- Chapter VIII Ombudsman
- Chapter IX Commissions of Inquiry
- Chapter X The Public Service
- Chapter XI The Armed Forces
- Chapter XII The Laws of Sierra Leone
- Chapter XIII Miscellaneous
- Chapter XIV Transitional Arrangements

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In general, the Constitution provides for liberal access to the vote by the citizens of Sierra Leone. Any person of sound mind who is at least 18 years of age may vote. The Constitution mandates that the vote of each person is made by secret ballot. A person who is registered to vote is eligible to participate in all general and local candidate elections as well as referenda elections.

Under the Constitution, general responsibility for the registration of voters and conduct of national and local elections rests with an Electoral Commission whose role will be discussed in detail later in this report.

1978 or 1991 Constitution: A Source of Confusion

The final chapter of the 1991 Constitution contains provisions which are intended to cover the period from the coming into force of the Constitution until the parliamentary and presidential elections take place. It was clear during the team's stay that confusion existed in many quarters about which constitution was in force and operative. Two examples of the confusion identified by the team stand out.

- Section 77 of the new Constitution provides that Ministers of Parliament (MP's) shall vacate their seats if they cease to be a member of the political party of which they were a member at the time of their election. This provision comes into force only after the next Parliamentary elections, but many people spoke of the need for Ministers who have left the ruling party to become members, leaders or officers of new opposition parties to be very cautious about referring to their new affiliations in Parliament.
- There is also widespread confusion regarding the date of the Parliamentary elections. The Constitution provides for the life of the existing Parliament to

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be extended and then dissolved not later than twelve months after the commencement of the Constitution (i.e., 10 October 1992). Many politicians believe that parliamentary elections are to be held before 1 June 1992 in accordance with the extension granted before the new Constitution came into force.

The team considered that such confusion, existing as it did among politicians, indicated the great lack of awareness of the provisions of the Constitution among the general populace. It also pointed out the degree of civic education required to ensure that Sierra Leoneans fully appreciated that the Constitution provides for an Executive President and a Cabinet established from outside Parliament, and more importantly, the disbanding of the one-party state.

The New Constitution and the President's Cabinet

One issue which caused more concern than any other relating to the Constitution and the transitional arrangements was the appointment of the present Cabinet at the end of September 1991. The new Constitution provides that the Cabinet shall consist of the President, the Vice President and such Ministers and Deputy Ministers as the President may establish. Unlike the 1978 Constitution, it also provides for a complete separation of powers: cabinet members cannot be MP's. Additionally, any person who has contested and lost a seat at a general election immediately preceding the nomination may not be a cabinet member.

Under the 1978 Constitution, the Cabinet was made up of MP's, either elected or nominated by the President. In late September of 1991, shortly before the new Constitution went into effect, the President restructured his Cabinet by appointing a number of sitting MP's to the Cabinet and nominated a number of "technocrats" as new MP's to serve in the Cabinet under the tenants of the 1978 Constitution. All opposition parties criticized the

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President's action in appointing the Cabinet in the way he did. They agreed that, because of the rebel incursions and, possibly more importantly, as a sign of his genuine commitment to the multi-party politics, he should have followed the spirit of the new dispensation and appointed an interim government made up of representatives of all political parties.

The President was clearly acting within the law in appointing the Cabinet in September but because of the very real fears that people hold about his, and the ruling APC party's, commitment to multi-party democracy, the team believes he should consider explaining again his motives in making these cabinet appointments, and the legal reasons why it is not possible to follow the new provisions.

Formation of Political Parties

The Constitution provides for the appointment of a Political Parties Registration Commission consisting of four members appointed by the President subject to the approval of Parliament.

However, the first registration of political parties is being undertaken by the Electoral Commission under the transitional terms of the new Constitution. Their role is to review the eligibility of a group seeking to register as a party, and to ensure that the party has met all registration requirements. The Commission must reject the registration of any party which has not met all the criteria. The right of appeal to the Supreme Court by any party aggrieved by a decision of the Commission is embodied in the Constitution.

The team supports the creation of a separate commission to rule on matters of party eligibility. Under the transitional arrangement, the Electoral Commission responsible for the conduct of the election itself is put in the unenviable position of also having to determine who will have access to the ballot. It is difficult to preserve the perception of the Commission's neutrality when they are in a position to approve or reject parties seeking access to the ballot.

The team was concerned that there was no cut off date for registering as a political party and because of this felt that there was potentially a problem, if only administrative, in seeking to prepare for an election. In the absence of a specified deadline for registration, the effective deadline would appear to be the last day for nomination as a candidate at a particular election. However, given the resource constraints under which the Electoral Commission operates a defined deadline would greatly assist in preparation for elections.

It would seem that an appropriate deadline, although somewhat arbitrary, might be the date of the proclamation dissolving Parliament or calling a presidential election. However, there

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is an issue which the team believes should be taken into account. Given the right of appeal to the Supreme Court by a party denied registration by the Commission, the deadline should allow adequate time for the Court to rule on any adjudication which might result before the election in which the party seeks access to the ballot. Without such a provision a party who might ultimately be found eligible by the Court could be denied the opportunity to field candidates for another 5 years. Such potential jeopardy could provide an avenue for corrupt practices and political manipulation to keep certain parties off the ballot. It is advisable to ensure that judicial decisions can be made in a time period which allows an eligible party who has been erroneously denied registration to be^{re}instated in time for the election.

Parliament is authorized to make laws relating to political parties. The legal requirements for registration seek to ensure that no party is regionally or ethnically based and require each party to have offices in the three provincial headquarter towns and the western area. It should be noted that these requirements have been perceived to be a double-edged sword. While they are intended to dilute the potential for ethnic separatism, and promote national unity, many opposition party leaders expressed concern that they are also a mechanism to hinder groups from registering as parties. The maintenance of functioning offices in 4 locations has proven to be very expensive, and concern was expressed that the costs alone limit party organization only to those groups who have sufficient resources to support them. Some groups also indicated that there is a potential for abuse because in some instances potential landlords were fearful of retribution by the ruling party if they let space to opposition groups.

Finally, the team believes that some thought should be given to establishing guidelines as to how a party's continuing eligibility will be monitored, and defining the circumstances under which a party ceases to be a party.)

As this whole process is one which is new in Sierra Leone, there are going to be a number

of detailed points such as this which may require attention in the future.

Election of Members of Parliament and the President

Election is by secret ballot and for MP's is a straightforward "first past the post" system. It is worth noting, however, not least because of the logistical and financial consequences, that under Section 42 of the Constitution, to be elected President a candidate must poll not less than fifty-five percent of the valid votes cast. In default of one candidate gaining 55% of the vote, the two candidates with the highest numbers of votes go forward to a second election, which must be held within fourteen days of the result of the first election. The person with the largest number of votes polled in his favor at the second election will be declared President. The team would stress that, given the potentially large number of candidates for the office of President, in any preparations for the Presidential election contingency plans should be drawn up for the second election.

ELECTION LAW

Sierra Leone's election law, like its general body of law, is based on British Statute. The Constitution establishes an Electoral Commission responsible for the conduct and supervision of the registration of voters and for all public elections and referenda. It has the 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 including regulations for voting by proxy (Section 34). Section 44 provides, however, that Parliament shall make laws for the purpose of regulating the election of the President.

The main body of electoral law is found in the Electoral Provisions Act 1962 and the Franchise and Electoral Registration Act 1961 as amended by The Franchise and Electoral

Registration (Amendment) Act, 1990 and the Electoral Provisions (Amendment) Act 1990.

The statutes contain all necessary provisions for the careful regulation of elections, including provision and staffing of polling stations, appointment of polling agents, precautions to ensure security, hours and manner of voting, numbering of ballot papers, admission of people to polling station, the offence of personation, procedure at the close of poll and the counting of votes and disposal of documents, challenging an election, and creation of election offenses.

The Letter of the Law/Perceptions of Selective Enforcement

The team found the professional staff of the Electoral Commission to be very well aware of the legal provision. From the team's investigations the principle of the secrecy of voting was considered to be very important, to such an extent that one aspect of the law was not followed to the letter. Section 26 (b) provides "the number of the elector in the copy of the Register of Electors shall be marked on the counterfoil of the ballot paper or ballot papers". Election officials did not follow this procedure and had not instructed staff to follow it because they felt that had the procedure been followed it was possible, by reading together the numbered ballot paper and its counterfoil and the marked register of electors, to discover how an elector had voted.

While appreciating the officials' concern, the team was of the view that the Electoral Commission must be seen to be administering the law to the letter and not being selective. However, the team is of the opinion that the law should be amended to delete this requirement, which, while still a requirement in the United Kingdom, serves no useful purpose except in the case of personation. Such a requirement does not exist in other Western democracies.

Election Offenses/Unethical Campaigning

has been revised.
R4

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This report has noted earlier that elections in Sierra Leone have been characterized by violence and that the 1986 elections were comparatively violence free. In 1962 the Electoral Provisions Act created offenses of undue influence and bribery. It was reported that these offenses had figured in petitions disputing the results of subsequent elections. Reports reached the team of bribery and the supply of drugs and alcohol to influence votes.

The team believes that a prerequisite of free and fair elections is an atmosphere which is free from violence and intimidation. All parties deplored violence and condemned those who participated in it. The President led the way in the 1986 elections by drawing up a code of practice on behavior under which offending candidates were disqualified. The team believes that a code of conduct should again be drawn up with the active participation of all registered parties and that such a code, with appropriate sanctions, will lead to a decrease in violence and intimidation.

RECOMMENDATIONS:

- The President should fully explain the legal position of the cabinet and his reason for appointing it in the manner he did and not within the spirit of the new dispensation.
- Laws should be considered establishing the deadline for party registration and timely adjudication of party appeals to the Supreme Court as well as for monitoring a party's continuing compliance with legal requirements and for terminating a party's registration for cause.
- To ensure that the ballot is secret, and is perceived as such, the requirement to mark on the counterfoil of each ballot paper the registration number of the elector to whom it was issued (s.26 (b)) should be repealed.
- In making arrangements for a presidential election, detailed contingency plans should be made for a run-off election fourteen days after the first election.
- The Electoral Commission should, with the active participation of all parties, draw up a code of conduct for the forthcoming elections.

III. TIMING THE ELECTIONS

As mentioned earlier, parliamentary elections are due to be held no later than 90 days after 1 October 1992. The presidential term expires in November 1992.

Before elections can be held, it is necessary, as stated in the section above, for the rebel incursions to have ceased and for the displaced people to be resettled.

The team cannot emphasize enough that an accurate register is one of the requirements for a free and fair election. The team does not believe it would be appropriate for registration to be undertaken while so much of the country and its people are affected by the incursions. Equally, it believes that elections cannot be held only in the part of the country not affected by the incursions.

The crucial issue on the timing of the elections is, in the team's view, the end to the incursion and resettlement of the population. Once the country returns to peace the first priority must be the production of a new register of electors. This process is estimated to take 5 to 6 months. The elections should be held as soon as possible thereafter.

The team believes that there are two reasons to recommend the holding of elections for Parliament and President on the same day.

- Conduct of two separate nationwide elections will seriously deplete the country's limited financial resources unnecessarily.
- The general perception of the government's commitment to a more open and democratic political system would be enhanced by combining elections to allow for a clean break with the former one-party state. Simultaneous elections would also lessen fears of manipulation of the constitution which

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could potentially occur if the presidential election was to take place after the parliamentary election.

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If the elections were to be held on the same day, voters would be issued with both presidential and parliamentary ballots. The Electoral Commission would need to draw up formal guidelines for dealing with combined elections. The team believes that the Commission should prepare such rules in any event, so that they are adequately prepared for such a decision should it be forthcoming.

One argument presented to the team against holding a combined election was the confusion which would be created in the minds of the voters. The view was expressed that, given the change in the Constitution, elections should be held on separate days to ensure that voters understood the separation of powers enshrined in the Constitution. The team does not subscribe to this view. Elections are about the exercise of choice and effective voter education is the way of ensuring that people understand the new Constitution and what they are voting for. If they are not sufficiently educated about the process, holding elections at an interval of six months would not mean that voters had any clearer understanding of what they were voting for. If voter education was successfully undertaken, voters would be aware of what they were being asked to choose on the two ballots issued together on the same day.

RECOMMENDATIONS:

- Elections should not be held until:
 - a. the rebel incursion has ceased;
 - b. the displaced people have been resettled;
 - c. a new register of electors has been completed; and
 - d. a voter education program has been undertaken.

- Parliamentary and Presidential elections should be held on the same day.

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- The Electoral Commission should draw up detailed rules to provide guidance for the holding of combined elections.

IV. THE ELECTORAL COMMISSION

Under the Constitution, responsibility for the registration of voters and conduct and supervision of all public elections and referenda in Sierra Leone, whether national, regional or local, is vested in the Electoral Commission. The Commission is a body made up of a Chief Electoral Commissioner who serves as Chairman, and four other members, each of whom represent one of the regions into which the country is administratively divided. All members are appointed by the President and serve for five years. No member may be removed from his office except by the President, and only then on grounds of his or her "inability to discharge the functions of office." The terms and conditions of service of members of the Commission are stipulated by Parliament.

The Commission is also authorized to develop the election regulations by statutory instrument which guides election policies and procedures, and to prescribe the apportionment or delimitation of constituencies. The delimitation prescribed by the Commission is subject to the approval of Parliament.

For the first elections to be held under the new Constitution, the Commission is also responsible for the registration of political parties. In the exercise of that duty, the Commission must evaluate and review the qualifications of each party prior to certifying its formal registration. For future elections, a separate Political Parties Registration Commission will be established, but for now the Electoral Commission is put in a position to make determinations affecting ballot access by new opposition parties in addition to administering the elections which will determine their future success or failure.

Transition: Retirement of the Chief Electoral Commissioner

Unfortunately, at the time of the team's visit, the Commission was in a state of transition. Therefore, the team was not able to meet with the Commission in its full functioning

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capacity. Just prior to the team's arrival, the terms of the Chief Electoral Commissioner and some of its members had expired. In a move which appeared to take many groups by surprise, the President had decided not to renew the appointment of Max A. Bailor as Chief Commissioner, and was in the process of selecting a new candidate for appointment in his place.

It is important to point out that it was under Max Bailor that the recent advances and improvements in the technical aspects of the election process had been undertaken. For example, transition from the marble system of voting to the paper ballot voting procedure had been implemented. It was also under his direction that the first steps to computerization of the voter registration rolls had been undertaken.

Of utmost importance, the team took particular note that, in an atmosphere permeated with general distrust and suspicion, Mr. Bailor was universally perceived as a man of integrity, and a man who would remain neutral in the exercise of his election duties. He appeared to have the confidence of every opposition party, civic and professional organization, student association, educator and private interest group with whom the team met. Not only was he held in generally high esteem, but virtually every contact indicated that given their preference, they would choose to have Mr. Bailor reappointed to continue his service at least through the first presidential and parliamentary elections under the new Constitution.

The team noted that the determination not to reinstate a respected Chief Commissioner at this critical time has provided a prime opportunity for opposition parties and other observers to speculate about the motives which may have prompted the decision.

The rationale put forward by government officials was that Mr. Bailor would turn 65 within the next couple of years. Sixty-five is the age of mandatory retirement under the Constitution. Therefore, according to government leaders, because Mr. Bailor would not be able to serve out a full five year term under the new appointment, it was not appropriate

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to reinstate him.

It should be noted that the Constitution makes no such stipulation. Rather, the law clearly considers that such a circumstance is likely to occur, and provides that a member will vacate his office at the expiration of a five year term, "or on attaining the age of sixty-five years." The team can only surmise that, in view of the option clearly provided in the Constitution, there may have been other, more significant considerations prompting the decision which generally have not been publicized. The team noted, for example, that in some technical and administrative areas there appeared to be a lack of adequate supervision and decisive management.

Unfortunately, the rather weak rationale for replacing Mr. Bailor put forward publicly has made the government vulnerable to the negative perception repeatedly expressed to the IFES team, especially in view of the generally unfavorable evaluation of the character and competence of the individual whose name was being proposed. The perception widely held is that the decision was based on government's interest in appointing another individual whose politics and personal allegiances might be more closely aligned to those of the ruling party. These perceptions, even if they have no validity, are detrimental to nurturing the public's confidence in achieving free and fair elections.

Process of Appointment

If there are doubts as to the motives behind the decision to replace the former Commissioner, the fires have also been further fueled in the eyes of the opposition parties by the circumstances surrounding the selection of a possible replacement candidate. Under Section 32 of the new 1991 Constitution, the President is bound to appoint the members "after consultation with the leaders of all registered political parties". The appointment is also subject to the approval of Parliament. At the time of the team's visit, each of the newly registered political parties had received a letter from the President identifying the

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individual he was proposing for appointment. The letter invited the parties to respond.

Throughout their meetings with all parties, the team observed that each of them had perceived the letter to be an announcement of an accomplished fact, rather than an initiation of the "consultation" required under the Constitution. In its discussion of the events with each of the parties, the team suggested that in other contexts, the exact same letter would be typical of the form of announcement officially launching the "consultation" phase. In the course of the discussions, it was also suggested that "consultation" does not necessarily require approval or consensus.

The team had been advised by each party that they would be sending a reply rejecting the President's proposal, and most parties suggested that they would further request that Mr. Bailor be reinstated. In fact, at the time of the team's departure, only two parties had responded, and neither had gone so far as to submit Mr. Bailor's or any other candidate's name as an alternative choice for the President's consideration.

Additionally, during the final days of the team's stay, it was reported that a committee of Parliament had begun its deliberations regarding the President's proposed appointment. The existing Parliament, which will continue to serve until the general elections, includes several members who have actually left the ruling party to form the same opposition parties who had advised the team of their disapproval of the President's proposed candidate for appointment. While no official acknowledgement of their new party status is allowed on the floor of Parliament under the rules of the transition, there is no doubt what their new political affiliations are.

It must be pointed out that some of these individuals are members of the committee reviewing the new appointments to the Electoral Commission. While the team was not able to confirm the information it received in the final hours of its visit, it appeared that as of that time the committee, including the dissident members, had actually affirmed the

President's choice, and that the appointment would be brought before Parliament for a confirmation vote in the near future.

INDEPENDENCE OF THE COMMISSION

With the broad scope of responsibility and authority vested in the Commission, and with the retirement of the former Chief Commissioner in whom there was such confidence, it is not surprising one of the primary concerns universally expressed to the team relates to questions about the degree of the Commission's independence to carry out its functions without undue influence and political pressure by the government and the ruling party.

Under Section 32, Subsection 11 of the 1991 Constitution, the Electoral Commission "shall not be subject to the direction or control of any person or authority" in the exercise of any of the functions vested in it by the Constitution. However, several issues appear to have raised a red flag in the minds of many individuals whose perceptions are that the Commission is not, in fact, sufficiently independent of political influences. While the team found some of the concerns expressed may be unwarranted, there are others which deserve serious consideration.

One general concern expressed to the team, for example, is that the Electoral Commission, in addition to its appointed members, is staffed by civil servants whose loyalties, some feared, would belong to the current government and ruling party who ensures their salaries. In their minds, these employees would not be neutral in the exercise of their duties. The team took every opportunity to point out to groups raising this question that virtually all election administrators in every part of the world are civil servants and government employees.

To ensure that this perception is minimized, the Commission needs to focus its attention

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on adequate training and orientation of the staff's new role in view of the move to a multi-party system. Under a one-party system, the mindset and the public image of absolute neutrality may not have had the critical importance it has now.

The team found that among the more senior members of the Commission's staff there appeared to be solid understanding of the changes in attitude and professional behavior which are necessary to fulfill the obligations incumbent in the impartial and neutral exercise of election responsibilities under a multi-party system. However, there needs to be a concerted effort to nurture a deeper understanding of the impact of the necessary changes in the mind set of lower-level staff and staff outside of Freetown. For example, at an elections office in one of the provinces the team visited, the Electoral Commissioner for the region still maintained a small APC party flag on his desk. It was clear to the team that the impropriety of such a display in an elections office under a multi-party system had simply not occurred to him. The official and his staff understood the implications immediately when it was brought up as a point of discussion. It will be very important for supervisory staff to ensure that all employees are alert to the subtle changes which will have to be made in the way they do business on a day-to-day basis.

Of greater concern to the team is that, while the Constitution guarantees that the Commission is not subject to the direction or control of any person or authority, in practical reality this may not actually be the case. The Commission is not a separate and independent agency of government; rather, it is a subdivision of a governmental ministry. The Electoral Commission falls under the umbrella of the Ministry of Internal Affairs. As far as the team could determine, the Chief Electoral Commissioner is, in effect, somewhat subordinate to and dependent on the Minister of Internal Affairs, at the very least for budgetary and administrative purposes. All financial matters and budget requests must go through the Minister's office for review and processing. The Minister of Internal Affairs (who is also the First Vice President) is the only avenue through which the Commission may present its reports, budget requests, and proposed regulations to Parliament for

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legislative review. The Chief Electoral Commissioner has no direct line of communication with the legislative body who will confirm or deny approval of regulatory election policies or fund its activities.

The result is that the individual vested with the ultimate responsibility and authority to administer the election process under the Constitution must rely on an intercessor. Additionally, the Commissioner may have to compete for the Ministry's attention to and support for election requirements. The Chief Electoral Commissioner could potentially be placed in a position of having to compromise or modify professional or fiscal judgements to accommodate or compete with other priorities and administrative demands facing the Ministry as a whole.

To the limited extent that the team was able to analyze the functional relationship between the roles of the Minister and the Commissioner, it appears that an effort is made to maintain an atmosphere of non-interference. However, there are circumstances which led the team to believe that the Commissioner is not autonomous. One example relates to a chasm which appears to be unbridged in the budgeting process.

There seems to be a gap between the level of funding requested by the Commission to carry out a specific election exercise, and the funding levels actually negotiated and disbursed to the Commission at the Ministry level. This gap appears to have resulted in less than adequate coverage of basic election requirements. During the 1991 referendum election, for example, the request submitted by the Commission was short funded to the extent that in one area where 68 polling stations would normally operate, there was funding for only 34. Voters in the unfunded polling areas were required to vote at regional centers. The result was that many voters simply did not participate.

It was impossible to determine where the decision to cut the funding request actually occurred by the Administrative Officer, at the Ministry level, or in Parliament itself.

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However, it appears that under the current structure, the Commission did not exercise enough authority or clout to ensure that adequate funding levels were approved.

As a subsidiary agency under a ministry, the independence of the Electoral Commission may be challenged further by a potential conflict posed by other articles of the Constitution. The team notes Section 56, Subsection 5 which dictates that the Vice President and other Ministers under the President's direction "shall be responsible for such departments of State or other business of the Government as the President may assign to them." Subsection 6 adds that the President shall be responsible for such departments of State, "including the Commissions established under the Constitution, as he may determine." Finally, Section 62 provides "Where any Minister has been charged with responsibility for any department of Government, he shall exercise general direction and control over that department, and subject to such direction and control, the department shall be under the supervision of a Permanent Secretary, whose office shall be a public office..." The Electoral Commission is supported by a staff of civil servants appointed to their jobs through the personnel rules established for public offices under the Public Service Commission. The civil service employees of the Electoral Commission are directly supervised by a Permanent Secretary identified as Secretary to the Commission and Chief Electoral Officer.

To overcome potential problems, and to dilute any perceptions which might exist regarding the lack of independence of the Commission, the team supports a recommendation that would remove it from the Ministry of Internal Affairs and making it an autonomous agency with its own direct line to Parliament. (It is noted that such a recommendation was included in the Commission's annual report prepared in 1988.) Further consideration might be given to providing the Commission with more authority over the direct recruitment, hiring, disciplinary action or termination of its staff.

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General Organization

The civil service staff of the Commission is divided into two functional areas. There is the professional arm made up of election officers who are responsible for the actual implementation of election exercises, registration and voter services and recruitment and training of election workers. There is also the administrative arm responsible for financial matters, supplies, commodities and executive activities.

The team was afforded opportunity to work with both sectors for extended periods of time. In general, it appears that the administrative wing exercises a level of seniority over professional staff. There may be room for the Commission to reevaluate the corresponding 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 logistic strategies appear to be decided without sufficient regard for the input or consultation of the professional side of the civil service staff. Quite frankly, it seems that these circumstances have resulted in an exercise such as registration of voters simply being halted before completion because funds have run out.

Unfortunately, elections are a costly enterprise and for the most part they are an "all or nothing" exercise. Elections cannot be carried out half way and be considered free and fair. If the election professionals calculate that a certain number of ballots are needed for an election, administrators may not be in a position to arbitrarily determine to purchase fewer ballots. If there are a certain number of constituencies eligible to vote in an election, administrators cannot decide to eliminate a few because of fiscal constraints. To improve efficiency, increase accountability and ensure equal polling access and uniform treatment of all voters in an election exercise, it is critical that the lines of communication and

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cooperation be strengthened between the professional staff and administrative staff, especially when there are such limited resources.

The central office of the Commission in Freetown supervises the election activities in each of the regions. For each region there is a Senior Elections Officer who in turn is responsible for elections offices in each of the districts assigned to his or her region. Each district office is staffed by an Elections Officer, Assistant Elections Officer and an Election Supervisor overseeing general staff of clerks, drivers, security guards, and messengers. During peak times of registration, publicity campaigns or the conduct of actual elections, temporary workers are recruited, trained and supervised at the district level.

In some instances, the team questions the practicality of maintaining a full complement of staff on a year-round basis when the jobs of certain classes of employees are sporadic and temporary in duration. For example, there appear to be a number of clerks hired to assist in compiling the registration rolls once field workers have submitted completed registrations. However, even when no registration exercise is being carried out, these employees are maintained on the staff permanently. With a mandatory registration exercise being carried out every three years, it means that for months at a time staff members are literally sitting in offices without work.

Similar circumstances appear to occur at district offices as well, with election staff being maintained permanently even when no elections are being conducted.

Because of the severe economic circumstances facing the country, the team recognizes that without these jobs, these people would most likely be totally unemployed. This staffing plan, however, may not offer the most efficient strategy for the utilization of the Commission's resources, in view of the critical fiscal constraints which continue to hinder the thorough and meticulous conduct of free and fair elections. The team identifies these circumstances as an issue deserving consideration but makes no formal recommendation.

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Facilities

The team could not help but observe that facilities in which the Electoral Commission and its staff work are unsafe, insecure, and totally inadequate to accommodate the mammoth responsibilities facing the election agency. Stairways and floors have deteriorated to the extent that there is an ever-present danger of someone stepping through weakened boards. Offices are cramped and crowded. Electric power is inadequate when available at all. The Commission has virtually no equipment. At the time of the team's visit there appeared to be one working typewriter at the head office. There is inadequate space for the secure and fire-safe storage of files and election documents.

The poor condition of the facility which houses the Electoral Commission is well known. On more than one occasion the team heard it said, "To measure the government's level of commitment to free and fair elections, one need only visit the elections office." It is ironic to note that outside the Secretary's window the team could see construction underway for the new building which will house the administration for the state lottery.

In view of the working conditions with which they must contend and the absence of even the most minimal equipment and supplies, it is commendable that the staff remains optimistic and committed to the mammoth task for which they are responsible.

RECOMMENDATIONS:

- In view of his reputation as a man of integrity and in order to engender the public confidence in the neutrality and fairness of the upcoming elections, Max Bailor should be retained as Chief Electoral Commissioner even if he

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will have to vacate his seat prior to the end of a full five year term. To assist him in ensuring that administrative responsibilities are managed well, a technical advisor should be assigned to provide oversight and management expertise and support.

- The independence of the Commission should be strengthened by separating it from the Ministry of Interior, giving it a direct line to Parliament.
- All employees involved in the conduct of elections must properly trained in what it means to be totally neutral in the performance of their duties under a multi-party system.
- The supervisory or advisory role of professional staff should be significantly strengthened in the fiscal and administrative decision-making process.
- The Electoral Commission should be moved to facilities better suited to reflect the importance of their mission, and to meet their practical needs.

V. POLITICAL PARTIES

THE 1992 ELECTIONS AND THE RULING PARTY

The All-People's Congress, or APC, has been the ruling political party in Sierra Leone since the military handed power to Siaka Stevens in 1968. Having decided to institute a one-party state in 1978, the APC has worked hard, in many ways, to assure its continued domination over the country's political system. This includes active intervention by APC officials in virtually all sectors of Sierra Leonean society. APC dominance has been further maintained by single party monopolization of the national media--essentially, radio programming, which is broadcast to over two-thirds of the country--with the written press and television reaching only a tiny sector of the urban populace. The nation's president and head of the APC, first Siaka Stevens, then Joseph Momoh, has even been accused of firing those local chiefs whom the APC finds politically untrustworthy, in this way assuring APC loyalty even at the village level.

As a consequence of this tradition of APC political dominance, it will be very important for the holding of free and fair elections in 1992 for the government to make clear to the public that it is impartial and will not act to assure an APC victory. In this regard, the IFES team believes that the public perception of government impartiality will be virtually as important as the actual practice of government leaders at election time. Repeated statements and actions by political leaders that dramatize their commitment to electoral fairness will greatly help to reduce the high level of public skepticism about the electoral process that currently pervades Sierra Leonean society. For example, balancing the Cabinet with political leaders from opposition parties rather than with leaders only from the APC would bolster a government image of impartiality and would lead to heightened public confidence in the electoral proceedings as a whole.

Similarly, it will be important to avoid a situation in which the government is perceived to

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selectively accuse former APC officials who now head opposition parties of having carried out corrupt activities while in office, whereas no present APC officials stand accused. Similarly, the government may wish to make more consistent decisions regarding the need for officials to retire at age 65. For example, the recent decision not to rehire Max Bailor as Electoral Commissioner [discussed above] because he is now 62 and would have to retire in three years time - whereas the Inspector-General of Police [discussed separately below] is already believed to be more than 65 years old - is generally regarded as a highly selective application of the mandatory retirement law.

It should also be mentioned in this discussion of APC rule that President Momoh's effort to introduce a multi-party political system provoked an internal APC conflict earlier this year, with younger party members backing political reform and older party stalwarts opposing it. The younger, reformist wing of the APC has appeared eager to move the country toward multi-party democracy and to assure the carrying out of free and fair elections. However, some of the older, conservative wing of the APC continue to resist these changes and may seek to find ways to assure an APC electoral victory.

The pro-democracy faction within the APC has the advantage of relying on President Momoh as its ally. Nonetheless, the President and other government leaders will need to make strenuous efforts to convince the Sierra Leonean public that pro-democracy advocates have the upper hand within the APC. Failure to convince the general populace of this is likely to lead to rising public concern that President Momoh lacks adequate power over the APC party bosses and militants to assure that the APC plays by the constitutional rules before, during and following elections. The fact that public perception of the fairness of the 1992 elections will in part determine the success of those elections makes clear the importance of the government's role in promoting not merely the reality, but also the image of impartiality.

1992 ELECTIONS AND OPPOSITION PARTIES

In mid-1991, following the constitutional referendum, as many as nine political parties were created, and one, the Sierra Leone People's Party, was revived. They were all allowed to open offices and function freely. Of these parties, six (in addition to the ruling APC) have thus far officially registered. These new political parties include the:

- People's Democratic Party (PDP), whose president is Thaimu Bangura;
- National Action Party (NAP), headed by Shaka Kanu;
- Democratic People's Party (DPP), led by Jibril Alhaji Koroma;
- National Democratic Party (NDP), headed by Ahmed Morie Bangura;
- Sierra Leone People's Party (SLPP), led by Salia Jusu Sheriff; and,
- Unity Party (UP), headed by Mohammed Amadu Deen.

There are two immediately noteworthy characteristics of Sierra Leone's principal opposition political parties: they are very recently formed, several being two months old in December 1991, and most of the major parties are led by former APC leaders who had served as leading officials within the government for many years. It will take some time for these new parties to "wet their feet" in the newly accessible political waters, but the fact that national elections will not be held until at least mid-1992 will make it possible for these parties to more effectively consolidate their party organizations. From the evidence available to the IFES team, it appeared that the ruling government is working hard to create a highly pluralistic political environment in which the opposition parties are allowed to freely carry out their activities.

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The fact that the vast majority of the political elites who now constitute the leaderships of the principal opposition parties are recently resigned former members of the APC has led many observers to question the integrity of the new party system. As one interviewee noted, the danger is that multi-party elections could bring a change of the tires of the car, rather than of the car itself. Would multi-party elections in Sierra Leone lead to a meaningful change of political leaders with the presently constituted parties? The answer to this question lies beyond the scope of this report, and ultimately only the people of Sierra Leone can provide an adequate response. However, it is important for the success of the democratization process to highlight the need for opposition party leaders to publicly clarify the distinctiveness of each party in order to overcome the view in many circles that the scope of choice provided by the new political parties is excessively narrow.

It should also be noted that the leaders of the opposition political parties perceive themselves to be at a great disadvantage, in terms of election campaigning in 1992, in regard to the ruling APC. Obstacles that the opposition parties must surmount to assure the fairness of the electoral campaign include the need to raise large amounts of money for the purpose of renting offices in up-country towns; the need to purchase vehicles in order to be able to travel to and campaign throughout the countryside; and the gaining of access to the national radio station in order to broadcast their message on a national scale. It is widely felt that because the APC already has a nation-wide organizational presence, several dozen vehicles, and easy access to the radio, the electoral campaign will unfairly advantage the ruling political party.

It is because of the risk that the 1992 electoral campaign will be popularly perceived to be weighted in favor of the ruling party that it will be important for all political leaders in Sierra Leone (both government and opposition) to take vigorous steps both to ensure the fairness of the campaign and to make clear to the general public that the campaign process is fair. For example, the government and opposition parties may wish to consider forming

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an advisory body, consisting of ruling party and opposition party officials, that (a) meets regularly and often; (b) maximizes opportunities for the sharing of views as the electoral process and the campaign period progress; and (c) helps to promote civic awareness of the basic fairness and procedures of the election campaign process [the issue of civic awareness is discussed more fully below]. While the government has already involved opposition party leaders in a consulting role, the formation of a joint advisory committee is one example of a step political leaders could take to ensure not only electoral fairness but also to heighten public awareness of the fairness of the electoral campaign.

RECOMMENDATIONS:

- The IFES team recommends that the ruling political party, the APC, make a strenuous effort to make clear to the public the extent to which, and the ways in which, the ruling party has reformed itself and is now committed to participating in a free and fair electoral process.
- The formation of an advisory body by the ruling and opposition political parties, meeting regularly and often, would maximize opportunities for the sharing of views as the electoral process and the campaign period progress, and would help to promote civic awareness of the basic fairness and procedures of the election campaign process.



VI. KEY ELEMENTS ERODING THE PUBLIC CONFIDENCE

ELECTIONS AND CORRUPTION

As graft has purportedly played an important role in the electoral process in the past, it should be highlighted as a possible factor to contend with in seeking to carry out free and fair elections in 1992. The extension of corruption to the electoral process has, according to a number of informants, been manifested (especially in elections previous to 1986) in the following different ways:

- Relatively large sums of money have been offered to regionally based elections officials (who are poorly paid) in order to encourage those officials to doctor the voter registration lists or the electoral results in a specified political direction.
- Poor villagers have been offered money or jobs as encouragement to vote in a particular political direction.

The IFES team is convinced that the potential for electoral corruption will not stem from the members of the Electoral Commission or their regional staff. The IFES team is furthermore certain that the government and opposition party leaders are fully committed to the fairness of the electoral process, vigorously opposed to the "purchasing" of votes among villagers, and will work to prevent any type of graft from affecting the 1992 elections. The challenge, therefore, is for the ruling and opposition parties to convince the public that these manifestations of corruption are illegal and intolerable. One way to do that would be to carry out an intensive, three-month publicity campaign throughout the countryside, by both the ruling and opposition parties, immediately preceding the election during which the legal rules of electoral behavior are explained and emphasized repeatedly, and during which the unacceptability and illegality of any form of electoral graft is stressed. Again,

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a vigorous effort to augment public awareness of the government and opposition parties' hostility toward and intolerance of corrupt practices will itself constitute a crucial aspect of the perception of electoral fairness.

Another problem that may be discussed in this regard is the difficulty in Sierra Leone of withdrawing cash from a private bank account. This problem has directly affected the ability of the Electoral Commission to carry out elections effectively. It has been the case, for example, that the Electoral Commission has been occasionally unable to cash checks provided to it by the Ministry of Finance (on approval of the Ministry of Internal Affairs), simply because the Bank of Sierra Leone has no cash available - not even in the private account of the Commission. It should be stressed that this is a problem which is often encountered at the Bank of Sierra Leone - it is not particular to the Electoral Commission - but it ought to be considered as an impediment for the Commission to overcome in funding its own activities and in terms of acquiring any new equipment needed to facilitate the 1992 elections.

This type of financial difficulty endured by the Electoral Commission tends to augment the level of public skepticism regarding the government's commitment to the fairness of the electoral process. Such difficulties encountered by the Commission in 1992 may even result in the popular view that the electoral process has been corrupted or mismanaged. To avoid the generation of such a view it is crucial for the government to assure that the Electoral Commission receives its checks on a timely basis and that it has no difficulty in withdrawing cash from its account at the Bank of Sierra Leone.

ELECTIONS AND THE FEAR OF POLITICAL VIOLENCE

The involvement of the armed forces and the security police in national elections is a highly volatile issue in Sierra Leone, but one that must be given full consideration if free and fair

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elections are to be successfully carried out in 1992. This is because in the past, thousands of registered citizens refused to venture to the polls on election day due to fear of violence. The result has been the creation of, as one informant termed it, a "culture of silent suffering" that has the potential to distort the basic fairness of the electoral process.

What is the origin of this election-day violence? According to many sources, the origin of this violence is two-fold: fighting between supporters of one or another candidate or party in the lines forming at the polling stations; or intimidation and the wanton firing of weapons by some members of the Special Security Division (SSD) of the national police, along with some elements of the armed forces. These are the two principal factors, beginning with the elections of 1973, that have been responsible for creating a climate of fear on election day.

The vast majority of our informants are of the opinion that both of these problems would be reduced if (1) several ordinary policemen were assigned to each polling station, and (2) the SSD police do not play any role in the election process. The SSD have access to high-powered guns that most Sierra Leoneans regard as inappropriate and unnecessary for use on election day. SSD police are also generally regarded as extremely loyal to the ruling party, the APC, and more than willing to use their weaponry to assure an APC victory.

It is not the task of the IFES team to determine the degree of accuracy of these concerns regarding the SSD. It is clear, however, that the general populace is likely to conclude that the 1992 elections were unfairly manipulated if SSD policemen are present at polling stations or are publicly visible or active on election day. Regardless of the truth about the SSD, public skepticism regarding the SSD is so deeply rooted that it will not be possible to convince Sierra Leoneans that the electoral process was free and fair if the SSD has any role to play on election day. It is for this reason that the IFES team recommends that the SSD not play a security role during the 1992 elections and that, instead, a small number of ordinary policemen be assigned to each polling station.

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At the same time, there is a strongly and nearly universally held belief in Sierra Leone that elections will not be free and fair so long as the present head of the SSD, the Inspector General of Police, is granted the authority to organize security arrangements on election day. The Inspector General, Bambay Kamara, is widely believed to hold an extraordinary degree of political power in the sense that no Sierra Leonean, not even the president, would dare to challenge his policies openly. He is also widely regarded to be a vigorous APC loyalist. Therefore, it may be helpful, regarding the public's perception of electoral fairness, for the president to reduce the security responsibilities of the Inspector General regarding the election process.

Another important issue is the potential for violence or the threat of violence within villages (where 75-80 percent of Sierra Leoneans live) during the weeks preceding the election. This violence or threat of violence is said to stem from several possible sources. One is the SSD, whose members are reported to have visited villages in the days preceding previous elections in order to incite a climate of fear of voting against the APC. Another source is the paramount chiefs, who may be removed from power by the president and for that reason, according to a number of sources, often feel loyal to him and to the APC. Paramount chiefs enjoy control over their own police forces and, according to several informants, have used their police powers in the past to threaten villagers with retribution for voting against the APC. Similar comments have been made about some of the local chiefs, who do not have access to their own formally constituted police forces but nonetheless wield enormous political influence over their villagers.

It was not possible for the IFES team to determine with any degree of confidence the accuracy of these reports, or of the extent of the potential for the threat of village violence in 1992. It should also be emphasized that these are reports of previous elections held under the one-party system, whereas the electoral climate in 1992 will be a multi-party one in which the president has himself endorsed free and fair competition. The IFES team

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wishes to highlight this issue because it was mentioned so frequently to us by a wide variety of informants, and because the possible recurrence of election-period violence serves as a particular source of fear among many rural Sierra Leoneans.

Again, without being able to determine the legitimacy of this fear, it is nonetheless certain that it will be crucial to overcome the popular perception that the threat of violence looms on the electoral horizon. Special measures ought to be taken to make clear to the general populace that the period preceding the elections will not be marked by any type of violent threats, and that election-day voting itself will be violence-free. Convincing the general populace that their safety is assured and that the SSD will not play a security role on or before election day will be critical elements in the creation of a free and fair electoral environment in 1992.

RECOMMENDATIONS:

- The ruling and opposition parties should carry out a three-month-long publicity campaign throughout the countryside immediately preceding the election, during which time the legal rules of electoral behavior are explained and emphasized repeatedly, and during which the unacceptability and illegality of any form of electoral graft is stressed.
- The government must ensure that the Electoral Commission receives its funds on a timely basis and that it has no difficulty in withdrawing cash from its account at the Bank of Sierra Leone.
- The SSD police should not have any security role to play on election day or in the period leading up to elections. Polling station security should be provided by small numbers of ordinary policemen assigned to each station.

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- The responsibilities of the Inspector General of Police as they relate to electoral affairs must be redefined and diminished to the greatest degree possible.
- The rural populace should be assured that the threat of violence by paramount or local chiefs or by anyone else has no place in the electoral process, is illegal, and will not be tolerated.

VII. REGISTRATION OF VOTERS

STARTING FROM SCRATCH

The 1991 Constitution calls for the revision and review of voter registration rolls to be accomplished by the Electoral Commission at least once every three years. However, the IFES team concurs with the universally expressed opinion that the presidential or general election to be held in 1992 cannot reasonably be held unless there is an accurate and timely reregistration of voters. Further, during the critical transition to the multi-party system, the registration exercise should be completely redone rather than attempting to revise or update the existing rolls. Preliminary estimates based on 1985 census data and projected increases for population growth and the lowering of the voting age suggest that the rolls will swell to approximately 2.6 million voters if they are completely redone. This will represent an increase of about 320,000 registered voters over the number reported on the registration rolls used in the referendum election on the multi-party constitution in August of 1991.

Several circumstances prompt the demand for the registration exercise to be started from scratch. At the forefront is the new dispensation under the 1991 Constitution that lowers the voting age from 21 to 18. Secondly, it is widely believed that under the one-party system, voter apathy deterred many people from registering or participating in the process. Eligible voters were further discouraged from participating by the history of violence which clouded many of the previous elections. It has been alleged that in the minds of many citizens, it was safer to stay away from the polls than to risk retribution if one failed to vote as one was told.

In addition to these conditions, it also seems apparent that in spite of the good intentions, best laid plans and constructive innovations of the Electoral Commission, actual implementation of the registration exercise may have fallen far short of its objectives. In the case of the Referendum Election held in August of 1991 a number of apparent

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irregularities were brought to the attention of the IFES team. Allegations were made that many of the names that appeared on the rolls were fictitious, while other names were omitted in error. A question was also raised as to whether or not registration was done at all in some regions, especially in the villages in remote areas of the country. Several factors seem to have contributed to the apparent inadequacy of the rolls.

- The exercise seems to have been drastically under-funded. As far as the team could ascertain from information it reviewed, staff had projected that the registration operation would require funding of about Le 342 million (which the team believes may have been too conservative.) However, the funding was actually cut to Le 117 million. Based on some reports, the result was that when funds ran out, the field work was simply terminated.
- Training, supervision and motivation of field workers was inadequate. Field workers assigned to the actual door-to-door canvassing of towns and villages were not sufficiently instilled with an understanding of the gravity of their mission, nor were they held sufficiently accountable for the accuracy and thoroughness of their work.
- The team perceives that once registration data was submitted by field workers, there was insufficient oversight by supervisory staff at district election offices, and by professional staff of the Electoral Commission to ensure accurate compilation.
- Public outreach and voter education was insufficient in providing voters information about their voting rights, the necessity of registering, and the value of their vote to encourage their interest.

In spite of these negative conditions which existed in the past, the IFES team believes that

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the Electoral Commission under Mr. Bailor has attempted to make refinements in the system, and that with improved planning, proper supervision and administrative oversight some of the problems can be overcome.

Timetable for Registration

If an all new registration exercise is to be completed from scratch, the timing of such an exercise will be critical to the scheduling of the actual elections. The IFES team believes that a full-scale operation of this magnitude will take between 5 and 6 months to complete start to finish. That means that in order to have a comprehensive register compiled for use in a late summer or fall election, the exercise will have to be initiated early in 1992.

One of the major issues confounding the implementation of a registration exercise is the same one that impedes the scheduling of the elections themselves: namely, the Liberian rebel incursion which threatens the southeastern part of the country and which has displaced a major portion of the country's population. There are strong arguments against attempting to facilitate a thorough registration drive while the incursion continues. However, an indefinite wait before beginning the operation until the incursion is repelled could jeopardize the holding of an election in the fall even if Sierra Leone's borders are effectively secured in the next few months. It might be feasible to begin the registration exercise in those areas of the country which are unaffected. However, it is clear that unless Sierra Leonean forces, with or without substantial outside assistance, are able to oust the Liberian rebel forces and return stability to the southeastern regions of the country, the exercise cannot be meaningfully completed.

Even without the impediment caused by the war, the registration process requires several months to complete and involves the full complement of permanent staff as well as the assistance of approximately 4,000 temporary workers. (Ideally, the Commission foresees support from at least one registrar each area served by a polling station.) From information

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provided to the team by both head office and district office election officials, an approximate time table includes the following:

1. 21 - 31 Days Pre-planning, recruitment and training of field workers.
2. 35 Days Field work and door-to-door canvassing.
3. 30 Days Manual compilation of field registrations at District and Regional Levels
4. 21 Days Data entry for computerization of rolls.
5. 60 Days Preparation of computerized provisional lists.
6. 7 Days Distribution of provisional lists back to districts for posting in each constituency.
7. 10 Days Posted for public scrutiny, challenges and additions.
8. 10 Days Revision courts to hear and rule on challenges.
9. 14 Days Preparation of final revised lists.

Obviously, some of these tasks overlap, and may occur concurrently. For example, data entry for some constituencies may be continuing while the provisional lists are being printed for others; field work may be carried on in some areas while manual compilation is being accomplished in other constituencies where canvassing has been completed.

FIELD REGISTRATION PROCESSING

The actual process of registering voters is dependent on the commitment, competence and efficiency of the temporary workers hired to do the job. Their skill is dependent on the training and guidance they receive from the permanent staff who supervises and monitors their work. The reliability of the field worker is critical, especially in view of the fact that approximately 85% of the population is illiterate. Voters are totally dependent on the integrity and the accuracy of the registrar to ensure that they are registered properly and assigned to the correct constituency, and the correct polling station. The paperwork is completed by the registration field worker.

The recruitment and training of workers rests with the officers and supervisors at the district level. Apparently, field workers are brought together at various centers in very large groups where they trained all at once.

A publicity assistant in each constituency posts notices announcing the registration period. Once the registration period opens, district supervisors assign field workers to specific target area. The field registrar is transported to his or her assigned location and dropped off to canvass the area to which he or she has been assigned. Periodically the supervisor returns to monitor the worker's progress, to retrieve paperwork on the individual registrations that have been completed and to resupply the worker with materials as needed.

The field worker is equipped with two forms which are integral to the registration process. The first is Form B, on which the data for an individual voter is entered. The second form is a Field Register which is a listing of the people who have registered. The Field Register provides space to list about 25 voters per page. The line for each individual voter provides space to give a serial number for the voter, the voter's name, sex, place of residence, age and polling station to which the voter will be assigned.

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The team anticipated that when an individual registered, the field registrar would assist the voter in completing Form B, or in the case of an illiterate voter, complete Form B on the voter's behalf. From Form B, the team assumed the field worker would compile the field register pages. However, upon further investigation, the team learned that in the interest of diminishing any intimidation the illiterate voter might feel confronted with the Form B, the field worker initially lists the voter's name and other information in the field register. Later, the field worker independently completes a Form B for each registered voter he has listed in the field register. Subsequently, Form B and the field registers are returned to the District Office for compilation prior to being forwarded to head office for computer processing.

The team questions the validity of this manner of recording the names of registered voters. Use of the Field Register as the primary record on which newly registered voters are identified, and which requires no signature or thumb print of a voter certainly would make it easy to falsify the list. (Some observers suggested that, especially in very rural areas where field workers walk miles to isolated villages accessible only by foot path, the worker just sat down and made up a list of names.)

It should be pointed out that even though it is recommended that a registration drive be conducted from scratch, election officers will have an additional safeguard in improving the accuracy of the rolls, and evaluating the efficiency and validity of the work done by the field registrars. As a spot check, supervisors will be able to compare the new lists of registrations against the published rolls used in the Referendum Election. Even though those lists will be outdated and they may have contained some errors, they will provide a general basis of comparison on which to determine whether or not the new lists are reasonable. At the very least a random comparison could help raise a red flag if irregularities are suspected.

Registration Receipt/ID Cards

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Virtually everyone with whom the IFES team spoke expressed interest in ensuring that every voter has an ID card which he or she should be required to present at the polls as proof of his or her eligibility to vote. In view of the resources available, and the time it would take to provide every voter with such a card, the team believes that the costs would be prohibitive at this time.

However, an alternative approach may merit some thought. Considering the order in which field records are completed, the team questions whether or not the procedure being used in the field promotes adequate security or efficiency. It occurred to the team that an alternative field recording system might offer additional securities while providing greater efficiency at the same time.

The team suggests that the Form B and the Field Register could be replaced with a Registration Book, similar to a cash receipt book or telephone message book. A book could contain about 100 to 250 registration forms, each in 2 or 3 part sets made up of NCR or sensitized self-carbon paper. As each voter is registered, a form would be completed by the field worker and signed, marked or thumb printed by the voter. The original copy could be retained in the book, while the carbon copy could be issued to the voter as a receipt. An inexpensive clear plastic sleeve could also be provided to the voter in which to preserve the receipt.

As the books are filled, they could be retrieved by the supervisor. The compilation would be taken from the original copies secured in the book. The books could then be conveniently stored as supporting documentation authenticating the computerized rolls. (If 3 part sets were used, a copy of the voters receipt could also be maintained at the district office as part of the local record.)

The team is reluctant to suggest that presentation of the voter's receipt should be a mandatory condition for voting at the polls on elections day. The team acknowledges that

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such a practice might help to relieve perceptions that people can vote more than once or are voting under other people's names. It would provide an additional safeguard against fraudulent voting if the presiding officer were instructed to write the special code assigned to his or her polling station for that specific election on the receipt when it is presented. The presence of the code on a voter's receipt could alert poll workers at other sites that the voter has already voted in that particular election. The team also cautions that if presentation of the receipt becomes a mandatory requirement for voting at the polls on election day, election officials would have to develop a procedure whereby voters who misplace or lose their receipt could apply to the local official for a replacement.

Finally, it should be pointed out that such a requirement could also present a barrier to voting as voters misplace or lose their receipt or forget to bring it with them on voting day. In view of the fact that many voters have to walk long distances to get to the polls, any requirement that would cause legitimately registered voters whose names appear on the register for the polling station to be turned away should be avoided. The IFES team suggests that the preferable use of the voter receipt is to protect the illiterate voter who may arrive at the polling station only to be told that his or her name is not on the register. Some observers suggested that in prior elections this may have occurred to prevent certain voters from voting. The receipt would be the voter's proof that he or she is registered and should be allowed to vote.

Revisions, Omissions and Challenges

Once the field registration is completed, a provisional list of voters is prepared. The provisional lists are posted at 525 centers throughout the country, with usually about 5 posted in high visibility areas in each constituency. The purpose of the posting is to allow voters to see if their names are on the list, and allow them an opportunity to be added if their name does not appear. In addition the posting provides an opportunity for people to challenge the names on the list of individuals they believe should not be registered. The

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posters also announce the deadline by which challenges must be brought to the attention of the revising officer. Within 7 days of the close of the revision period, the officer will post a list of all the additions proposed and the challenges being raised. A revision court is set up to hear testimony regarding the challenges. The time period for the sitting of the revision court is about 10 days. If a challenge or addition was posted but no one appears before the court to testify in support of the challenge or in opposition to the addition, the voter's name will remain on the list. If the challenge is actually heard by the revision court, the magistrate or justice of the peace presiding will make a final ruling. At the conclusion of the process, the additions and list of deletions ordered by the revision court are submitted for final preparation of the revised voter lists.

COMPUTERIZATION

During Max Bailor's term as Chief Electoral Commissioner, the agency moved toward computerization of the voter registration rolls through a cooperative agreement with the University of Sierra Leone. Dr. Armand C. Thomas, Director of the Institute for Population Studies at Fourah Bay College developed the system by which the manually compiled rolls could be entered and maintained on computer disks and generated as pre-printed hard copy lists sorted by polling station. As a first time effort the project took about a year to complete from program development through final preparation of the actual voter lists.

Dr. Thomas recruited and trained his permanent staff and accomplished the task using 8 Apple computers and 4 Image-writer printers. Under the terms of the agreement Dr. Thomas had sole authority over the computerization project, with very little involvement by Electoral Commission personnel. Sometimes his staff received the actual Form B's organized by polling station and constituency, and sometimes only the Field Registers were provided. Upon completion of the data entry, Dr. Thomas' own staff would review the

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work for accuracy. Once internal corrections were made, the lists were turned over to the Electoral Commission. The team could not determine the extent to which election staff then re-reviewed the lists to assure their accuracy.

It was suggested to the team that computerization efforts should be absorbed by the Commission itself rather than farmed out to another agency. The team does not support that suggestion at this time. First of all, the limitations and deficiencies in the quarters occupied by the Electoral Commission make it unlikely that the computer network required could be adequately supported. System support and maintenance would be an additional burden the Electoral Commission can ill afford considering the severe financial constraints under which it must operate. Secondly, although there were reportedly many problems with the accuracy of the lists, the ground work has been well laid, and offers a solid foundation on which to continue to build an accurate system. There seems to be little advantage in establishing a new system especially when the University is already prepared to maintain and operate a system which works.

In general, the computerized rolls were a major improvement over prior lists, and the team believes the arrangement should be continued. However, the IFES team recognizes that certain improvements should be made in the system to ensure the accuracy of the rolls. First, it is critical that an Elections Officer from the Commission be assigned the responsibility of supervising the manner in which registration records will be organized prior to their submission to the data center. It is also vitally important that an Election Officer work closely with Dr. Thomas in the supervision and implementation of the project itself, especially in terms of the review and processing of corrections. Since the Electoral Commission is ultimately responsible for the accuracy of the rolls, election personnel must be involved in the proofreading and double checking of the work done by the data center. Without an adequate coordinative arrangement between election personnel and University personnel there will not be sufficient checks and balances to ensure that the rolls are accurate and accountable and that potential problems are discovered and resolved before

they jeopardize the ultimate integrity of the election.

One of the problems encountered in the computerization process was that the printers used to print out the lists were much too slow. The Image-writers are only capable of printing at a speed of about two minutes per page. The result is that it takes about 10 weeks just to print the lists. The team recommends that the equipment be upgraded to accommodate the project more efficiently. Valuable time could be saved by either increasing the number of printers or by converting to laser printers which can accomplish the task more quickly. In either case, it will also require an increase in the size of the generator providing the electricity. The investment is minimal in view of the return in improving the efficiency of the registration system.

RECOMMENDATIONS:

- In preparation for the presidential and legislative elections under the multi-party system a re-registration of voters must be accomplished from scratch rather than updating or revising existing rolls.
- The re-registration cannot be completed until the incursion is repelled once and for all.
- The Form B and Field Registration form should be replaced with a Registration Book containing forms in 3 part self-carbon sets. A receipt should be given to the voter as proof of their registration on election day.
- The Electoral Commission should maintain its cooperative arrangement with the University for the computerization of the registration rolls. Election officers should play an equal role in the supervision and monitoring of the

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data entry and organization of the rolls.

- A comprehensive training program should be developed to ensure that field registrars understand their duties. Field registrars must be supervised more closely and must be held accountable for their work.
- Provisions should allow a person who is not yet 18 but who will be 18 by election day to be added to the registration list for that election.

VIII. DELIMITATION OF CONSTITUENCIES

The Electoral Commission is charged with the task of reviewing the division of Sierra Leone into constituencies at intervals of not less than five and not more than seven years. The last review took place in 1985 and the number of constituencies increased from 85 to 105. The Constitution provides for a total number of MP's of not less than 60 including the 12 Paramount Chiefs.

A review is now required and during the team's visit at least one request for a review had been received by the Secretary of the Electoral Commission.

Section 38 (3) of the Constitution requires that:

"The boundaries of each constituency shall be such that the number of inhabitants thereof is as nearly equal to the population quota as is reasonably practicable:

Provided that the number of inhabitants of such a constituency may be greater or less than the population quota in order to take account of means of communications, geographical features, density of population, the distribution of different communities, the areas and boundaries of the Chiefdoms and other administrative or traditional areas."

The team was not able to discuss the revision of boundaries with the Commission because of the vacancies mentioned earlier. Aiming at a population quota seemed to the team to be a very difficult, if not impossible task, if no limit was fixed on the number of MP's to be elected to Parliament. Only after the number of MP's has been determined can a population quota be determined and then the other considerations can be taken into account.

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At present there are wide disparities in the size of constituencies, from 2,989 in Bonthe Urban North to 53,946 in Port Loko Central. These figures relate to the number of names on the register of electors and not the number of inhabitants which is the figure to be used in aiming at the population quota.

The team was advised during the visit that the United Nations Development Program had undertaken a census sometime ago but the results were not available from the government, which was still considering the findings.

The Constitution provides for the Electoral Commission to report amendments to boundaries directly to Parliament.

RECOMMENDATIONS:

- Electoral Commission should identify the resources necessary to carry out a delimitation on the basis of the most recent census information.
- The Commission should establish formal rules under which the delimitation exercise will be conducted.

IX. ELECTION OPERATIONS

THE BALLOT

The Past: Voting With Marbles

The 1990 amendments to the voting method saw a reversion to the use of the paper ballots. The marbles system had been introduced in 1978 following the introduction of the one-party state and in recognition of the high illiteracy rate among the population.

The marbles system was complex and expensive to administer. A voter went to the polling station and had his name checked against the register entry, had his finger or thumb marked with indelible ink, and was issued a colored marble. The elector then went to the polling booth in which were a number of ballot boxes, one for each of the candidates. Above each ballot box was displayed the photograph of a candidate. The elector chose the candidate from the photograph and deposited his/her marble in a tube extending vertically from the top of the ballot box. At the end of the tube was a bell which was struck by the marble. The bell was intended to signify that the voter had voted and had voted only once. After depositing the marble in the appropriate ballot box the voter left the polling station.

Criticism levelled at the system included:

- Bells which did not work negating the security purpose of its ring;
- The ease with which additional marbles could be obtained and used to rig the elections;
- The problems of transporting multiple ballot boxes, when even in the one-party system sometimes three or four candidates stood for election; and

- The abuse of the system by candidate supporters involved in transporting ballot boxes in transferring marbles from the box of one candidate to the box of another, or destroying some ballot boxes altogether.

The Paper Ballot

Following the move from the use of marbles or tokens and the reintroduction of ballot papers, the Electoral Commission devised a scheme under which symbols were chosen to represent candidates.

Twenty symbols were approved. This system was introduced because of the high illiteracy rate. Under the one-party state, candidates were each able to choose a symbol to represent them. To assist the voter at the polling station photographs of the candidates were displayed and below each photograph was the candidate's assigned symbol. All voters indicated their choice by stamping the ballot paper with a thumb or finger print. At the local elections the paper ballot system has been used recently and has generally been well received although there has been some problems of people marking more than one symbol.

Ballot papers are produced in books of 100 by the government printers and delivered to the Electoral Commission for onward shipment to the district election offices where they are subsequently distributed to polling stations. The team was impressed by the quality of the records maintained on the ballot papers. The ballots are sequentially numbered within each book and a record is maintained of the numeric range assigned to each voting station. Each ballot's unique number is also stamped on the perforated counterfoil from which it was separated. Additionally, each polling station is assigned a unique code. The Presiding Officer is instructed to mark the station's code on the ballot prior to giving it to the voter.

The team was concerned, however, that mainly because of the time required to print such

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a quantity of ballots, it appeared that ballots were printed well in advance of the election, before the full slate of candidates was known. Ballots were printed with a number of permutations of symbols which had the benefit of being general and not specific to any election for a particular local authority or on a particular date. As an example, even if a specific election calls for a five candidate ballot, 3 and 10 candidate ballots were also produced. If the number of candidates did not match the number of symbols electors were expected to ignore the excess symbols. The Commission sought to produce the correct number by taking "soundings" in advance. The team believes that for the forthcoming parliamentary and general elections, ballot papers should be produced which identify the constituency in which they are to be used and the date of the election, and contain only the exact number of assigned symbols to match the number of candidates.

The printing of the ballots caused concern in some quarters. The use of the marbles had created a great deal of suspicion and accusations of rigging after the close of poll. In the case of the paper ballots it was suggested that allowing the government to print the ballot papers meant that the APC would be in a position to rig the election because of its influence over the printing process.

The team concluded, therefore, that to avoid any such accusations for the parliamentary and presidential elections the ballot papers should be printed outside Sierra Leone, either in Europe or North America.

ELECTION DAY ACTIVITIES AT THE POLLING STATION

The procedure at polling stations was demonstrated for the team at the offices of the Electoral Commission. Each polling station has a staff of one Presiding Officer and two Polling Assistants. Also present at the polling station will be the security staff and two polling agents appointed by each of the political parties. With seven registered parties at

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the time of the team's departure this means that, if all parties were able to appoint two polling agents, there would be nineteen people at each of the 4000 to 5000 polling stations. The role of the candidate's polling agents is to observe the voting activity, but they are not allowed to interfere with the process. Their presence offers added assurance to the candidates that the rules are followed uniformly and accurately, and that all voters are treated fairly.

The hours of the poll are 7 a.m. until 6 p.m. At the commencement of the poll the Presiding Officer is required to show the empty ballot box to anyone present and to seal the top of the box with four seals, leaving open only one aperture for the ballot papers.

Procedures for Voting

On arriving at the polling station the elector reports first to the polling assistant who asks for the voter's name, and checks to see if it is included on the register. The polling assistant also checks to see if the elector's hands bear the sign of indelible ink. If the name is found and no ink is evident on the voter's hands, a mark is put by the voter's name in the register, and the polling assistant calls out the elector's name to the Presiding Officer, who is seated at a separate table. The Presiding Officer, assisted by a second polling assistant, then marks the elector's hand with indelible ink, puts a mark against the elector's name in a second register of electors. The Presiding Officer issues a ballot paper and explains to the elector how to mark the paper after examining the photographs and symbols which are displayed in the polling booth.

As mentioned earlier in the section of this report covering aspects of the election code, the law requires that the number assigned to the elector in the voter register be placed on the counterfoil of the ballot paper. The team discovered that this did not happen and, as discussed earlier in this report, believes that this requirement should be repealed. Placement of the voter's registration number on the counterfoil could betray the secrecy of

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the elector's vote since the counterfoil and the ballot issued to the voter identify the same sequence number. Conceivably, the ballot could be traced back to the individual who cast it by looking up the voter number written on the ballot and comparing it to the voter register.

The law provides that a blind person may be assisted by a friend or by the Presiding Officer. In the case of a person who seeks to vote twice or where someone has voted already in their name, a tendered ballot paper is issued which is on colored paper. It appears that the tendered ballot is only provided as an appeasement because the team learned that it is not included in the count.

Once issued the ballot, the elector then moves to the polling booth, at which a security guard is stationed. The elector marks the ballot paper in private, leaves the booth and places the ballot paper in the ballot box which is on display in front of the Presiding Officer. Having cast his/her vote the elector then leaves the polling station.

Security Measures at the Polls

The process of voting is straightforward and the team could see no reason to amend the basic structure of the process. However, because of the concern raised earlier about the role of the security forces, the team recommends that if a member of the security forces is to be present in the polling station he be positioned to guard the ballot box and not be in a position to be close to the elector who is about to cast his or her vote.

The use of indelible ink was criticized in many areas. Although the team was not able to witness the application of the ink during its stay, it heard from a number of sources that it was possible to remove the ink by the use of lime juice. Whether or not that is the case the team believes that an alternative method of marking should be considered. The use of ink which is revealed under ultra-violet light, as used in the Namibian elections, could be

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introduced to remove any suggestions that the system was capable of being abused.

The Electoral Commission has adapted the ballot boxes used for the marbles method of voting for recent elections. The boxes are capable of being sealed in five separate places by the use of plastic and metal seals and sealing wax. It appears that the seals are also numbered for security purposes.

ELECTION WORKERS

The Presiding Officer is the person in charge of the polling station. The instructions issued by the Electoral Commission are clear about the non-partisan role of the polling station staff, while acknowledging that they have their own private political views.

Instructions are issued summarizing the main points of duties to be performed during the day. The Commission seeks to recruit staff who are teachers, court clerks, local government officers and other workers, all of whom are required to be able to read and write. Recruitment of suitable staff was not reported as a problem and even if the Commission's proposals to increase the number of polling stations goes ahead, staff of the Commission felt that it would still be possible to recruit sufficient staff of the appropriate calibre.

Insufficiency of Training

The team was quite satisfied with the efficiency and security of the polling station procedures as they were demonstrated by Election Officers at Commission headquarters.

If implemented properly, the procedures certainly have the potential to satisfactorily meet commonly accepted standards for administering fair and accountable elections.

Team members who visited the provinces, however, were concerned at what appears to be

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a wide gap between the procedures as they are intended to be implemented and their actual application at the voting stations themselves. Some of the faults became clearly evident when team members examined the registers of electors used during the referendum election in August 1991.

The examination indicated that, at best, the Presiding Officer and Polling Assistants had totally misunderstood some fundamental procedures. For example, there seemed to be a lack of understanding on how the register of voters is used. In several cases, the team found that there appeared to be no evidence that marks in the register were in any way related to actual voters. On some registers every name on the list was checked. (On a few pages there were more check marks than names on the register.) Experienced election officials recognize that it would be totally unreasonable to believe that every voter in the area actually came to the polling station to vote, especially since the registers are prepared so far in advance of election day. People die, move, are travelling or ill, have no transportation, or simply choose not to vote.

On the other hand, in other registers, no names were checked. Under normal circumstance, it is just as unlikely that no voter would show up on election day. However, officials explained that some of the unmarked registers may have been in locations where the polling place was not operating because of a shortage of funds and thus voters were required to go to regional centers instead of their regular polling station.

In still other cases, every name in the register was marked down through a certain part of the alphabet at which point the marks stopped, with no other names appearing later in the alphabetical listing being checked. In these instances, polling workers may have just checked off the next name on the list for each voter in line without any regard for determining the voter's identity.

Where these errors were noted, there seemed to be no understanding of the register as a

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document providing evidence supporting the number of ballots issued at that station. The principle of one voter/one ballot was disregarded. At best, it reflects lack of adequate training; at worst, it could reflect manipulation and blatant falsification of the number of legitimate voters to whom ballots were issued. In either case, unless the authorized procedures are applied to the letter, the integrity of the election is severely jeopardized.

Three deficiencies come to mind:

- It appears that training sessions, when undertaken, require all workers in a given area to come to a regional center on one day. At a single session there may be as many as 350 or more workers assembled altogether. Clearly, it is not possible to adequately train this many individuals at the same time. Groups of this size do not allow participatory demonstration, or open questions and answers. They do not give trainers the opportunity to ascertain the degree to which workers understand what they are being taught.
- In view of the financial circumstances which have been evident at every level of the election process, it may be that some regions received no training at all as funds ran out. All steps must be taken to ensure that this circumstance is avoided.
- There appear to be no formalized training work books made available to election workers which can serve as a refresher between training day and election day. A well designed, illustrated training manual would be a useful tool on which trainers and students alike could rely. It would ensure that the guidelines are

being related in an organized manner, and that everyone is getting consistent information.

Adequate training will be crucial in ensuring that the upcoming elections are free, fair and accountable. Polling station workers will be under even greater pressure to accomplish their tasks accurately because of the presence of the candidate's polling agents. Failure to follow procedures faithfully will be in full view of the representatives of the opposing candidates. Every effort should be made to ensure that polling station workers are adequately prepared to run the polling activity smoothly, efficiently and accurately.

VOTE COUNTING/CERTIFICATION OF ELECTION RESULTS

The major criticism of the marble method of voting was the opportunity which it provided for rigging the election. The team was advised on a number of occasions of marbles being changed from box to box and added after the close of poll. All parties recognized that the move to a paper ballot and a single ballot box greatly reduced the opportunity of malfeasance. Since all ballots are deposited into the same ballot box, any manipulation of the box potentially affects all candidates indiscriminately.

At the close of poll, ballot boxes are brought in to the district headquarters where the count for all constituencies within the district takes place. The ballot boxes and the Presiding Officer for the polling station from which it came are transported to the district office in transport arranged by the Electoral Commission.

The count for a constituency does not begin until all the ballot boxes for that constituency have been received. Only one box is opened and counted at a time. This requirement results in considerable delays in obtaining results and indeed in commencing the count. The team was advised that it can take as much as 24 hours for all ballot boxes to be

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received at district headquarters during which time the candidates and their agents and the staff of the Commission are required to wait.

The team was concerned at the low staffing levels for the count and the delay which was created by having so few people involved. Each constituency has its own counting team consisting of a Counting Officer and two Counting Assistants who are assisted by the staff from the polling station. Candidates may appoint counting agents to witness the process of the count and attend themselves. The number of staff appeared to remain the same whether the constituency had 3000 electors or 40,000.

At the conclusion of the count following any adjudication on doubtful ballot papers, or any recounts, which may be requested by any candidate if they feel an error may have been made, the counting officer announces the results which are then radioed to the Electoral Commission's headquarters by the police.

The Election Commission Headquarters are well prepared for coordinating the results as they come in and for preparing pro-forma results sheets listing all constituencies and candidates leaving only votes cast to be inserted.

Centralized vs. Local Counting

During discussions with the election officials about the problems of centralizing the counting, the team suggested allowing counting to take place at each polling station at the close of the poll. The counting would be undertaken by the polling station staff under the scrutiny of the polling agents appointed by the candidates. At the conclusion of the count the Presiding Officer and agents of each candidate would verify the number of votes cast for each candidate by signing a result summary sheet.

One of the major fears expressed about the accuracy of election results was the potential

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for tampering with the ballot boxes after they leave the polling station. Counting at the polls would eliminate this possibility and the results for that polling station would be determined in full view of the candidate's representatives who viewed the polling activity throughout the day. It would also shorten the time it takes to count ballots throughout the country. While this option may deserve some serious consideration in the future, the team concluded that several issues probably make it infeasible at this time.

They include:

- Problems of finding sufficient light at all polling stations for the count to be accomplished during the evening hours;
- Demands on staff who will have been on duty at the polling station for eleven hours;
- Potential security problems created by crowds assembling around the polling stations awaiting to hear the outcome of the local vote; and
- Distrust engendered in candidates who might allege ballot rigging if early local counts indicated that they were in the lead but they were ultimately unsuccessful.

Another crucial issue in discussing the question of centralized versus local counting is that of communication. If local counting was to take place only at those polling stations which were inaccessible, or which took a long time to deliver their boxes or results it would be necessary to have some reliable form of radio communication either to district or to the Electoral Commission's Headquarters.

Having considered the case for and against local counting the team decided that present

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counting procedures should continue with all ballot boxes being brought into area-wide counting centers. The proviso is that sufficient transport should be made available to ensure that the boxes are delivered to the counting center as soon as possible.

RECOMMENDATIONS:

- The requirement to write the elector's number in the register of electors onto the counterfoil of the ballot paper should be formally repealed.
- The practice of marking an elector to indicate that he or she has voted should be continued but an alternative to indelible ink should be sought. In choosing an alternative to indelible ink, the Electoral Commissioner should demonstrate the effectiveness of the solution chosen to the registered political parties in advance of the election. The use of an ink visible only under ultra-violet light might deserve consideration.
- The practice of having a security guard present by the polling booth should be stopped. The security person in that location should be replaced by an additional Polling Assistant if the Electoral Commission considers it necessary for a person to undertake such duties. Security should be provided only for the protection of the ballot box, which should remain in full view of the polling officials, candidate's polling agents and any electors within the polling station waiting to vote.
- The issue of training for polling officials should be given high priority. A technical adviser should be appointed to assist in drafting procedural handbooks and designing a comprehensive training program to assist the Presiding Officers and Polling Assistants.

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- The current method of counting, with ballot boxes being brought into district offices, should continue with increased transport facilities to enable speedier delivery of ballot boxes.
- The number of staff employed to assist in the counting process should reflect the size of the constituency and the number of electors. The number of staff should be appointed on a ratio of 1 : 1500 electors. More than one ballot box should be counted at the same time.



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X. CIVIC EDUCATION

GENERAL ISSUES

Civic education will be fundamental to the success of the new multi-party democracy in Sierra Leone. At virtually every meeting in which the team participated, it was evident that the issue of public education about democratization and the election process was viewed as one of the most critical challenges facing government officials, political parties, and election administrators. It is important to point out that the government is already taking steps to improve its outreach program. The team was advised that the President has already engaged an independent consultant to assist in developing an overall strategy for public education.

Overcoming Negative Perceptions/Building Public Confidence

It will be advantageous for the President and the Electoral Commission to prepare public announcements explaining the basis on which some decisions are made, and how activities will be carried out. Whether they concern the basis for leadership appointments, scheduling or delaying of the elections themselves, or general policies or procedures for the conduct of the elections, the government should provide the public full disclosure to the fullest extent possible. Since any election is a very human process, mistakes and misunderstandings can occur. In these instances, the team encourages candor in anticipating and responding to questions and challenges, and open disclosure about how government is going to see that problems are resolved. If the media and the public learn to expect timely information and candor, it can only augment the public's confidence in the system, and in the administration's competence and commitment in seeing the transition to its fruition.

Ethnic Diversity and Language Barriers

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In formalizing plans for civic education and mass media publicity, specific attention will have to be given to resolving some of the unique problems which could hamper these efforts.

A large portion of the population is scattered in rural areas of the country away from the main urban centers. Over 80% of the population is illiterate. This fact severely limits the use of print and written materials as a means of distributing election information, except to the degree that graphic visuals and illustrations can be exploited to convey meaningful information.

While English is the official language in Sierra Leone, the country's population includes more than a dozen major ethnic groups, each with its own language. To be effective, all election information should be made available not only in the official language but also in the traditional languages. Extra care will have to be taken that translations are prepared in a manner which ensures that information is presented in as thorough and consistent a manner as possible.

Special Needs of Women

The vast majority of Sierra Leonean women are illiterate, due to family responsibilities which preclude them from advancing in school. As a result, women need to be told that it is not necessary that they vote exactly as their husbands vote, or as their village chief suggests. A special publicity campaign on the part of the Sierra Leonean political leadership would increase the potential for women to vote their personal choices on election day.

An additional challenge particular to rural women in Sierra Leone will be to make it possible for them to travel to the polling stations. The problem here is that women are

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responsible for child care and cooking meals, even on election day. This means that, due to their domestic responsibilities, many women are likely to stay home rather than vote on election day. To counter this prospect, it would be helpful if, during civic education programs, women were strongly and repeatedly encouraged to form self-help baby-sitting and share-cooking groups that enable women to leave the village for the half-day or so that it takes to get to a polling station, vote, and return home.

Public Information Components

The difficulty of launching and implementing a successful public education campaign in Sierra Leone is compounded by the fact that such a campaign must focus on several avenues, each with its own defined boundaries, objectives and strategies. Every element must receive its due attention if the critical elections which lie ahead are to be perceived as free and fair. They include:

- Education of government leaders and civil servants on the implications of the new Constitution, administrative responsibilities as a transitional government, and multi-partyism as it affects their public role and professional behavior;
- Public education promoting citizen understanding of the concepts of an elected executive president and a cabinet established outside of Parliament, separation of powers between executive, legislative and judicial branches, and multi-party elections under the new Constitution;
- Promotion of party awareness regarding registration of parties, campaign ethics, election offenses and their responsibilities in avoiding violence or voter intimidation during the election;
- General public education disseminated by the government from a totally

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neutral position, regarding voter's rights, eligibility criteria, registration requirements, election day procedures, secrecy of the ballot, dates of elections and polling locations; and

- Political education promulgated by the parties and candidates, expressing their partisan views and intending to influence voter opinion.

Administrative Responsibility

The Electoral Commission employs a corps of staff assigned responsibilities for its public information efforts. A Publicity Officer at the central office is supported by District Publicity Officers, each with their staff of Publicity Assistants. The role of these subordinate employees appears to be limited to posting pre-prepared notices in each constituency, and to some extent, announcing election information through portable sound systems and with megaphones during on-site visits in villages.

Development of public information materials and a strategy for such dissemination appears, to some extent, to rest with the Publicity Officer at the central Electoral Commission Office. However, the team sensed that his authority to act was limited. The team had the opportunity to review office files containing various requests for approval of suggested campaigns for on-site public education, design of posters explaining voting procedures, and ideas for mass media advertising. Many of the suggestions had merit, not only as productive tools for effective outreach, but also for their fiscal efficiency. However, the team gathered that most of the requests had not been approved and were never implemented. Since the recommendations were sound, the team could only assume that there was simply no funding for the projects which were suggested. The sense of commitment expressed to the team by the civil servants working in this area appears to be undiminished, even in view of the frustration which they continue to experience.

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It also appeared to the team that when an occasion for advertising or civic education does occur, it is treated as a separate event rather than as part of an overall work plan, founded on a set strategy and formalized calendar. In view of the complexity of the issues about which the public must be informed during this major transition period and the extended period of time it will take to reach fruition, it will be crucial for administrators to formulate a long-term, comprehensive and well integrated outreach plan, mapped out on a formalized calendar. Not only would the development of a comprehensive work plan help ensure that specific outreach objectives are attained, but it would also help define and streamline budget requirements. Anything less than a thorough work plan will result in a scattered, unfocused and consequently incomplete and ineffective campaign. A practical and productive work plan will:

- Establish chains of authority and assignments of specific responsibilities to named personnel;
- Establish a formal calendar of election events around which each separate phase of the overall outreach plan can be coordinated and orchestrated, identifying deadlines for availability of materials and start and end dates for each exercise and advertising campaign;
- Identify available media resources, their target audiences, their reach, their requirements and limitations;
- List appropriate vendors or suppliers from whom printed materials, supplies and equipment will be purchased or otherwise acquired;
- Track advertising and printing costs which will assist administrators in making procurement decisions and in determining time lines for delivery and

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distribution;

- Identify and chart campaigns and outreach opportunities being conducted by other agencies or organizations with which it might be appropriate to initiate a cooperative arrangement for a coordinated team effort; and
- Identify opportunities to mobilize available manpower to include outreach tasks as part of their primary responsibilities, for example utilizing registration field workers to post election posters or distribute flyers in villages where they are registering voters.

There was insufficient time for the team to determine how the roles of the Commission's publicity staff interrelate with those of the Minister of Information, Broadcasting and Culture. Some thought should be given to building a cooperative working relationship between the two agencies in developing the overall strategy of shared responsibility by which the government will meet its public education objectives.

Access by Political Parties

All opposition parties and non-political civic groups expressed grave concern regarding the extent to which opposing political forces will enjoy fair and equal access to media and to other public outreach opportunities. The global concern relates specifically to what they perceive as the overwhelming advantage enjoyed by the ruling party because of its access to government finances and resources to fund their outreach efforts. Each party made an appeal that donor organizations and friendly governments provide financial support and commodities to the individual opposition parties to balance the scales. They also expressed concern that government-owned media will deny them equal opportunity to publicize their platforms, while providing favorably biased coverage of the ruling party and its candidates.

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It will be critical for government officials to take an aggressive stand in ensuring that these unethical practices do not occur, and to take clear and decisive action to prevent such suspect activity. Any perception of impropriety, based on fact or misunderstanding, will seriously endanger the public's confidence in the commitment to free and fair elections.

COMMUNICATION AND MEDIA RESOURCES

Dependence on On-Site, In-Person Outreach

If one was to identify the single most important communications resource available in Sierra Leone at this time, it would have to be the road system. However, roads linking Freetown with other parts of the country are not extensive. The major arterials linking the major cities are also in very bad repair, especially in view of the serious damage that results during the rainy season. Certain sections of roads are almost impassable, and long stretches are so pocked with pot holes that driving is slow, tedious and very hard on vehicles. Yet, it is only by road and on-site, in-person visits that election administrators can facilitate the bulk of its outreach and public information exercises. Without a significant expansion of other resources, there will be no other adequate method of mass communications available that reaches all areas of the country during the coming year. Election officials and parties alike will be very dependent on road transportation in bringing their messages to the people in advance of the upcoming elections.

Because traditional methods of radio, television and print communications are so limited in Sierra Leone, much of the outreach must be conducted through public meetings scheduled in communities and villages across the country. Traveling by car or truck, outreach workers must actually visit various locations, and deliver information in person through use of megaphones and portable public address systems with which their vehicles must be equipped. The oral delivery of election information is particularly important

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because of the widespread illiteracy.

It would be impossible to overemphasize the importance of auto transportation to the successful conduct of elections in Sierra Leone. The team must underscore the Electoral Commission's need for more vehicles and adequate fuel if they are to adequately fulfill their responsibilities, not only in the registration of voters, transportation and distribution of election ballots and materials, recruitment and training of election workers, but also in facilitating any kind of a meaningful civic education program. Obviously, if adequately equipped with a sufficient number of vehicles, their use could be coordinated and calendared so that the same vehicles could be used at different times to accomplish a variety of tasks.

Print Media

There are a number of fledgling newspapers currently being published in Freetown. One is a government newspaper, and there are others which are published by opposition parties. Several others are independent papers published by private entities. There appears to be a general feeling that the role of the press will be dramatically expanded in the context of a new multi-party democracy. Obviously, with a largely illiterate population, the target audience for newspapers is somewhat limited, and isolated predominantly to Freetown. The team was advised, however, that even in the provinces, newspapers are circulated and read aloud to non-readers.

The team was struck by the number of journalists it met who had personally been detained, questioned or imprisoned for their writings in the past. The team also noted a liberal quota of free expression in the editorial content of most newspapers today which openly challenge the current government and individual political figures.

The team was alerted to the fact that these papers are finding it difficult and expensive to

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continue publication. There are a limited number of printing houses, and paper and ink are in short supply. One concern was expressed that the ruling party has its own press, which some feel may have been acquired through government resources. Further, some editors have found that commercial print shops have been hesitant about printing their papers when editorial content has been particularly critical of government for fear of reprisals at being identified as a dissenting voice.

The team noted that the newspapers may not have fully come to terms with how they might actually facilitate the democratization process, their opportunities in providing open and fair access by opposing parties and candidates, and their responsibility in distinguishing editorial or partisan text from news. Because they are severely pressed for finances to cover their costs, for example, it is a common practice to publish any article, provided by any source for a fee, even news releases from the Electoral Commission. Additionally, some suggested that since the ruling party has the advantage and has more resources than the new opposition parties, they should be charged more for their advertisements or for favorable articles written about them.

In open forum discussions, the team offered suggestions regarding establishing published uniform rates for all political advertising. The team also suggested identifying a story for which they have received a fee as a paid advertisement so that their readers can distinguish partisan advertising from straight news and editorial content. And, the team encouraged publishers to consider taking an active role in providing purely neutral educational information to readers such as dates of registration and elections, and basic voter information on a regular basis. It was clear that these kinds of concepts had not yet been considered.

Radio

Perhaps the most critical step that can be taken to improve civic education opportunities

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is to reinstate the Sierra Leone Broadcasting System (SLBS) to its full operational capabilities. In recent years the state-operated radio station has been virtually stripped of its potential. There has not been regular electricity to the facility for the last 10 months. Its own generators were relinquished to the National Power Authority who now controls the number of hours the station will broadcast each day. Broadcast times are unreliable, often delayed and cut short. (Unconfirmed allegations were even presented to the team from unrelated agencies with no direct involvement with broadcasting that the station's main transmitter had been sold for personal profit.)

The result is that the only mass media communication system with potential of reaching most of the country has been virtually shut off. When the station is on the air, its signal is heard primarily in Freetown and the immediately surrounding area, although in the late evening hours the signal can be heard at much greater distances. Because of its inconsistency, people in the provinces are no longer even bothering to tune in.

In the team's view, SLBS's reconstruction should be considered one of the most urgent priorities in establishing an infrastructure capable of supporting free and fair elections in Sierra Leone.

Under the station's current management, the team is confident that there is a firm understanding of neutral and fair role the station should play in the dissemination of general public education material, as well as its importance in providing equal access to all candidates and parties for mass communication of their partisan messages.

It will be important for the public radio station to develop and publish a formalized regulatory plan which identifies its policies governing fair and equal access by all political parties. Consideration should be given to scheduling a balance of open forum talk shows involving all parties as well as prerecorded statements which are read verbatim from written material submitted by the parties themselves. Additionally, the program schedule should

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include consistent hours when election and political messages and programming will be broadcast in the various major traditional languages.

As a final note, it will also be incumbent on the Electoral Commission to make maximum use of the radio media on a regular and consistent basis to educate the public on general election information. The team was advised that there will be no fees charged to the Commission for its use of air time. The team was also advised that the Commission did not make use of all of the time made available to it prior to and during the Referendum election. To avoid this circumstance in the future, a comprehensive schedule of radio production and broadcast should be incorporated into the Commission's overall outreach work plan.

CREATIVE OPPORTUNITIES AND ALTERNATIVES

In reviewing some of the press releases and official notices published by the Electoral Commission in the past, it became apparent that the Commission utilized a formal style typically found in legal notices. In preparation of election advertising there is room for more creative approaches which are easier for the average person to understand, and which have the potential to motivate. Some of the examples and suggestions proposed by the Publicity Officer but which were never implemented utilized some alternative approaches which might be explored in the future. They included concise pre-produced radio spots incorporating music or a "get out and vote" slogan. They also included pre-recorded tapes to be used over public address systems making announcements from government vehicles during on-site visits to villages. These pre-recorded messages provide a basis for ensuring that information is imparted consistently and accurately at all times. The use of pre-recorded messages for these purposes is one avenue that deserves exploration as it relates to political parties. A master tape including verbatim messages of equal length from each party could also be played on vehicle address systems providing another avenue for free and

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equal access. The production of these types of tapes could be coordinated through the SLBS at very little cost.

It was also brought to the attention of the team that there may be very creative ways in which the public can be educated regarding the Constitution, procedures for registering and voting, and the importance of their vote. While the team had insufficient time during its stay to pursue any detailed information about these alternatives, they do merit comment. For example, the team was advised that UNICEF had implemented a nationwide immunization campaign using folk theater and entertaining performances which were apparently very successful. Jingles could be recorded for radio broadcast by groups such as the Blind Boys to promote voter participation. The Commission may also be able to provide simple flyers using strips of illustrations and graphic designs for distribution at debates, forums and organized educational events conducted by neutral, non-partisan groups such as the National Reconstruction Movement for Democracy. These kinds of cross-media opportunities can serve to simplify the message, generate interest, and provide a grass roots level of understanding by the public of the complex issues encompassing the Constitution and the election process.

RECOMMENDATIONS:

- A long-term comprehensive work plan should be formulated for the design, scheduling and implementation of an integrated civic education program to ensure that objectives are adequately met.
- Government must take aggressive steps to formalize policies and procedures which guarantee political neutrality, and free and equal access to government-owned media by all political parties.

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- The Electoral Commission must be supplied with an adequate number of transport vehicles equipped with portable public address systems and sufficient fuel to accommodate its on-site public education programs. Scheduling for the use of vehicles for this purpose should be integrated into the total utilization plan for carrying out all other election functions requiring transport.
- SLBS should be reinstated to its full broadcast capacity. A comprehensive programming plan should be developed to promote general voter education as well as free and equal access by all political parties for dissemination of partisan information. The programming plan should include scheduling of programming in traditional languages as well as English.
- Government should explore creative opportunities and alternative outreach methods for accomplishing its civic education objectives.
- A special publicity campaign should make it clear to village women that their vote is a personal choice, not to be determined by anyone else, including their husbands and village chiefs.
- Efforts should be made to encourage village women to form self-help baby-sitting and share-cooking groups so that their travel time to and from the polling stations may be staggered, enabling women to participate in the voting process without neglecting their children or their responsibilities to cook meals on election day.



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school teachers have a great deal of respect in Sierra Leone and many would probably be available for service as local monitors.

The Bar Association and the Human Rights Society are two organizations which may be able to provide enormous help in selecting local election monitors. The Bar Association in particular had sought to spur discussion of the topic of multi-party elections since their annual conference of June 1990. Previously, the Bar Association played a watchdog role in the 1967 national elections and in 1981 organized a demonstration against the one-party state. Leading figures of the National Reconstruction Movement have assured the IFES team that the N.R.M. has 532 registered members recruited from among such groups as teachers, workers, traders, and the unemployed. The Lion Mountain Foundation, a non-partisan public service organization with offices in Freetown and in upcountry towns, is dedicated to promoting civic awareness, combating illiteracy and promoting human rights. With a total staff organization of approximately 50 people, the Lion Mountain Foundation is prepared to help recruit local election observers.

The Labour Congress, the umbrella organization for 19 unions and 19,500 workers, has suffered enormously under single party rule, especially during and immediately following the 1982 national strike. At the same time, however, Labour Congress leaders expressed to the IFES team their belief that, while President Siaka Stevens had been vehemently opposed to a more pluralistic society, President Momoh appears to them to be genuinely disposed to holding free and fair elections. For this reason the Labour Congress is likely to serve as a particularly useful organization from which to recruit domestic election monitors in 1992.

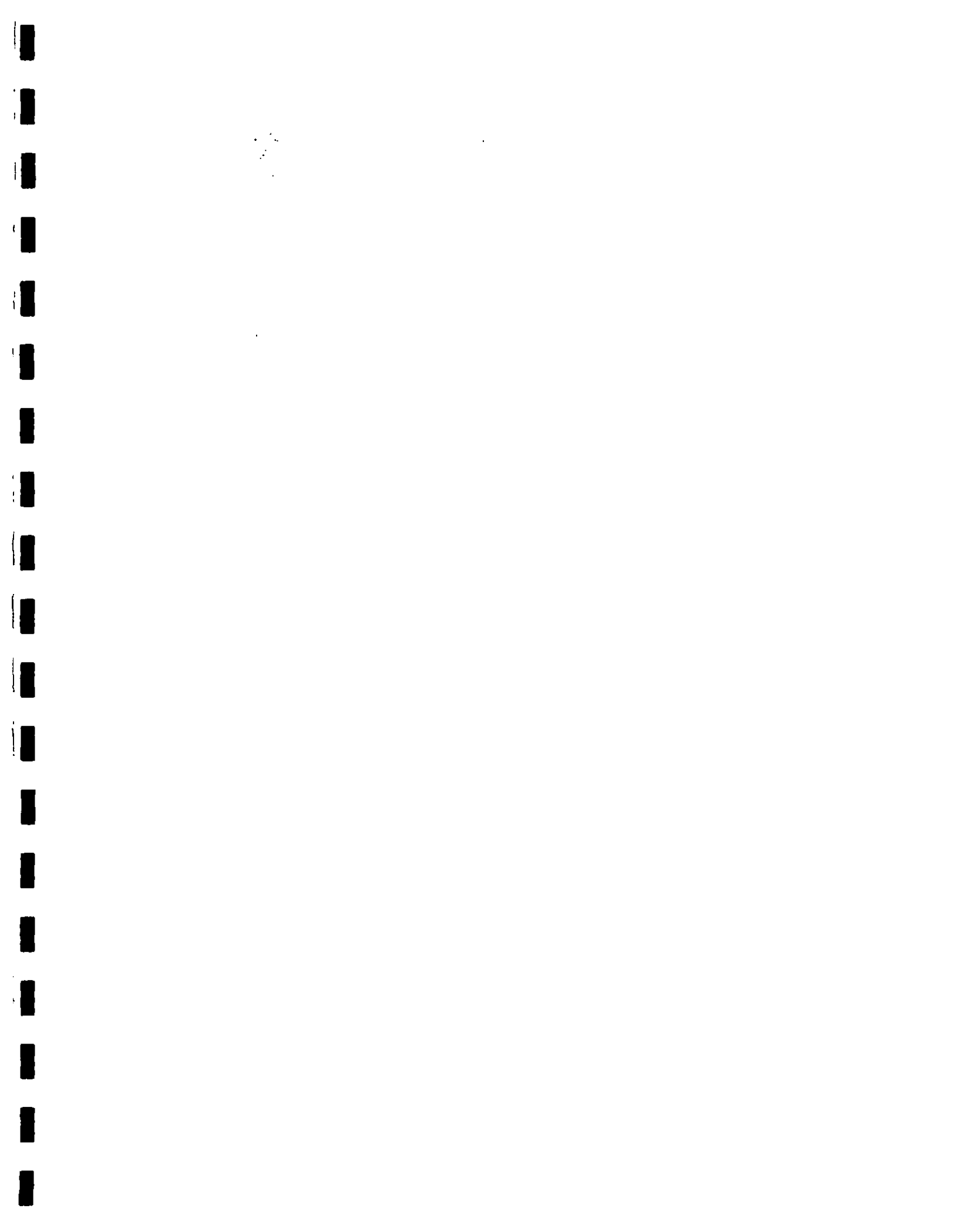
The IFES team furthermore suggests that approximately 30 international observers monitor the re-registration process that will precede the elections. Similarly to the election-day observers, these registration observers may be paired with local monitors and posted randomly in one out of four electoral constituencies. It may also be helpful to post several

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international monitors at the regional registration centers. The psychological security of having international monitors observing the actions of regional registration supervisors may add significantly to the popular perception of the legitimacy of the re-registration process.

RECOMMENDATIONS:

- Recruit 300 international election monitors to be paired with local observers on election day and randomly assigned to polling stations across the country.
- Recruit 300 Sierra Leonean observers to be paired with the international observers and placed randomly at various polling stations. These local monitors may be recruited from the Bar Association, the National Reconstruction Movement, the Student Union of Fourah Bay College, the Sierra Leone Labour Congress, the Lion Mountain Foundation, high school teachers, the Council of Churches, and the Muslim Congress.
- Place 30 international observers alongside their domestic equivalents during the re-registration exercise and assign these teams randomly to voter registration centers in various parts of the country.



XII. BUDGETARY NEEDS OF THE ELECTION PROCESS

Throughout this report the team has commented on the budget constraints that consistently hamper election officials in the exercise of their most fundamental duties as well as the implementation of innovations designed to improve the system. Equally important, significant lack of even the most elemental funding not only threatens the morale of civil servants who find themselves thwarted in their efforts to carry out their responsibilities thoroughly, but also contributes to circumstances which can erode the confidence of the general public. The economic crisis in Sierra Leone impacts all departments and virtually every service provided to the public. The Electoral Commission is not singled out.

The road to a reformed, multi-party democracy upon which Sierra Leone has embarked, and upon which a productive and positive future for the country depends, carries with it a mandatory commitment to provide the monetary means by which its objectives can be met. Free and fair elections are costly. Once underway, a free and fair election cannot tolerate the stop of an exercise mid-stream. No constituency can be short-changed; no eligible candidate or voter can be denied equal and uniform access to the process.

In reviewing prior budget documents prepared and submitted by the Electoral Commission, the team could not help but take note of the fact that election officials traditionally seem to be very conservative in their estimates. However, as restrained as their budget proposals appear to have been, there is a general expectation among election officials that the resulting appropriation will always be only about 60% to 70% of their budget request. Cuts are made without seeking sufficient input from election professionals most familiar with the extent and significance of practical requirements.

Crucial to ensuring that the full potential for conducting free and fair elections is not eroded will be the government's firm commitment to sensible and efficient budget planning, expert administrative follow through, and, most significantly, adequate funding to see that

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estimates because at this stage, they are not precise and will be subject to change as actual election plans and strategies are finalized. In addition, the inflation rate in Sierra Leone is volatile, making preparation of an actual budget most difficult.

A typical example of circumstances which will impact the actual costs dramatically relates to the cost of gasoline. Even during the period of its stay, the team observed dramatic variations in the price and the availability of fuel. Prices ranged from Le900 to Le1200 per gallon depending on where it was purchased, and how much was available at any of the various locations. It must be emphasized that as reflected in the budget tentatively presented in this section, fuel and transportation represent significantly high expense items in the overall conduct of any election in Sierra Leone.

For these reasons, a review of the budgets presented here must not mislead the reader to come any firm conclusions as to the actual costs of elections in Sierra Leone. Rather, the figures contained in this report provide a general overview of the major elements which must be considered, and which, if fully funded, will contribute significantly to the smooth conduct of free, fair and accountable elections in Sierra Leone.

The sections that follow include:

- The tentative budget estimates covering basic elements of the registration exercise and the conduct of the general election; and
- Supplemental pages defining additional requirements which the IFES team suggests will contribute greatly to the overall success of the elections which lie ahead.

The purpose of the pages that follow is to provide a glimpse of the planning tool being

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developed by the Electoral Commission and also to provide a starting point for government leaders' discussions with the external donor community about ways in which friendly governments might assist Sierra Leone in their election preparations.

TENTATIVE BUDGET
REGISTRATION OF VOTERS
(Costs Related to Base Level Activities)

General Notes

- These costs assume that computerization of the registration rolls will continue to be contracted with the Institute of Population Studies at Fourah Bay University. While the registration field work will be implemented for the reregistration of all voters, new registration forms will be compared with existing lists so that data entry will only have to be completed on new voters, or to delete names of individuals who do not reregister.
- The costs reflected in this tentative budget take into account the replacement of Form B and Field Register Form with a registration book containing 3 part, self-carbon forms allowing for the issuance of a receipt to the voter. A plastic sleeve will be provided to the voter in which to store the receipt.
- A major expenditure covers the cost of reproducing the provisional voter registration list for posting during the revision period. The cost estimated in this projection assumes that the original lists are photocopied as was done during the Referendum Election. It is recommended that the Electoral Commission research the possibility of working with an independent computer contractor to determine if it is possible to transfer the data on diskettes to magnetic tape for rapid duplication on a mainframe computer. Should this prove possible, it should dramatically cut the cost and the time of printing and duplicating the voter lists.
- Current policy dictates that honoraria be paid to staff members in addition

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to their regular salaries for their work during the peak election cycle. These honoraria are also included in the preliminary estimates.

CATEGORY

COST
(\$1.00 = Le 410 as of 12/91)

PUBLICITY

Publicity Personnel - General

1.	17 Publicity Officers x 14 days @ Le800/day	Le 190,400.00
2.	105 Publicity Assistants x 14 days @ Le500/day	<u>735,000.00</u>
	Subtotal	Le 925,400.00 \$ 2,257.00

Publicity Personnel - Publication of Claims

1.	17 Publicity Officers x 8 days @ Le800/day	Le 108,800.00
2.	105 Publicity Assistants x 8 Days @ Le500/day	<u>420,000.00</u>
	Subtotal	Le 528,800.00 \$ 1,290.00

Publicity Personnel - Revision Court Sitings

1.	17 Publicity Officers x 6 days @ Le800/day	Le 81,600.00
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2.	105 Publicity Assistants x 6 days @ Le500/day	<u>315,000.00</u>
	Subtotal	Le 396,600.00 \$ 967.00

Publicity Transportation

1.	Fuel for 12 Vehicles (1/Dist) 14 gal./day x 20 Days @ Le960/gal.	3,225,600.00
2.	Fuel for 5 Vehicles (W. Area) 10 gal./day x 20 days @ Le960/gal.	960,000.00
3.	Hire of 7 Vehicles (1 ea./Kenama, Pujehun, Bo, and 4/W. Area) 10 days @ Le100,000/day	<u>7,000,000.00</u>
	Subtotal	Le 11,185,600.00 \$ 27,282.00

PERSONNEL

Field Work Personnel

1.	17 Registration Officers @ Le15,000 for period	Le 255,000.00
2.	17 Assistant Registration Officers @ Le10,000 for period	170,000.00
3.	840 Registration Clerks @ Le8,000 for period	6,720,000.00
4.	54 Revising Officers @ Le1,500 for period	81,000.00
5.	108 Revising Clerks @ Le2,000 for period	216,000.00
6.	200 Clerk Typists @ Le7,500 for period	<u>1,500,000.00</u>

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Subtotal **Le 8,942,000.00**
\$ 21,810.00

Training Day Subsistence

1.	17 Registration Officers @ Le2,000 Le 34,000.00	
2.	17 Assistant Registration Officers @ Le2,000	34,000.00
3.	840 Registration Clerks @ Le1,000 <u>840,000.00</u>	
	Subtotal	Le 908,000.00 \$ 2,215.00

Honoraria

1.	Chief Electoral Commissioner	Le 14,000.00
2.	4 Electoral Commissioners	52,000.00
3.	Secretary/Chief Elections Officer	12,000.00
4.	Deputy Secretary	10,000.00
5.	Principal Elections Officer	10,000.00
6.	Senior elections Officer	8,000.00
7.	Publicity Officer	5,000.00
8.	Assistant Secretary	5,000.00
9.	Staff Superintendent	3,000.00
10.	Higher Executive Officer	3,000.00
11.	Sub Accountant	5,000.00

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12.	2 Confidential Secretaries @ Le4,000	8,000.00
13.	Store Keeper	4,000.00
14.	200 Clerk Typists @ Le1,000	200,000.00
15.	20 Drivers @ Le1,000	20,000.00
16.	20 Messengers @ Le1,000	20,000.00
17.	20 Laborers @ Le1,000	20,000.00
18.	20 Security Guards @ Le1,000	<u>20,000.00</u>
	Subtotal	Le 419,000.00 \$ 1,022.00

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TRANSPORT

Registration Field Work

1.	Fuel for 17 Vehicles for 28 Days x 10 gal/day @ Le960/gal.	4,569,600.00
2.	Hiring of 7 Vehicles (Kenema, Pujehun, and 4/W. Area for 10 days at @ Le100,000/day	<u>7,000,000.00</u>
	Subtotal	Le 11,569,600.00 \$ 28,200.00

Transport of Materials - Freetown to Dist. Hdqtrs.

1.	Fuel (350 gal. for 6 vehicles) @ Le960/gal.	Le 336,000.00
2.	Engine Oil, 12 gallons @ Le5,000/gal.	60,000.00
3.	Brake Fluid, 1 carton @ Le80,000/carton	80,000.00
4.	Meals (25 personnel) @ Le1,000 ea.	<u>25,000.00</u>
	Subtotal	Le 501,000.00 \$ 1,222.00

Supervisory & Administrative Transport

1.	3 Drums of Fuel for Electoral Commission, Principal Elections Officer for briefings, inspections, general supervision of field activities @ Le43,000/drum	Le 129,000.00
2.	9 Drums of Fuel (For each Commissioner: 4/North, 3/South and 2/East) @ Le43,200/ drum	388,800.00
3.	2 Drums of Fuel for Commissioner/Western	

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Area @ Le 43,200/drum

86,400.00

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4.	1 Drum of Fuel for Chief Elections Officer @ Le43,200/drum	43,200.00
5.	12 gal. Engine Oil @ Le5,000/gal. <u>60,000.00</u>	
	Subtotal	Le 707,400.00 \$ 1,726.00

PRINTED MATERIALS

1.	3,500,000 Registration Forms in bound books (200 pgs/book, 2 forms/pg. each w/original + 2 self-carbon copies) @ Le21,320/book x 17,500 books	Le 373,100,000.00
2.	3,500,000 plastic sleeves @ Le21.5 ea.	175,000.00
3.	Reproduction of Provisional Voter Lists for posting (5 Copies ea.)	15,229,450.00
4.	15,000 Publicity Posters @ Le300 ea.	4,500,000.00
5.	600 Posting Notices for Provisional Lists @ Le300 ea.	<u>1,800,000.00</u>
	Subtotal	Le 394,804,450.00 \$ 926,938.00

COMPUTERIZATION

1.	Contract w/Institute for Population Studies, Fourah Bay University	<u>Le 12,000,000.00</u>
	Subtotal	Le 12,000,000.00 \$ 29,268.00

SUPPLIES AND COMMODITIES

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1.	4500 Packs of Duplicating paper @ Le4,000 ea.	Le 18,000,000.00
2.	1000 Packs of Carbon Paper @ Le3,500 ea.	3,500,000.00
3.	500 Typewriter Ribbons @ Le1,950 ea.	975,000.00
4.	200 Balls of Twine @ Le1,000 ea.	140,000.00
5.	250 Boxes Standard Staples @ Le1,500 ea.	675,000.00
6.	100 Boxes Giant Staples @ Le3,500 ea.	350,000.00
7.	2000 Magic Markers @ Le1,200 ea.	2,400,000.00
8.	15 Portable PA Systems @ Le150,000 ea.	2,250,000.00
9.	15 Megaphones @ Le80,000 ea.	1,200,000.00
10.	1000 Btls Duplicating Ink @ Le18,500 ea.	3,500,000.00
11.	12 Giant Staplers @ Le18,500 ea.	222,000.00
12.	200 Standard Staplers @ Le7,500 ea.	1,500,000.00
13.	2000 Bottles Glue @ 1,200.00 ea.	2,400,000.00
14.	1500 Satchels @ Le3,000 ea.	<u>4,500,000.00</u>
	Subtotal	Le 46,312,000.00 \$ 112,956.00
	GRAND TOTAL	Le 486,915,505.00 \$ 1,187,597.00



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TENTATIVE BUDGET
CONDUCT OF GENERAL ELECTION - 1992
(Cost of Base Level Activities)

General Notes

- The preliminary estimates contained herein are not guaranteed to be all inclusive. There is no guarantee that some key elements have not been neglected. The figures represented are "best guess" estimates.
- It should be noted that most of the costs associated with the conduct of the general election would have to be duplicated if the Presidential Election were held on a separate date from the Parliamentary Election. Additionally, these costs would be incurred a third time if a run-off election for President had to be held because no candidate succeeded in obtaining 55% of the vote as required in s.42 of the Constitution.

In view of the severe fiscal crisis facing the country, the team strongly recommends that the Presidential and the Parliamentary elections be held simultaneously.

- Again, a major expenditure covers the cost of reproducing the revised and finalized voter registration list for use at the polling stations on election day. If it is possible to transfer the data on diskettes to magnetic tape for rapid duplication on a mainframe computer, it should dramatically cut the cost and the time of printing and duplicating the voter lists.
- The honoraria be paid to permanent staff members in addition to their regular salaries for their work during the peak election cycle are also reflected in the preliminary estimates relating to the conduct of the elections.

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CATEGORY

COST
(\$1.00 = Le 410 as of
12/91)

PUBLICITY

Publicity - Personnel

1.	17 Publicity Officers @ Le 15,000 per period	255,000.00
2.	52 Assistant Publicity Officers @ Le 10,000 per period	520,000.00
3.	Advertising	<u>250,000.00</u>
	Subtotal	Le 1,025,000.00
		\$2,500.00

Publicity Production

1.	6000 "In" Posters @ Le150 ea.	900,000.00
2.	6000 "Out" Posters @ Le150 ea.	900,000.00
3.	6000 "This Way" Posters @ Le150 ea.	900,000.00
4.	6000 "Your Polling Station" Posters @ Le150 ea.	900,000.00
5.	10,000 Election Results Posters @ Le300 ea.	3,000,000.00
6.	10,000 Polling Day Posters @ Le300 ea.	3,000,000.00
7.	10,000 Notice to Elector Posters @ Le 300 ea.	3,000,000.00
8.	10,000 Nomination Day Posters @ Le300 ea.	3,000,000.00

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9.	10,000 Nomination Day Rent Posters @ Le300 ea	3,000,000.00
	Subtotal	Le 20,100,000.00 \$49,024.00

Transportation - Publicity Personnel & Materials

1.	Fuel for 12 vehicles (1 per Dist.) @ 15 gal./veh. x 14 days @ Le960/gal.	Le 2,419,200.00
2.	Fuel for 5 vehicles (Western Area) @ 10 ga./veh. x 14 days @ Le960/gal.	627,000.00
3.	Launch Transportation for 50 Persons @ Le1,000 ea.	50,000.00
4.	Transport Fare for 50 persons for Remote areas in Tonkolili, Bombali, Koinadugu, Kenema, Kailahun, Pujehun and Bo @ Le5,000 ea.	250,000.00
5.	12 gallons engine oil @ Le5,000/gal.	<u>60,000.00</u>
	Subtotal	Le 3,451,200.00 \$ 8,418.00

ELECTION WORKERS

Election Worker Training Day Subsistence

1.	17 Returning Officers @ Le2,000 ea.	Le 34,000.00
2.	17 Assistant Returning Officers @ Le2,000 ea.	34,000.00
3.	260 Counting Officers @ Le2,000 ea.	520,000.00

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4.	520 Counting Assistants @ Le2,000 ea.	1,040,000.00
5.	15 Election Officers @ Le2,000 ea. 30,000.00	
6.	15 Assistant Elections Officers @ Le1,000 ea.	15,000.00
7.	5,000 Presiding Officers @ Le1,000 ea.	5,000,000.00
8.	10,000 Polling Assistants @ Le1,000 ea.	<u>10,000,000.00</u>
	Subtotal	Le 16,673,000.00 \$ 40,666.00

Election Worker Wages

1.	17 Returning Officers (1/ Dist. + 5 for Western Area) @ Le20,000 ea.	Le 340,000.00
2.	17 Assistant Returning Officers (1/Dist. + 5 for Western Area) @ Le15,000 ea.	255,000.00
3.	5000 Presiding Officers (1/Polling Station) @ Le8,000 ea.	40,000,000.00
4.	10,000 Polling Assistants (2/Polling Station) @ Le5,000 ea.	50,000,000.00
5.	260 Counting Officers @ Le5,000 ea.	1,300,000.00
6.	520 Assistant Counting Officers @ Le5,000 ea.	2,600,000.00
7.	5000 Security Officers (1/Polling Station) @ Le5,000 ea.	10,000,000.00
8.	50 Drivers @ Le3,000 ea.	150,000.00

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9.	520 Sorters @Le3,000 ea.	<u>1,560,000.00</u>
	Subtotal	Le 105,425,000.00 \$ 257,134.00

Election Day Subsistence

1.	17 Returning Officers @ Le2,000 ea.	Le 34,000.00
2.	17 Assistant Returning Officers @ Le2,000 ea.	34,000.00
3.	260 Counting Officers @ Le2,000 ea.	520,000.00
4.	520 Counting Assistants @ Le2,000 ea.	1,040,000.00
5.	15 Election Officers @ Le2,000 ea. 30,000.00	
6.	15 Assistant Elections Officers @ Le1,000 ea.	15,000.00
7.	5,000 Presiding Officers @ Le1,000 ea.	5,000,000.00
8.	10,000 Polling Assistants @ Le1,000 ea.	10,000,000.00
9.	5,000 Laborers @ Le500 ea.	2,500,000.00
10.	5000 Security Officers @ Le500 ea.	2,500,000.00
11.	50 Drivers @ Le500 ea.	25,000.00
12.	520 Sorters @ Le3,000 ea.	<u>1,560,000.00</u>
	Subtotal	Le 23,258,000.00 \$ 56,726.00

STAFF HONORARIA

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1.	Chief Electoral Commissioner	Le 25,000.00
2.	4 Electoral Commissioners @ Le20,000 ea.	80,000.00
3.	1 Secretary/Chief Elections Officer 15,000.00	
4.	1 Deputy Secretary	12,000.00
5.	1 Principal Elections Officer	12,000.00
6.	2 Senior Elections Officers @ Le10,000 ea.	10,000.00
7.	1 Asst. Secretary	8,000.00
8.	1 Publicity Officer	8,000.00
9.	1 Sub. Accountant	7,000.00
10.	15 Election Officers @ Le7,000 ea. 105,000.00	
11.	15 Asst. Election Officers @ Le5,000 ea.	75,000.00
12.	1 Store Keeper @ Le5,000	5,000.00
13.	1 H. E. O.	5,000.00
14.	1 Staff Superintendent	4,000.00
15.	2 Confidential Secretaries @ Le4,000 ea.	8,000.00
16.	240 Clerks/Typists @ Le2,000 ea.	480,000.00
17.	20 Drivers @ Le1,000 ea.	20,000.00
18.	30 Laborers @ Le1,000 ea.	30,000.00
19.	30 Messengers @ Le1,000 ea.	30,000.00
20.	30 Security Guards @ Le1,000 ea.	<u>30,000.00</u>

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POLLING PLACE RENTAL & EQUIPMENT

1.	5000 Polling Station Facilities @ Le1,500 ea.	Le 7,500,000.00
2.	20,000 Chairs (4/Polling Station) @ Le200 ea.	4,000,000.00
3.	10,000 Tables (2/Polling Station) @ Le200 ea.	2,000,000.00
4.	130 Counting Center Facilities (One/ Constituency) @ Le2,000 ea.	260,000.00
5.	13 Generators @ Le10,000 ea.	<u>130,000.00</u>
	Subtotal	Le 13,890,000.00 \$ 33,878.00

TRANSPORT OF ELECTION DAY MATERIALS

Transport of Materials - Freetown to Dist. Hdqtrs.

1.	Fuel (350 gal. for 6 vehicles) @ Le960/gal.	Le 336,000.00
2.	Engine Oil, 12 gallons @ Le5,000/gal.	60,000.00
3.	Brake Fluid, 1 carton @ Le80,000/carton	80,000.00
4.	Meals (25 personnel) @ Le1,000 ea.	<u>25,000.00</u>
	Subtotal	Le 501,000.00 \$ 1,222.00

Transport of Personnel & Materials to Polling Stations

1.	Hire of 15 Launches (3 days each) @ Le 30,000 ea.	Le 1,350,000.00
2.	Hire of 390 Commercial Vehicles	

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(3/constituency for 2 days each) @ Le100,000 ea.	78,000,000.00
3. Fuel for 390 Commercial Vehicles (390 x 2 days x 10 gal.) @ Le960/gal.	<u>7,488,000.00</u>
Subtotal	Le 86,838,000.00 \$ 211,800.00

Supervisory & Administrative Transport

1. 2 Drums of Fuel for Electoral Commission, Principal Elections Officer for briefings, inspections, general supervision of field activities @ Le43,000/drum	Le 86,400.00
2. 9 Drums of Fuel (For each Commissioner: 4/North, 3/South and 2/East) @ Le43,200/ drum	388,800.00
3. 2 Drums of Fuel for Commissioner/Western Area @ Le 43,200/drum	86,400.00
4. 1 Drum of Fuel for Chief Elections Officer @ Le43,200/drum	43,200.00
5. 6 gal. Engine Oil @ Le5,000/gal.	<u>30,000.00</u>
Subtotal	Le 644,800.00 \$ 1,548.00

BASIC SUPPLIES AND COMMODITIES

1. 5,000 Packets of Duplicating Paper @ Le4,000/packet	Le 20,000,000.00
2. 5,000 Endorsing Ink @ Le200 ea.	1,000,000.00
3. 5,000 Stamp Pads @ Le2,500 ea.	12,500,000.00

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4.	30,000 Metal Seals for Ballot Boxes @ Le1,000 ea.	30,000,000.00
5.	3,000 Safety Pins @ Le10 ea.	300,000.00
6.	10,000 Stick Sealing Wax @ Le50 ea.	500,000.00
7.	10,000 Magic Markers @ Le1,200 ea.	12,000,000.00
8.	5,000 Bottles of Glue @ Le1,200 ea.	6,000,000.00
9.	5,000 Balls of Twine @ Le1,000 ea.	5,000,000.00
10.	11,000 Ball Point Pens @ Le70 ea. 770,000.00	
11.	5,000 Pencils @ Le40 ea.	200,000.00
12.	5,000 Rulers @ Le100 ea.	500,000.00
13.	5,000 Roles of Tape @ Le800 ea.	4,000,000.00
14.	5,000 Brown Paper @ Le400 ea.	2,000,000.00
15.	500 Boxes of Matches @ Le25 ea.	125,000.00
16.	40,000 Candles @ Le60 ea.	2,400,000.00
17.	200 Pliers @ Le2,500 ea.	500,000.00
18.	1,500 Hurricane Lamps @ Le1,500 ea.	2,250,000.00
19.	9 Drums of Kerosene @ Le38,250/drum	344,250.00
20.	3,000 Satchels @ Le3,000 ea.	9,000,000.00
21.	1,000 Duplicating Ink @ Le3,500 ea.	350,000.00
22.	1,500 Ballot Covers @ Le5,000 ea. 7,500,000.00	
23.	500 Boxes of Carbon Paper @ Le3,500 ea.	1,750,000.00

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24.	500 Boxes of Typewriter Ribbon @ Le1,950 ea.	975,000.00
25.	12 Giant Size Staplers @ Le18,500 ea.	222,000.00
26.	300 Standard Staplers @ Le7,500 ea.	2,250,000.00
27.	2,000 Packets Giant Staples @ Le3,500 ea.	7,000,000.00
28.	2,000 Packets Standard Staples @ Le1,500 ea.	<u>3,000,000.00</u>
	Subtotal	Le 147,467,250.00 \$ 359,676.00
	GRAND TOTAL	Le 803,063,480.00 \$ 1,958,691.00



XIII. RECOMMENDATIONS FOR ADDITIONAL SUPPORT

Throughout this report, the team has emphasized the serious financial constraints that threaten to erode the smooth and efficient implementation of the election process in Sierra Leone. The preceding budget pages reflect those costs associated with only the most basic activities. The team is concerned that even for these exercises the government will be strained to provide full funding without outside assistance. Friendly governments and donor agencies may choose to lend support to ensure that the rudimentary requirements may be fulfilled.

The above figures certainly do not tell the whole story. On the pages that follow the team identifies areas that will be just as crucial to provide the Electoral Commission with the wherewithal to administer the important elections that lie ahead comprehensively, professionally and with full credibility.

There is much to overcome in Sierra Leone if the elections are to be seen to be free and fair, and if voters are to be adequately informed. Anything less than a full effort to achieve the country's objectives will seriously hamper the progress of the country in moving forward to a positive future.

The recommendations included in this part of the report focus on the following:

- Providing international technical advisors to assist Election Officials in overcoming the administrative deficiencies which permeated prior election exercises, while promoting the perception of general transparency and public confidence;
- Providing basic commodities, equipment and supplies to the Electoral Commission without which they will be seriously hampered in their ability to

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perform their far-reaching administrative functions efficiently and thoroughly;

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- Refurbishing the SLBS to reactivate the only sensible avenue reasonably available for nationwide public education;
- Upgrading of equipment for improved computerization of the nation's voter registration rolls;
- Creating adequate training materials to improve the performance of registrars and election workers; and
- Encouraging the teaming of international observers with local monitors to strengthen "local ownership" of the election process, while generating the public's trust that the elections are free and fair.

The team was advised that the international community has already received various requests for assistance related to the electoral process. The team's recommendations are not intended to rebut requests which have already been submitted. In some instances, the team's recommendations for additional assistance may even overlap prior requests. One observation the team made is that the requests came from a variety of sources. The team recommends that government leaders may want to formalize the procedure by which requests will be prepared and officially submitted to potential donors. A "clearinghouse" approach might be helpful in ensuring that the variety of requests do not conflict with one another, and are coordinated in a way which will best serve the purposes of the Commission in the execution of its duties.

Required Assurances

As the country's leaders, friendly governments, and international donors review these recommendations, the team knows that there will be general concern regarding the best and

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most efficient use of their resources in supporting this endeavor. The team encountered an air of cynicism which deserves discussion. A major concern is that once a commitment is made to provide assistance, there may not be any way to ensure that the commodities or financial aid is used for the purpose for which it is intended. Certainly, the team was able to observe first-hand that commodities allocated to the Commission are often commandeered and reassigned to other agencies for other purposes. On the very morning of the team's visit to one of the provinces, the Regional Elections Office's vehicle was taken over by the military. The generators for the SLBS were reassigned to the Power Authority. Finances may not find their way into the Electoral Commission's account.

The team recognizes that in a country with so many needs, and such overwhelming deficit, the requests identified here may seem like luxuries. This may seem especially true focussed, as they are, on a single agency of government. However, perhaps they fall into perspective when one considers the importance of the Commission's mission. More significantly, government officials and the international community must consider the very serious ramifications which will result if Sierra Leone fails in this endeavor. Except for the incursion that threatens the security and integrity of the country's borders, the conduct of Parliamentary and Presidential elections will be the single most important issue in Sierra Leone in 1992.

TECHNICAL ADVISORS

Throughout the team's discussions with government leaders, election officials, parties, and civic groups, a view commonly expressed was that one of the most positive expressions of the government's commitment in seeing the elections held freely and fairly would be the participation of international advisors, not only to serve as observers, but to play an active role in the actual administration and implementation of the process. In view of the new

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dispensation, the recent overhaul in the election system, and the evidence of problems which permeated the referendum election, the team believes that technical advisors could be very beneficial in helping the undertaking stay on course. Their presence will also serve to nurture the public's faith in the government's commitment to see the transition to a multi-party democracy to its fruition.

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With these objectives in mind, and based on the team’s findings, the following technical advisors are recommended:

1. Administrative Consultant/Advisor Coordinator

This consultant would serve two purposes: 1) as an administrative advisor to the Chief Electoral Commissioner to assist him in setting out a comprehensive work plan, election calendar and strategy for overall coordination of the registration and election exercises; and, 2) as the lead coordinator for oversight of all the other advisors assigned to work on the Sierra Leone elections. It is anticipated that to be of most help this individual should be contracted to serve for the full 9 month period leading to election day.

Salary	Le102,500 x 261 Days	Le 26,752,500.00
Per Diem	Le22,960 x 270 Days	6,199,200.00
Transport	Le3,075,000	3,075,000.00
In Country Travel	Le 6,150 x 270 days	1,660,500.00
Overhead	35%	<u>13,162,150.00</u>
	Total	Le 50,769,720.00 \$ 123,828.00

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2. Voter Education Consultant

This consultant would provide assistance to the Publicity Officer in designing and implementing an imaginative and effective civic education campaign. The consultant would also assist in preparing a comprehensive advertising calendar coordinating plans around the various registration and election events. This person should also be prepared to assist in the coordination and production of radio announcements as well as printed materials.

Salary	Le86,100/day x 26 days	Le 2,238,600.00
Per Diem	Le22,960/day x 30 days	688,800.00
Transport	Le3,075,000	3,075,000.00
In Country Travel	Le6,150/day x 30 days	184,500.00
Supplies and Equipment		1,476,000.00
Overhead	35%	<u>2,682,015.00</u>
	Total	Le 10,344,915.00 \$ 25,232.00

3. Broadcast Engineering Consultant

This consultant would work directly with the Director and Chief Engineer at SLBS to assist in reestablishing the broadcast stations to their full capacity.

Salary	Le86,100/day x 26 days	Le 2,238,600.00
Per Diem	Le22,960/day x 30 days	688,800.00
Transport	Le3,075,000	3,075,000.00

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In Country Travel	Le6,150/day x 30 days	184,500.00
Supplies and Equipment		1,476,000.00
Overhead	35%	<u>2,682,015.00</u>
	Total	Le 10,344,915.00 \$ 25,232.00

4. Training Consultants/International Observer Coordinators

This team should be comprised of 3 individuals to work for a period of 4 weeks with Election Officers to develop and assist with formal training of election workers. They would not only help coordinate an official training program, but would also help conduct the actual training in the provinces. At the end of the training period, this team would also be logical choices to stay for an additional two weeks to prepare the strategy and assist in the coordination of international and local observers for election day and the summary of observer findings.

Salaries	Le86,100/day x 3 x 36 days	Le 9,298,800.00
Per Diem	Le22,960/day x 3 x 42 days	3,099,600.00
Transport	Le3,075,000 x 3	9,225,000.00
In Country Travel	Le6,150 x 3 x 42 days	830,250.00
Overhead	35%	<u>7,858,775.00</u>
	Total	Le 30,312,425.00

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\$ 73,933.00

5. Registration Consultants

A team of two consultants should be on hand to assist Election Officials in preparing a strategy and administrative plan for the registration of voters. These consultants would help on regional and district levels and participate in the monitoring of field registrar activity. Their work should cover the 60 day time period when the bulk of the field work will be accomplished.

Salaries	Le86,100/day x 2 x 52 days	Le 8,954,400.00
Per Diem	Le22,960/day x 2 x 60 days	2,755,200.00
Transport	Le3,075,000 x 2	6,150,000.00
In Country Travel	Le6,150/day x 2 x 60 days	738,000.00
Overhead	35%	<u>6,509,160.00</u>
	Total	Le 25,106,760.00 \$ 61,236.00

6. Campaign Ethics Consultant

This advisor would work with the Electoral Commission, other government officials, the loosely formed association of political parties, and media officials to develop a candidate code of conduct, draft formal policies regarding equal access to the media, and uniform guidelines for ethical campaign practices.

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Salary	Le86,100/day x 26 days	Le 2,238,600.00
Per Diem	Le22,960/day x 30 days	688,800.00
Transport	Le3,075,000	3,075,000.00
In Country Travel	Le6,150/day x 30 days	184,500.00
Overhead	35%	<u>2,165,415.00</u>
	Total	Le 8,352,315.00 \$ 20,371.00

INTERNATIONAL AND LOCAL OBSERVERS

The team had recommended that approximately 300 International Observers be involved in the monitoring of election activity on election day. The suggestion was that they be teamed with local monitors to expand the number of polling stations which could be observed, while at the same time promoting "local ownership" of the election process. The team can make no estimate as to the costs of the international observers, and assumes that each foreign government making arrangements for their participants will bear the costs involved.

However, for the local observers, Sierra Leone will most likely require financial assistance. As a rough estimate, the team suggests that the Local Observers might be paid in the same general manner as Presiding Officers, and based on that suggestion provides the following estimate.

Wages &	Le22,000 for Period	Le 6,600,000.00
Subsistence	x 300 Local Observers	\$ 16,098.00

GENERAL ADMINISTRATIVE COMMODITIES

As the team emphasized throughout this report, the Electoral Commission simply does not have the equipment, supplies or commodities which would normally be considered fundamental to carrying out the responsibilities associated with the importance of the mission and the magnitude of the job that lies ahead. It should be remembered that an election is not a static, one day event. It will take the Commission one full year to carry out the entire process. Every step of the way, the work will be labor intensive, paved with

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paperwork, and based on continual communication and outreach.

For example, every aspect of the election process including registration, recruitment and training of election workers and registrars, public education, transport of ballots and election materials relies heavily on road transportation. The Commission simply does not have enough vehicles for the job. Those that they do have are not sufficiently maintained or equipped to see them through the demanding year ahead. Clerical support will be critical. Right now, the Commission does not have adequate clerical equipment.

The recommendations for additional vehicles, equipment and commodities will only bring the Electoral Commission to the barest minimum standards of administrative and logistic efficiency which the team believes is necessary to accomplish the job.

CATEGORY

COST
(\$1.00 = Le 410 as of 12/91)

Vehicles

- | | | |
|----|--|------------------------------------|
| 1. | 13 4x4 Heavy Transport Vehicles
(1/District) @ Le12,300,000 ea. | Le 159,900,000.00
\$ 390,000.00 |
| 2. | 17 4x4 Light Vehicles (1/Provincial
Dist., 3/W.Area, 2/Hdqtrs)
@ Le7,175,000 | Le 121,975,000.00
\$ 297,500.00 |

Clerical Support

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1.	1 x 5.5 KVA Generator (Hdqtrs) To Support 3 PC's & Printers	Le 1,455,500.00 \$ 3,550.00
2.	4 x 2.2 KVA Generator (1/Regional Office) To Support 1 PC & Printer ea. @ Le423,450	Le 1,713,800.00 \$ 4,180.00
3.	7 PC Work Stations, networked, installed, w/software & consumables. (Preferably MacIntosh for compati- bility with University) (3/Hdqtrs, 1/Regional Office) @ Le1,845,000	Le 12,195,000.00 \$ 30,823.00
4.	7 Matrix Impact Printers (3/Hdqtrs, 1/Regional Office) @ Le307,000 ea.	Le 2,152,500.00 \$ 5,250.00
5.	42 Correcting Typewriters and consumables (4/Hdqtrs, 3/Region, 2/Dist.) @ Le123,000 ea.	Le 5,166,000.00 \$12,600.00

Staff and Election Worker Training

1.	20,000 Work Books for Training Election Workers for Polling Station Activity (Writing, Design, Layout and Printing) at Le1,230 ea.	Le 24,600,000.00 <u>\$ 60,000.00</u>
----	---	---

TOTAL

**Le 329,157,800.00
\$ 802,823.00**

VOTER REGISTRATION COMMODITIES

The commodities recommended in support of the registration exercise are fairly straight forward. They serve to make improvements on existing procedures and will result in greater efficiency and more importantly, greater accuracy in the preparation of the rolls.

The training workbooks and the upgrading of computer equipment required for the exercise were discussed more fully in earlier sections of this report. The motor scooters recommended deserve brief comment. Many of the field registrars will be assigned to register voters in very remote villages off the main road systems. Many villages miles from the main road are accessible only by foot path and cannot be reached by automobile. The motor scooters will allow the field registrars to reach these villages more quickly. Easier access should ensure that the remote villages are visited and that residents of remote villages are added to the rolls. The motor scooters would also be helpful for publicity officer and election official travel to these same locations. The quantities suggested are arbitrary and may be subject to negotiation.

CATEGORY

COST
(\$1.00 = Le 410 as of 12/91)

Training Materials

- | | | |
|----|--|---------------------------------|
| 1. | 5,000 Training Workbooks
for Field Registrars
(Design, Preparation and
Printing) @ Le1025 ea. | Le 5,125,000.00
\$ 12,500.00 |
|----|--|---------------------------------|

Vehicles

- | | | |
|----|--|--|
| 1. | 21 Motor Scooters (3/ea. Remote
area: Tonkolili, Bombali, Kenema,
Koinadugu, Pujehun and Bo) | |
|----|--|--|

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@ Le820,000 ea.

Le 17,220,000.00
\$ 42,000.00

Computer Enhancement-Fourah Bay University

1.	10 KVA Generator + Uninterrupted Power Source/Surge Protectors For Support of Additional PC's and Printers	Le 3,895,000.00 \$ 9,500.00
2.	4 MacIntosh PC's, networked, installed w/software and consumables @ Le 1,845,000 ea.	Le 7,380,000.00 \$ 18,000.00
3.	4 Laser Printers @ Le 1,025,000 ea.	Le 4,100,000.00 <u>\$ 10,000.00</u>
	TOTAL	Le 33,825,000.00 \$ 82,500.00

CIVIC EDUCATION

One of the most crucial elements to a successful election will be the civic education program which nurtures a well informed electorate. The team believes that one of the most important ingredients in this effort will be the refurbishment of the Sierra Leone Broadcasting System. Without a functioning radio network the entire outreach program will have to rely solely on the printed word and on what can be delivered via auto transportation. As discussed earlier in this report, on-site visits will continue to play an important role in public awareness campaigns, especially as they relate to general voter information about registration and voting. However, with a predominately illiterate society, and a very large rural population, such modes of communication can only prove partially successful. The SLBS provides the opportunity to greatly enhance the public outreach efforts. Most of the recommendations provided relate specifically to the rebuilding of a functioning and reliable radio network.

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CATEGORY

COST
(\$1.00 = Le 410 as of 12/91)

On-Site Visits

- | | | |
|----|--|---------------------------------|
| 1. | 17 Vehicle PA Systems w/
Cassette Player and Speakers
@ Le205,000 ea. | Le 3,485,000.00
\$ 8,500.00 |
| 2. | Design and Printing:Illustrated Flyers
260,000 "Register To Vote"
260,000 "How To Cast A Ballot"
@ Le45 ea. | Le 23,400,000.00
\$57,073.00 |

SLBS Enhancement

- | | | |
|----|---|--|
| 1. | 50 KVA Diesel Generator @ Le106,000 | Le 5,330,000.00
\$ 13,000.00 |
| 2. | 2 x 5.5 Diesel Generators
@ Le1,455,500 | Le 2,911,000.00
\$ 7,100.00 |
| 3. | 2 x 2.5 KVA Generator
@ Le423,450 | Le 856,900.00
\$ 2,090.00 |
| 4. | Studio Equipment:

4 Sony Portable Cassette Recorders
@ Le 333,125 |

Le 1,332,500.00
\$ 3,250.00 |
| | 4 Studio Microphones @ Le 36,900 | Le 147,600.00
\$ 360.00 |
| | 4 Windscreens for Microphones | |

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@ Le5,330	Le 21,320.00 \$ 52.00
15 Headsets @ Le28,700	Le 430,500.00 \$ 1,050.00
6 Micro Cassette Recorders @ Le50,020	Le 300,120.00 \$ 732.00
12 Editing Kits @ Le20,500	Le 246,000.00 \$ 600.00
6 Studio Speakers @ Le94,300	Le 565,800.00 \$ 1,380.00
5. Spare Parts for Rebuilding and Maintenance of Transmitters Based on Estimated Quotations from Continental Electronics (USA), and Marconi (UK), Per Parts Lists Provided by SLBS	Le 32,800,000.00 \$ 80,000.00
6. Fuel Needs for Elections Related Broadcast Programming Based on 3 Hours/Day (90 Hours/Mo. for 9 Months):	
Goderich Transmitter 233 KVA 6 gal./hr. @ Le690/gal.	Le 3,353,400.00 \$ 8,179.00
Signal Hill Link 10 KVA 3 gal./hr. @ Le690/gal.	Le 1,676,700.00 \$ 4,090.00
Leicester Peak Transmitter: (75 KVA) 4 gal./hr. @ Le690/gal.	Le 2,235,000.00 \$ 5,453.00
(10 KVA) 3 gal./hr. @ Le690/gal.	Le 1,676,700.00 \$4,090.00
New England Studios:	

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	(AM: 25KVA) 3.5 gal./hr @ Le960/gal.	Le 1,956,150.00 \$ 4,771.00
	(FM: 50KVA) 5 gal./hr @ Le960/gal.	Le 2,794,500.00 \$6,816.00
7.	Links (Mosely USA)	Le 3,382,500.00 \$ 8,250.00
8.	Vehicles:	
	3 4x4 Vehicles for Outstations @ Le 7,175,000	Le 21,525,000.00 \$ 52,500.00
	1 4x4 Vehicle for Newsroom @ Le7,175,000	Le 7,175,000.00 \$17,500.00
	1 Staff Van or Minibus	Le 8,200,000.00 \$20,000.00

Radio Production: Election Commercials

1.	Commercial Length Announcements (In English and in 13 Traditional Languages)	
	a. Constitution (5 Different Spots)	
	b. Voter Registration (3 Different Spots)	
	c. General Voter Information (5 Different Spots)	
	d. Party Information (2 Each Party, Verbatim from Party's Written Copy)	
	27 Spots x 14 Languages @ Le61,500 ea.	Le 23,274,000.00 \$ 56,700.00
2.	Duplication of Announcements for Vehicle PA Systems (With each Set	

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of Party Statements Dubbed to Same
Cassette for Equal Play)

17 Copies x 15 Tapes English
13 Copies x 15 Tapes (1 ea/ Lang.)
450 Total Copies @ Le2,050 ea.

Le 922,500.00
\$ 2,250.00

TOTAL

Le 149,998,190.00
\$ 365,849.00



ACKNOWLEDGEMENTS

During its stay, the team had the pleasure of working closely with a wide range of political leaders, government workers, political party officials, leaders of civic groups, non-government organizations, unions, student groups, and members of the international community. The individuals with whom the team met spared no effort in generously assisting us in this endeavor. For their commitment and candor, the team would like to express its heartfelt gratitude to the following individuals:

His Excellency, Joseph S. Momoh, President of Sierra Leone

First Vice President, Abdullai Conteh

A. K. Turay, Advisor to President Momoh

The Honorable, William N. S. Conteh, Speaker of the House of Parliament

Manie Betts-Priddy, Clerk of Parliament

Honorable E. R. Ndomahina, Resident Minister, Southern Province

Honorable Shek Saccob, Resident Minister, Northern Province

Bambay Kamara, Inspector General of Police

Brigadier A. B. Toronka, Deputy Force Commander

Honorable Johnny Young, Ambassador Extraordinary & Plenipotentiary, United States

Frank Urbancic, Counselor & Deputy Chief of Mission, United States Embassy

Honorable Arthur Lewis, Former Ambassador Extraordinary & Plenipotentiary, United States

Honorable Karl Prinz, Ambassador Extraordinary & Plenipotentiary, Federal Republic of
Germany

Honorable David K. Sprague, British High Commissioner

Honorable Jacques Nizart, Ambassador Extraordinary

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& Plenipotentiary, France

John Crosthwaite, Economic Advisor, Delegation of the
Commission of the European Communities

Zahra Nuru, Deputy Resident Representative, United Nations
Development Program

N. U. Sheppard, West Africa Department, Foreign & Commonwealth
Office, United Kingdom

Karl Olson, Country Officer, Sierra Leone and the Gambia
Department of State, United States

Bob Hellyer, Project Desk, U. S. Agency for International
Development

Max A. Bailor, O.R., Former Chairman, Chief Electoral
Commissioner

A.M. Karemo, Electoral Commissioner, Southern Province

J. B. Paine, Electoral Commissioner, Northern Province

L.B.A. Karoma, Secretary and Chief Elections Officer

M.A.O. Koroma, Deputy Secretary

A. A. Coker, Principal Elections Officer

A. T. Bangura, Senior Elections Officer

B. M. Ansumana, Assistant Secretary

Maligie A. O. Koroma, Administrative Officer

Sheriff M. Jalloh, Elections Officer, Kono District

S. A. Mattia, Elections Officer, Western Area

M. J. Pieh, Senior District Elections Officer

R. S. Freeman, Senior District Elections Officer

S. F. Koroma, Chairman, Makeni Town Council

Armond C. Thomas, Ph.D, Institute for Population Studies

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Fourah Bay College, University of Sierra Leone
Gipu Felix-George, Director Sierra Leone Broadcasting System

Leaders and Members, All Peoples Congress (APC),
Paul Kamara, Chairman

Leaders and Members, Peoples' Democratic Party (PDP),
Honorable Taimu Bangura, Leader

Leaders and Members, National Action Party (NAP),
Honorable Dr. Shaka Kanu, Interim Leader

Leaders and Members, Sierra Leone Peoples' Party (SLPP)
Honorable Salia Jusu Sheriff, National President

Leaders and Members, Unity Party (UP), Mohammed Amadu Deen,
National Chairman

Leaders and Members, Decogratc Peoples' Party (DPP),
Jibril Alhaji Koroma, Leader

Leaders and Members, National Democratic Party (NDP),
Ahmed Morie Bangura, National Chairman

Sierra Leone Bar Association, Arnold Gooding, President
Sierra Leone Labour Congress, Kandeh Yilla, Secretary General
Lion Development Foundation, Franklyn Kargbo, President
Human Rights Society, Keinde Robin-Coker, President
Friends of Fourah Bay College, Tayo Sam-Jolie, President
Auridicals, Fourah Bay College, Alim Sesay/Rahman Lamin
Student Union, Fourah Bay College, Mr. Samura, President
National Reconstruction Movement for Democracy,
Abdoul Sesay, Chairman
Peace Corps, Freetown, Frank D. Gutmann, MD, APCMO

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Donald Faux, Sierra Leone News Agency

E. L. Squire, New Shaft Press

Chernor-Ojuku Sesay, For Di People Press

Mokhahlu Fofanah, The Vision

A.B. Kamara, Information

Joseph Isaac Merke, Information

Fode B. Kande, Editor/Publisher, Progress Newspaper

Lansana Fofana, Correspondent, BBC Network, Africa

Correspondent, Associated Press, Africa

The IFES team would also like to thank Fred M. Hayward, a political scientist and political consultant to President Momoh, who was especially informative and generous with his time.

The team claims full responsibility for the content and analysis contained in this report.

APPENDICES

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I. The Constitution of Sierra Leone, 1991

Parts I-IV

**THE CONSTITUTION
OF
SIERRA LEONE**

1991

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ACT

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXII, No. 59
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THE CONSTITUTION OF SIERRA LEONE, 1991

(Act No. 6 of 1991)

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SIGNED this 24th day of September, 1991

J. S. MOMOH
President

LS

No. 6



1991

Sierra Leone

The Constitution of Sierra Leone, 1991

Short title.

Being an Act to make provision for a new Constitution of
Sierra Leone, and for connected purposes

{1st October, 1991} Date of
Commence-
ment.

BE IT ENACTED by the President and Members of Parliament in
this present Parliament assembled, as follows:—

CHAPTER I—THE REPUBLIC OF SIERRA LEONE

1. Sierra Leone is a Sovereign Republic, the boundaries of
which are delimited in the First Schedule hereto.

Declara-
tion of
Republic.

Public Seal.

2. The Public Seal of the Republic shall be such a device as Parliament shall prescribe.

The National Flag and National Anthem.

3. (1) (a) The Flag of which the design is described in paragraph (b) hereof is hereby declared to be the National Flag of Sierra Leone.

(b) The design of the Flag shall be from the top of the Flag to the bottom thereof, three horizontal stripes of green, white and blue.

(c) The normal size of the Flag for official use shall be in the proportion of nine units across to six units down.

(2) The National Anthem of the Republic shall be such as Parliament shall prescribe.

CHAPTER II—FUNDAMENTAL PRINCIPLES OF STATE POLICY

Fundamental obligations of Government.

4. All organs of Government and all authorities and persons exercising legislative, executive or judicial powers shall conform to, observe and apply the provisions of this Chapter.

Government and the people.

5. (1) The Republic of Sierra Leone shall be a State based on the principles of Freedom, Democracy and Justice.

(2) It is accordingly declared that—

(a) sovereignty belongs to the people of Sierra Leone from whom Government through this Constitution derives all its powers, authority and legitimacy;

(b) the security, peace and welfare of the people of Sierra Leone shall be the primary purpose and responsibility of Government, and to this end it shall be the duty of the Armed Forces, the Police, Public Officers and all security agents to protect and safeguard the people of Sierra Leone; and

(c) the participation of the people in the governance of the State shall be ensured in accordance with the provisions of this Constitution.

Political objectives.

6. (1) The motto of the Republic of Sierra Leone shall be Unity, Freedom and Justice.

(2) Accordingly, the State shall promote national integration and unity and discourage discrimination on the grounds of place of origin, circumstance of birth, sex, religion, status, ethnic or linguistic association or ties.

(3) For the purposes of promoting national integration and unity, the State shall—

(a) provide adequate facilities for and encourage free mobility of people, goods and services throughout Sierra Leone; and

(b) secure full rights of residence for every citizen in all parts of the State.

(4) The State shall protect and defend the liberty of the individual, enforce the rule of law and ensure the efficient functioning of Government services.

(5) The State shall take all steps to eradicate all corrupt practices and the abuse of power.

7. (1) The State shall within the context of the ideals and objectives for which provisions are made in this Constitution—

Economic objectives.

(a) harness all the natural resources of the nation to promote national prosperity and an efficient, dynamic and self-reliant economy;

(b) manage and control the national economy in such a manner as to secure the maximum welfare and freedom of every citizen on the basis of social justice and equality of opportunity;

(c) protect the right of any citizen to engage in any economic activity without prejudice to the rights of any other person to participate in areas of the economy;

(d) place proper and adequate emphasis on agriculture in all its aspects so as to ensure self-sufficiency in food production; and

(e) ensure that Government shall always give priority and encouragement to Sierra Leoneans to participate in all spheres of the economy in furtherance of these objectives.

8. (1) The Social Order of the State shall be founded on the ideals of Freedom, Equality and Justice.

Social objectives.

(2) In furtherance of the Social Order—

(a) every citizen shall have equality of rights, obligations, and opportunities before the law, and the State shall ensure that every citizen has an equal right and access to all opportunities and benefits based on merit;

- (b) the State shall recognise, maintain and enhance the sanctity of the human person and human dignity; and
- (c) the Government shall secure and maintain the independence, impartiality and integrity of courts of law and unfettered access thereto, and to this end shall ensure that the operation of the legal system promotes justice on the basis of equal opportunity, and that opportunities for securing justice are not denied any citizen by reason of economic or other disability.

(3) The State shall direct its policy towards ensuring that—

- (a) every citizen, without discrimination on any grounds whatsoever, shall have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment;
- (b) conditions of service and work are fair, just and humane and that there are adequate facilities for leisure and for social, religious and cultural life;
- (c) the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused, and in particular that special provisions be made for working women with children, having due regard to the resources of the State;
- (d) there are adequate medical and health facilities for all persons, having due regard to the resources of the State;
- (e) there is equal pay for equal work without discrimination on account of sex, and that adequate and satisfactory remuneration is paid to all persons in employment; and
- (f) the care and welfare of the aged, young and disabled shall be actively promoted and safeguarded.

9. (1) The Government shall direct its policy towards ensuring that there are equal rights and adequate educational opportunities for all citizens at all levels by—

- (a) ensuring that every citizen is given the opportunity to be educated to the best of his ability, aptitude and inclination by providing educational facilities

at all levels and aspects of education such as primary, secondary, vocational, technical, college and university;

- (b) safeguarding the rights of vulnerable groups, such as children, women and the disabled in securing educational facilities; and
- (c) providing the necessary structures, finance and supportive facilities for education as and when practicable.

(2) The Government shall strive to eradicate illiteracy, and to this end, shall direct its educational policy towards achieving—

- (a) free adult literacy programmes;
- (b) free compulsory basic education at primary and junior secondary school levels; and
- (c) free senior secondary education as and when practicable.

(3) The Government shall promote the learning of indigenous languages and the study and application of modern science, foreign languages, technology, commerce and business.

10. The Foreign Policy Objectives of the State shall be—

- (a) the promotion and protection of the National interest;
- (b) the promotion of sub-regional, regional and inter-African co-operation and unity;
- (c) the promotion of international co-operation for the consolidation of international peace and security and mutual respect among all nations, and respect for their territorial integrity and independence; and
- (d) respect for international law and treaty obligations, as well as the seeking of settlement of international disputes by negotiation, conciliation, arbitration or adjudication.

Foreign
policy
objectives

11. The press, radio and television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Constitution and highlight the responsibility and accountability of the Government to the people.

Obligations
of the mass
media.

12. The Government shall—

- (a) promote Sierra Leonean culture such as music, art, dance, science, philosophy, education and traditional medicine which is compatible with national development;
- (b) recognize traditional Sierra Leonean institutions compatible with national development;
- (c) protect and enhance the cultures of Sierra Leone; and
- (d) facilitate the provision of funds for the development of culture in Sierra Leone.

13. Every citizen shall—

- (a) abide by this Constitution, respect its ideals and its institutions, the National Flag, the National Anthem and authorities and offices established or constituted under this Constitution or any other law;
- (b) cultivate a sense of nationalism and patriotism so that loyalty to the State shall override sectional, ethnic, tribal or other loyalties;
- (c) protect and preserve public property and prevent the misappropriation and squandering of funds belonging to the Government, local authorities or public corporations;
- (d) help enhance the power, prestige and good name of the State and to defend the State and render national service as may be required;
- (e) respect the dignity and religion of other individuals, and the rights and interests of others;
- (f) make positive and useful contributions to the advancement, progress, and well-being of the community, wherever he resides;
- (g) work conscientiously in a lawful and chosen occupation and abstain from any activity detrimental to the general welfare of others;
- (h) ensure the proper control and upbringing of his children and wards;

- (i) participate in and defend all democratic processes and practices; and
- (j) render assistance to appropriate and lawful agencies in the maintenance of law and order.

14. Notwithstanding the provisions of section 4, the provisions contained in this Chapter shall not confer legal rights and shall not be enforceable in any court of law, but the principles contained therein shall nevertheless be fundamental in the governance of the State, and it shall be the duty of Parliament to apply these principles in making laws.

Fundamental principles not justiciable.

CHAPTER III—THE RECOGNITION AND PROTECTION OF FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS OF THE INDIVIDUAL

15. Whereas every person in Sierra Leone is entitled to the fundamental human rights and freedoms of the individual, that is to say, has the right, whatever his race, tribe, place of origin, political opinion, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following—

Fundamental Human Rights and Freedoms of the Individual.

- (a) life, liberty, security of person, the enjoyment of property, and the protection of law;
- (b) freedom of conscience, of expression and of assembly and association;
- (c) respect for private and family life; and
- (d) protection from deprivation of property without compensation;

the subsequent provisions of this Chapter shall have effect for the purpose of affording protection to the aforesaid rights and freedoms, subject to such limitations of that protection as are contained in these provisions, being limitations designed to ensure that the enjoyment of the said rights and freedoms by any individual does not prejudice the rights and freedoms of others, or the public interest.

16. (1) No person shall be deprived of his life intentionally except in execution of the sentence of a court in respect of a criminal offence under the laws of Sierra Leone, of which he has been convicted.

Protection of right to life.

(2) Without prejudice to any liability for a contravention of any other law with respect to the use of force in such cases

as are hereinafter mentioned, a person shall not be regarded as having been deprived of his life in contravention of this section if he dies as a result of the use of force to such extent as is reasonably justifiable in the circumstances of the case, that is to say—

- (a) for the defence of any person from unlawful violence or for the defence of property; or
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained; or
- (c) for the purpose of suppressing a riot, insurrection or mutiny; or
- (d) in order to prevent the commission by that person of a criminal offence; or
- (e) if he dies as a result of a lawful act of war.

17. (1) No person shall be deprived of his personal liberty except as may be authorised by law in any of the following cases, that is to say—

- (a) in consequence of his unfitness to plead to a criminal charge; or
- (b) in the execution of a sentence or order of a Court whether in Sierra Leone or elsewhere in respect of a criminal offence of which he has been convicted; or
- (c) in the execution of an order of the High Court or the Court of Appeal or the Supreme Court or such other court as may be prescribed by Parliament on the grounds of his contempt of any such court or of another court or tribunal or commission of inquiry as the case may be; or
- (d) in the execution of an Order of a court made in order to secure the fulfilment of any obligation imposed on him by law; or
- (e) for the purpose of bringing him before a court or tribunal, as the case may be, in execution of the order of a court; or
- (f) upon reasonable suspicion of his having committed or of being about to commit a criminal offence; or
- (g) in the case of a person who has not attained the age of twenty-one years, for the purpose of his education or welfare; or

- (h) for the purpose of preventing the spread of an infectious or contagious disease; or
- (i) in the case of a person who is, or is reasonably suspected to be, of unsound mind, addicted to drugs or alcohol, or a vagrant, for the purpose of his care or treatment or the protection of the community; or
- (j) for the purpose of preventing the unlawful entry of that person into Sierra Leone, or for the purpose of effecting the expulsion, extradition or other lawful removal of that person from Sierra Leone or the taking of proceedings thereto.

(2) Any person who—

- (a) is arrested or detained shall be informed in writing or in a language that he understands at the time of his arrest, and in any event not later than twenty-four hours, of the facts and grounds for his arrest or detention;
- (b) is arrested or detained shall be informed immediately at the time of his arrest of his right of access to a legal practitioner or any person of his choice, and shall be permitted at his own expense to instruct without delay a legal practitioner of his own choice and to communicate with him confidentially.

(3) Any person who is arrested or detained in such a case as is mentioned in paragraph (e) or (f) of subsection (1) and who is not released shall be brought before a court of law—

- (a) within ten days from the date of arrest in cases of capital offences, offences carrying life imprisonment and economic and environmental offences; and
- (b) within seventy-two hours of his arrest in case of other offences;

and if any person arrested or detained in such a case as is mentioned in the said paragraph (f) is not tried within the periods specified in paragraph (a) or (b) of this section, as the case may be, then without prejudice to any further proceedings which may be brought against him he shall be released either unconditionally or upon reasonable conditions, including in particular, such conditions as are reasonably necessary to ensure that he appears at a later date for trial or proceedings preliminary to trial.

(4) Any person who is unlawfully arrested or detained by any other person shall be entitled to compensation therefor from that other person.

18. (1) No person shall be deprived of his freedom of movement, and for the purpose of this section the said freedom means the right to move freely throughout Sierra Leone, the right to reside in any part of Sierra Leone, the right to enter or leave Sierra Leone, and immunity from expulsion from Sierra Leone.

(2) Any restriction on a person's freedom of movement which is involved in his lawful detention shall not be held to be inconsistent with or in contravention of this section.

(3) Nothing contained in or done under authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—

- (a) which is reasonably required in the interests of defence, public safety, public order, public morality, public health or the conservation of the natural resources, such as mineral, marine, forest and other resources of Sierra Leone, except in so far as that provision or, as the case may be, the thing done under the authority thereof is shown not to be reasonably justifiable in a democratic society; or
- (b) for the imposition of restrictions on the movement or residence within Sierra Leone of any person who is not a citizen thereof or the exclusion or expulsion from Sierra Leone of any such persons; or
- (c) for the imposition of restrictions on the acquisition or use by any person of land or other property in Sierra Leone; or
- (d) for the imposition of restrictions upon the movement or residence within Sierra Leone of public officers or members of a defence force; or
- (e) for the removal of a person from Sierra Leone to be tried outside Sierra Leone for a criminal offence recognised as such by the laws of Sierra Leone, or to serve a term of imprisonment outside Sierra Leone in the execution of the sentence of a court in respect of a criminal offence of which he has been convicted; or

(f) for preventing the departure from Sierra Leone of a person who is reasonably suspected of having committed a crime or seeking to evade the fulfilment of an obligation imposed on him under the civil law or to evade military service:

Provided that no court or other authority shall prohibit any such person from entering into or residing in any place to which he is indigenous; or

(g) for restricting vagrancy.

(4) If—

(a) any person whose freedom of movement has been restricted by virtue only of such a provision as is referred to in paragraph (a) of subsection (3) so requests at any time during the period of that restriction not earlier than thirty days after he last made such a request during that period, his case shall be reviewed by an independent and impartial tribunal, established by law, comprising not more than three persons from amongst persons of not less than fifteen years' standing entitled to practice in Sierra Leone as legal practitioners:

(b) any tribunal has been set up under paragraph (a), the Chairman of that tribunal shall be appointed by the Chief Justice, and the two other members of the tribunal shall be nominated by the Sierra Leone Bar Association.

(5) On any review by a tribunal in pursuance of subsection (4) of the case of any person whose freedom of movement has been restricted, the tribunal may make recommendations concerning the necessity or expediency of continuing that restriction to the authority by whom it was ordered, but unless it is otherwise provided by law, that authority shall not be obliged to act in accordance with such recommendations.

19. (1) No person shall be held in slavery or servitude or be required to perform forced labour or traffic or deal in human beings.

(2) For the purposes of this section the expression "forced labour" does not include—

(a) any labour required in consequence of a sentence or order of a court; or

(b) labour required of any person while he is lawfully detained, which though not required in conse-

Protection
from
slavery
and forced
labour.

quence of the sentence or order of a court, is reasonably necessary in the interest of hygiene or for the maintenance of the place in which he is detained; or

- (c) any labour required of a member of a defence force in pursuance of his duties as such or, in the case of a person who has conscientious objections to service as such a member, any labour which that person is required by law to perform in place of such service; or
- (d) any labour required during a period of public emergency or calamity which threatens the life or well-being of the community; or
- (e) communal labour or labour which forms part of other civic obligation.

Protection
from
inhuman
treatment.

20. (1) No person shall be subject to any form of torture or any punishment or other treatment which is inhuman or degrading.

(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question authorises the infliction of any kind of punishment which was lawful immediately before the entry into force of this Constitution.

Protection
from
depriva-
tion of
property.

21. (1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except where the following conditions are satisfied, that is to say—

- (a) the taking of possession or acquisition is necessary in the interests of defence, public safety, public order, public morality, public health, town and country planning, the development or utilization of any property in such a manner as to promote the public benefit or the public welfare of citizens of Sierra Leone; and
- (b) the necessity therefor is such as to afford reasonable justification for the causing of any hardship that may result to any person having any interest in or right over the property; and
- (c) provision is made by law applicable to that taking of possession or acquisition—
 - (i) for the prompt payment of adequate compensation; and

- (ii) securing to any person having an interest in or right over the property, a right of access to a court or other impartial and independent authority for the determination of his interest or right, the legality of the taking of possession or acquisition of the property, interest or right, and the amount of any compensation to which he is entitled and for the purpose of obtaining prompt payment of that compensation.

(2) Nothing in this section shall be construed as affecting the making or operation of any law in so far as it provides for the taking of possession or acquisition of property—

- (a) in satisfaction of any tax, rate or due;
- (b) by way of penalty for breach of the law whether under civil process or after conviction of a criminal offence;
- (c) as an incident of a lease, tenancy, mortgage charge, bill of sale, pledge or contract;
- (d) by way of the vesting or administration of trust property, enemy property; *bona vacantia*, property of prohibited aliens, or the property of persons adjudged or otherwise declared bankrupt or insolvent, persons of unsound mind, deceased persons, or bodies corporate or incorporate in the course of being wound up;
- (e) in the execution of judgements or orders of courts;
- (f) by reason of such property being in a dangerous state or liable to cause injuries to the health of human beings, animals or plants;
- (g) in consequence of any law with respect to the limitation of actions;
- (h) for so long only as such taking of possession may be necessary for the purposes of any examination, investigation, trial, or inquiry, or, in the case of land, the carrying out thereon—
 - (i) of work of soil conservation or the conservation of other natural resources; or

(ii) of agricultural development or improvement which the owner or occupier of the land has been required, and has without reasonable or lawful excuse refused or failed to carry out.

(3) Nothing in this section shall be construed as affecting the making or operation of any law for the compulsory taking of possession in the public interest of any property or the compulsory acquisition in the public interest in or right over property, where that property, interest or right is held by a body corporate which is established directly by any law and in which no moneys have been invested other than moneys provided by Parliament or by the Legislature of the former Colony and Protectorate of Sierra Leone.

(4) Any such property of whatever description compulsorily taken possession of, and any interest in, or right over, property of any description compulsorily acquired in the public interest or for public purposes, shall be used only in the public interest or for the public purposes for which it is taken or acquired.

(5) Where any such property as is referred to in subsection (4) is not used in the public interest or for the public purposes for which it was taken or acquired, the person who was the owner immediately before the compulsory taking or acquisition, as the case may be, shall be given the first option of acquiring that property, in which event he shall be required to refund the whole or such part of the compensation as may be agreed upon between the parties thereto; and in the absence of any such agreement such amount as shall be determined by the High Court.

22. (1) Except with his own consent, no person shall be subjected to the search of his person or his property or the entry by others on his premises, or interference with his correspondence, telephone conversations and telegraphic and electronic communications.

(2) Nothing contained in or done under authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision that is reasonably required—

- (a) in the interest of defence, public safety, public order, public morality, public health, town and country planning, or the development or utilization of any property in such a manner as to promote the public benefit; or
- (b) to enable any body corporate established directly by any law or any department of the Government or any local authority to enter on the premises of

Protection for privacy of home and other property.

any person in order to carry out work in connection with any property or installation which is lawfully on such premises and which belongs to that body corporate or to the Government or to that authority, as the case may be; or

- (e) for the purpose of protecting the rights and freedoms of other persons; or
- (d) for the purpose of executing any judgement or order of a court; or
- (e) for the purpose of affording such special care and assistance as are necessary for the health, safety, development and well-being of women, children and young persons, the aged and the handicapped;

and except in so far as that provision or, as the case may be, the thing done under authority thereof is shown not to be reasonably justifiable in a democratic society.

23. (1) Whenever any person is charged with a criminal offence he shall unless the charge is withdrawn, be afforded a fair hearing within a reasonable time by an independent and impartial court established by law.

Provision for secure protection of law.

(2) Any court or other authority prescribed by law for the determination of the existence or extent of civil rights or obligations shall be independent and impartial; and where proceedings for such determination are instituted by or against any person or authority or the Government before such court or authority, the case shall be given fair hearing within a reasonable time.

(3) All proceedings of every court and proceedings relating to the determination of the existence or the extent of civil rights or obligations before any court or other authority, including the announcement of the decision of the court or other authority, shall be held in public:

Provided that the court or other authority may, to such an extent as it may consider necessary or expedient in circumstances where publicity would prejudice the interest of justice or interlocutory civil proceedings or to such extent as it may be empowered or required by law so to do in the interest of defence, public safety, public order, public morality, the welfare of persons under the age of twenty-one years or the protection of the private lives of persons concerned in the proceedings, exclude from its proceedings, persons other than the parties thereto and their legal representatives.

(4) Every person who is charged with a criminal offence, shall be presumed to be innocent until he is proved, or has pleaded guilty:

Provided that nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this subsection, to the extent that the law in question imposes on any person charged as aforesaid the burden of proving particular facts.

(5) Every person who is charged with a criminal offence—

- (a) shall be informed at the time he is charged in the language which he understands and in detail, of the nature of the offence charged;
- (b) shall be given adequate time and facilities for the preparation of his defence;
- (c) shall be permitted to defend himself in person or by a legal practitioner of his own choice;
- (d) shall be afforded facilities to examine in person or by his legal practitioner the witnesses called by the prosecution before any court and to obtain the attendance and carry out the examination of witnesses to testify on his behalf before the court on the same conditions as those applying to witnesses called by the prosecution; and
- (e) shall be permitted to have without payment the assistance of an interpreter if he cannot understand the language used at the trial of the charge:

Provided that nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this subsection to the extent that the law in question prohibits legal representation in a Local Court.

(6) When a person is tried for any criminal offence, the accused person or any person authorised by him in that behalf shall if he so requires, and subject to the payment of such reasonable fee as may be prescribed by law, be given within a reasonable time, and in any event not more than three months after trial, a copy for the use of the accused person of any record of the proceedings made by or on behalf of the court.

(7) No person shall be held to be guilty of a criminal offence on account of any act or omission which did not, at the time it took place, constitute such an offence.

(8) No penalty shall be imposed for any criminal offence which is severer in degree or description than the maximum penalty which might have been imposed for that offence at the time when it was committed.

(9) No person who shows that he has been tried by any competent court for a criminal offence and either convicted or acquitted shall again be tried for that offence or for any other offence of which he could have been convicted at the trial for that offence save upon the order of a superior court made in the course of appeal proceedings relating to the conviction or acquittal; and no person shall be tried for a criminal offence if he shows that he has been pardoned for that offence:

Provided that nothing in any law shall be held to be inconsistent with or in contravention of this subsection by reason only that it authorises any court to try a member of a defence force for a criminal offence notwithstanding any trial and conviction or acquittal of that member under service law; but any court so trying such a member and convicting him shall in sentencing him to any punishment take into account any punishment awarded him under service law.

(10) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of any provisions of this section, other than subsections (7) and (8), to the extent that the law in question authorises the taking during a period of public emergency of measures that are reasonably justifiable for the purpose of dealing with the situation that exists before or during that period of public emergency.

(11) In paragraphs (c) and (d) of subsection (5), the expression "legal practitioner" means a person entitled to practise as a Barrister and Solicitor of the High Court.

24. (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience and for the purpose of this section the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private to manifest and propagate his religion or belief in worship, teaching, practice and observance.

(2) Except with his own consent (or if he is a minor the consent of his parent or guardian) no person attending any place of education shall be required to receive religious instruction or to take part in or to attend any religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his own.

Protection
of freedom
of conscience

(3) No religious community or denomination shall be prevented from providing religious instruction for persons of that community or denomination in the course of any education provided by that community or denomination.

(4) No person shall be compelled to take any oath which is contrary to his religion or belief or to take any oath in a manner which is contrary to his religion or belief.

(5) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes a provision which is reasonably required—

- (a) in the interest of defence, public safety, public order, public morality or public health; or
- (b) for the purpose of protecting the rights and freedoms of other persons including the right to observe and practise any religion without the unsolicited intervention of the members of any other religion;

and except in so far as that provision or, as the case may be, the thing done under the authority thereof, is shown not to be reasonably justifiable in a democratic society.

25. (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of expression, and for the purpose of this section the said freedom includes the freedom to hold opinions and to receive and impart ideas and information without interference, freedom from interference with his correspondence, freedom to own, establish and operate any medium for the dissemination of information, ideas and opinions, and academic freedom in institutions of learning:

Provided that no person other than the Government or any person or body authorised by the President shall own, establish or operate a television or wireless broadcasting station for any purpose whatsoever.

(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—

(a) which is reasonably required—

- (i) in the interests of defence, public safety, public order, public morality or public health; or

(ii) for the purpose of protecting the reputations, rights and freedoms of other persons, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts, or regulating the telephony, telegraphy, telecommunications, posts, wireless broadcasting, television, public exhibitions or public entertainment; or

(b) which imposes restrictions on public officers or members of a defence force;

and except in so far as that provision or, as the case may be, the thing done under the authority thereof, is shown not to be reasonably justifiable in a democratic society.

26. (1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons and in particular to form or belong to any political party, trade unions or other economic, social or professional associations, national or international, for the protection of his interests.

Protection of freedom of assembly and association.

(2) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision—

(a) which is reasonably required—

- (i) in the interests of defence, public safety, public order, public morality, public health, or provision for the maintenance of supplies and services essential to the life of the community; or
- (ii) for the purpose of protecting the rights and freedoms of other persons; or

(b) which imposes restrictions upon public officers or upon members of a defence force; or

(c) which imposes restrictions on the establishment of political parties, or regulates the organisation, registration, and functioning of political parties and the conduct of its members;

and except in so far as that provision, or as the case may be, the thing done under the authority thereof, is shown not to be reasonably justifiable in a democratic society.

Protection from discrimination.

27. (1) Subject to the provisions of subsection (4), (5) and (7), no law shall make any provision which is discriminatory either of itself or in its effect.

(2) Subject to the provisions of subsections (6), (7) and (8), no person shall be treated in a discriminatory manner by any person acting by virtue of any law or in the performance of the functions of any public office or any public authority.

(3) In this section the expression "discriminatory" means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, tribe, sex, place of origin, political opinions, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject, or are accorded privileges or advantages which are not accorded to persons of another such description.

(4) Subsection (1) shall not apply to any law so far as that law makes provision—

- (a) for the appropriation of revenues or other funds of Sierra Leone or for the imposition of taxation (including the levying of fees for the grant of licences); or
- (b) with respect to persons who are not citizens of Sierra Leone; or
- (c) with respect to persons who acquire citizenship of Sierra Leone by registration or by naturalization, or by resolution of Parliament; or
- (d) with respect to adoption, marriage, divorce, burial, devolution of property on death or other interests of personal law; or
- (e) for the application in the case of members of a particular race or tribe or customary law with respect to any matter to the exclusion of any law with respect to that matter which is applicable in the case of other persons; or
- (f) for authorising the taking during a period of public emergency of measures that are reasonably justifiable for the purpose of dealing with the situation that exists during that period of public emergency;

or

(g) whereby persons of any such description as mentioned in subsection (3) may be subjected to any disability or restriction or may be accorded any privilege or advantage which, having regard to its nature and to special circumstances pertaining to those persons or to persons of any other such description, is reasonably justifiable in a democratic society; or

(h) for the limitation of citizenship or relating to national registration or to the collection of demographic statistics.

(5) Nothing contained in any law shall be held to be inconsistent with or in contravention of subsection (1) to the extent that it makes provision with respect to qualifications for service as a public officer or as a member of a defence force or for the service of a local government authority or a body corporate established directly by any law or of membership of Parliament.

(6) Subsection (2) shall not apply to anything which is expressly or by necessary implication authorised to be done by any such provisions of law as is referred to in subsection (4) or (5).

(7) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question makes provision whereby persons of any such description as is mentioned in subsection (3) may be subjected to any restriction of the rights and freedoms guaranteed by sections 18, 22, 24, 25 and 26 being such a restriction as is authorised by subsection (3) of section 18, subsection (2) of section 22, subsection (5) of section 24, subsection (2) of section 25 or subsection (2) of section 26, as the case may be.

(8) The exercise of any discretion relating to the institution, conduct or discontinuance of civil or criminal proceedings in any court that is vested in any person under or by this Constitution or any other law shall not be enquired into by any Court on the grounds that it contravenes the provision of subsection (2).

28. (1) Subject to the provisions of subsection (4), if any person alleges that any of the provisions of sections 16 to 27 (inclusive) has been, is being or is likely to be contravened in relation to him by any person (or, in the case of a person who is detained, if any other person alleges such a contravention in relation to the detained person), then, without prejudice to any other action with respect to the same matter which is lawfully available, that person, (or that other person), may apply by motion to the Supreme Court for redress.

Enforcement of protective provisions.

- (2) The Supreme Court shall have original jurisdiction—
- (a) to hear and determine any application made by any person in pursuance of subsection (1); and
 - (b) to determine any question arising in the case of any person which is referred to in pursuance of subsection (3), and may make such order, issue such writs, and give such directions as it may consider appropriate for the purpose of enforcing, or securing the enforcement of any of the provisions of the said sections 16 to 27 (inclusive) to the protection of which the person concerned is entitled:

Provided that the Supreme Court shall not exercise its powers under this subsection if it is satisfied that adequate means of redress for the contravention alleged are or have been available to the person concerned under any other law.

(3) If in any proceedings in any court other than the Supreme Court, any question arises as to the contravention of any of the provisions of sections 16 to 27 inclusive, that court may, and shall if any party to the proceedings so requests, refer the question to the Supreme Court.

- (4) (a) The Rules of Court Committee may make rules with respect to the practice and procedure of the Supreme Court for the purposes of this section;
- (b) Parliament may confer upon the Supreme Court such powers in addition to those conferred by this section as may appear to Parliament to be necessary or desirable for the purpose of enabling the court more effectively to exercise the jurisdiction conferred upon it by this section.
- (5) Parliament shall make provision—
- (a) for the rendering of financial assistance to any indigent citizen of Sierra Leone where his right under this Chapter has been infringed, or with a view to enabling him to engage the services of a legal practitioner to prosecute his claim; and
 - (b) for ensuring that allegations of infringements of such rights are substantial and the requirement, or need for financial or legal aid is real.

- (6) The Supreme Court—
- (a) consisting of not less than five Justices of the Supreme Court shall consider every question referred to it under this Chapter for a decision, and, having heard arguments by or on behalf of the parties by Counsel, shall pronounce its decision on such question in open court as soon as may be and in any case not later than thirty days after the date of such reference;
 - (b) shall for the purposes of this Chapter, give its decision by a majority of the Justices of that Court and such decision shall be pronounced by the Chief Justice or any other of the Justices as the Court shall direct.

29. (1) Whenever in the opinion of the President a state of public emergency is imminent or has commenced, the President may, at any time, by Proclamation which shall be published in the *Gazette*, declare that—

- (a) a state of public emergency exists either in any part, or in the whole of Sierra Leone; or
- (b) a situation exists which, if it is allowed to continue, may lead to a state of public emergency in any part of or the whole of Sierra Leone.

(2) The President may issue a Proclamation of a state of public emergency only when—

- (a) Sierra Leone is at war;
- (b) Sierra Leone is in imminent danger of invasion or involvement in a state of war; or
- (c) there is actual breakdown of public order and public safety in the whole of Sierra Leone or any part thereof to such an extent as to require extraordinary measures to restore peace and security; or
- (d) there is a clear and present danger of an actual breakdown of public order and public safety in the whole of Sierra Leone or any part thereof requiring extraordinary measures to avert the same; or
- (e) there is an occurrence of imminent danger, or the occurrence of any disaster or natural calamity affecting the community or a section of the community in Sierra Leone; or

(f) there is any other public danger which clearly constitutes a threat to the existence of Sierra Leone.

(3) Every declaration made under subsection (1) shall lapse—

(a) in the case of a declaration made when Parliament is sitting at the expiration of a period of seven days beginning with the date of publication of the declaration; and

(b) in any other case, at the expiration of a period of twenty-one days beginning with the date of the declaration,

unless it has in the meantime been approved by or superseded by a Resolution of Parliament supported by the votes of two-thirds of the Members of Parliament.

(4) A declaration made under subsection (1) may at any time before being superseded by a Resolution of Parliament be revoked by the President by Proclamation which shall be published in the *Gazette*, and all measures taken thereunder shall be deemed valid and lawful and shall not be enquired into by any court or tribunal.

(5) During a period of public emergency, the President may make such regulations and take such measures as appear to him to be necessary or expedient for the purpose of maintaining and securing peace, order and good government in Sierra Leone or any part thereof.

(6) Without derogating from the generality of the powers conferred by subsection (5) and notwithstanding the provisions of this Chapter, the regulations or measures may, so far as appears to the President to be necessary or expedient for any of the purposes mentioned in that subsection—

(a) make provision for the detention of persons, the restriction of the movement of persons within defined localities, and the deportation and exclusion of persons other than citizens of Sierra Leone from Sierra Leone or any part thereof;

(b) authorise—

(i) the taking of possession or control on behalf of the Government of any property or undertaking;

(ii) the acquisition on behalf of the Government of any property other than land;

(c) authorise the entering and search of any premises;

(d) amend any law, suspend the operation of any law, and apply any law with or without modification:

Provided that such amendment, suspension or modification shall not apply to this Constitution;

(e) provide for charging, in respect of the grant or issue of any licence, permit, certificate or other document for the purpose of the regulations, such fees as may be prescribed by or under the regulations;

(f) provide for payment of compensation and remuneration to persons affected by the regulations;

(g) provide for the apprehension, trial and punishment of persons offending against the regulations;

(h) provide for maintaining such supplies and services as are, in the opinion of the President, essential to the life and well-being of the community:

Provided that nothing in this subsection shall authorise the making of regulations during a period of public emergency for the trial of persons who are not members of defence forces by military courts.

(7) The payment of any compensation or remuneration under the provisions of such regulations shall be a charge upon the Consolidated Fund.

(8) Regulations made under this section shall apply to the whole of Sierra Leone or to such parts thereof as may be specified in the regulations.

(9) Regulations made under this section may provide for empowering such authorities or persons as may be specified in the regulations to make Orders and Rules for any of the purposes for which the regulations are authorised by this Constitution to be necessary or expedient for the purposes of the regulations.

(10) (a) Every regulation or measure taken under this section and every order or rule made in pursuance of such a regulation shall, without prejudice to the validity of anything lawfully done thereunder, cease to have effect ninety days from the date upon which it comes into operation unless before the expiration of the period, it has been approved by resolution passed by Parliament.

(b) Any such regulation, order or rule may, without prejudice to the validity of anything lawfully done thereunder, at any time be amended or revoked by the President.

(11) Subject to the provisions of subsections (7) and (8) of section 23, every regulation made under this section and every order or rule made in pursuance of such a regulation shall have effect notwithstanding anything inconsistent therewith contained in any law; and any provision of a law which is inconsistent with any such regulation, order or rule shall, whether that provision has or has not been amended, modified or suspended in its operation under any Act, cease to have effect to the extent that such regulation, order or rule remains in force.

(12) A declaration made under subsection (1) that has been approved by or superseded by a resolution of Parliament in pursuance of subsection (2) shall, subject to the provisions of subsection (3), remain in force as long as that resolution remains in force.

(13) A resolution of Parliament passed for the purpose of this section shall remain in force for a period of twelve months or such shorter period as may be specified therein:

Provided that any such resolution may be extended from time to time by a further such resolution, supported by the votes of two-thirds of Members of Parliament, each extension not exceeding twelve months from the date of the resolution effecting the extension; and any such resolution may be revoked at any time by a resolution supported by the votes of a simple majority of all the Members of Parliament.

(14) Any provision of this Section that a declaration made under subsection (1) shall lapse or cease to be in force at any particular time is without prejudice to the making of a further such declaration whether before or after that time.

(15) Every document purporting to be an instrument made or issued by the President or other authority or person in pursuance of this section, or of any regulation made thereunder and to be signed by or on behalf of the President or such other authority or person, shall be received in evidence, and shall, until the contrary be proved, be deemed to be an instrument made or issued by the President or that authority or person.

(16) The President may summon Parliament to meet for the purpose of subsection (2) notwithstanding that Parliament then stands dissolved, and the persons who were Members of Parliament immediately before the dissolution shall be deemed, for those purposes, still to be Members of Parliament but subject to the provisions of section 79 of this Constitution (which relates to the election of the Speaker of Parliament), without prejudice to the provisions of section 85 of this Constitution (which relates to the prolongation of the

life of Parliament during a period of public emergency), Parliament shall not when summoned by virtue of this subsection transact any business other than debating and voting upon a resolution for the purpose of subsection (2).

(17) During a period of detention—

(a) if any person who is detained in such a case as is mentioned in paragraph (a) of subsection (6) and who is not released so requests at any time not earlier than thirty days after he last made such a request during that period, his case shall be reviewed by an independent and impartial tribunal established by law, comprising not more than three persons from amongst persons of not less than fifteen years standing entitled to practise in Sierra Leone as legal practitioners;

(b) the Chairman of the tribunal, set up under paragraph (a) shall be appointed by the Chief Justice, and the two other members shall be nominated by the Sierra Leone Bar Association;

(c) on any review by a tribunal in pursuance of paragraph (a) of the case of any detained person, the tribunal may make recommendations concerning the necessity or expediency of continuing his detention to the authority by whom it was ordered, but unless it is otherwise provided by law, that authority shall not be obliged to act in accordance with any such recommendations.

(18) Nothing contained in or done under the authority of any law shall be held to be inconsistent with or in contravention of this section to the extent that the law in question authorises the taking during a period of a state of public emergency of measures that are reasonably justifiable for the purpose of dealing with the situation that exists immediately before and during that period of a state of public emergency.

30. (1) In this Chapter, unless the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

Interpretation of Chapter III.

“contravention” in relation to any requirement includes a failure to comply with that requirement, and cognate expressions shall be construed accordingly;

“court” means any court of law in Sierra Leone other than a local court or a court constituted by or under service law and—

(a) in section 16, section 17, section 18, section 19, subsections (3), (5), (6), (9) (but not the proviso thereto) and (11) of Section 23, subsection (2) of section 25, subsection 8 of section 27, subsection (3) of section 28 and subsection (4) of section 29 includes, in relation to an offence against service law, a court so constituted; and

(b) in sections 17 and 19, and subsection (8) of section 27, includes, in relation to an offence against service law, an officer of a defence force or of the Sierra Leone Police Force;

"defence force" means any naval, military or airforce of the Government of the Republic of Sierra Leone;

"member" in relation to a defence force or other disciplined force, includes any person who, under the law regulating the discipline of that force, is subject to that discipline;

"owner" includes any person or his successor in title deprived of any right or interest pursuant to section 21; and

"service law" means the law regarding the discipline of a defence force or of the Sierra Leone Police Force or the Prisons Service or any disciplined volunteer force.

(2) References in sections 16, 17, 18 and 21 to a "criminal offence" shall be construed as including references to an offence against service law and such references in subsections (4) to (9) of section 23 shall, in relation to proceedings before a court constituted by or under service law, be similarly construed.

(3) Nothing done by or under the authority of the law of any country other than Sierra Leone to a member of an armed force raised under that law and lawfully present in Sierra Leone shall be held to be in contravention of the provisions of this Chapter.

(4) In relation to any person who is a member of a disciplined force raised under an Act of Parliament, nothing contained in or done under the authority of the disciplinary law of that force shall be held to be inconsistent with or in contravention of any of the provisions of this Chapter.

(5) In relation to any person who is a member of a disciplined force raised otherwise than as aforesaid and lawfully present in Sierra Leone, nothing contained in or done under the authority of the disciplinary law of that force shall be held to be inconsistent with or in contravention of any of the provisions of this Chapter.

(6) In determining the appropriate "majority of all Members of Parliament" account shall only be taken of the persons actually and validly existing as Members of Parliament at the relevant time.

CHAPTER IV—THE REPRESENTATION OF THE PEOPLE

31. Every citizen of Sierra Leone being eighteen years of age and above and of sound mind shall have the right to vote, and accordingly shall be entitled to be registered as a voter for the purposes of public elections and referenda. Registration of voters.

32. (1) There shall be an Electoral Commission for Sierra Leone. Electoral Commission.

(2) The members of the Electoral Commission shall be a Chief Electoral Commissioner, who shall be Chairman, and four other members who shall be known as Electoral Commissioners.

(3) 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.

(4) A person shall not be qualified—

(a) for appointment as a member of the Electoral Commission if he is not qualified to be elected as a Member of Parliament, or ?

(b) to hold office as a member of the Electoral Commission if he is a Minister, a Deputy Minister, a Member of Parliament, or a public officer, or if he has attained the age of sixty-five years.

(5) The terms and conditions of service of members of the Electoral Commission shall be such as Parliament shall prescribe.

(6) A member of the Electoral Commission shall before assuming the functions of his office, take and subscribe before the President the Oath as set out in the Third Schedule to this Constitution.

(7) Subject to the provisions of this section, a member of the Electoral Commission shall vacate his office—

(a) at the expiration of five years from the date of his appointment; or

(b) on attaining the age of sixty-five years; or

(c) if any circumstances arise which, if he were not a member of the Commission, would cause him to be disqualified for appointment as such.

(8) A member of the Electoral Commission may be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour.

(9) A member of the Electoral Commission shall not be removed from office except in accordance with the provisions of this section.

(10) Whenever a member of the Electoral Commission dies, resigns, is removed from office, or is absent from Sierra Leone, or is by reason of illness or any other cause unable to perform the functions of his office, the President may appoint a person who is qualified to be appointed Electoral Commissioner and any person so appointed shall, subject to the provisions of subsections (6) and (7), continue to perform those functions until his appointment is revoked by the President, or until the Electoral Commissioner is able to perform those functions, or until the appointment of a new Electoral Commissioner.

(11) 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.

(12) The Chief Electoral Commissioner shall submit a report on the programme and work of the Electoral Commission at least once a year to the President and a copy of such report shall be laid before Parliament.

33. Subject to the provisions of this Constitution, 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.

34. (1) There shall be a Political Parties Registration Commission which shall consist of four members appointed by the President, namely—

(a) the Chairman of the Commission, who shall be a person who has held Judicial office or is qualified to be appointed a Judge of the Superior Court of Judicature nominated by the Judicial and Legal Service Commission;

(b) the Chief Electoral Commissioner;

(c) a legal practitioner nominated by the Sierra Leone Bar Association; and

(d) a member nominated by the Sierra Leone Labour Congress.

(2) The members of the Commission, other than the Chief Electoral Commissioner, shall be appointed by the President, subject to the approval of Parliament.

(3) The Administrator and Registrar-General shall be Secretary to the Commission.

(4) The Commission shall be responsible for the registration of all political parties and for that purpose may make such regulations as may be necessary for the discharge of its responsibilities under this Constitution:

Provided that the first registration of political parties after the coming into force of this Constitution shall be undertaken by the Electoral Commission.

(5) In the exercise of any functions vested in it by this Constitution, the Commission shall not be subject to the direction or control of any person or authority, save only as regards the right to appeal contained in section 35.

35. (1) Subject to the provisions of this section, political parties may be established to participate in shaping the political will of the people, to disseminate information on political ideas, and social and economic programmes of a national character, and to sponsor candidates for Presidential, Parliamentary or Local Government elections. Registration and conduct of political parties.

(2) The internal organisation of a political party shall conform to democratic principles, and its aims, objectives, purposes and programmes shall not contravene, or be inconsistent with, any provisions of this Constitution.

(3) A statement of the sources of income and the audited accounts of a political party, together with a statement of its assets and liabilities, shall be submitted annually to the Political Parties Registration Commission, but no such account shall be audited by a member of the political party whose account is submitted.

(4) No political party shall have as a leader a person who is not qualified to be elected as a Member of Parliament.

(5) No association, by whatever name called, shall be registered or be allowed to operate or to function as a political party if the Political Parties Registration Commission is satisfied that—

- (a) membership or leadership of the party is restricted to members of any particular tribal or ethnic group or religious faith; or
- (b) the name, symbol, colour or motto of the party has exclusive or particular significance or connotation to members of any particular tribal or ethnic group or religious faith; or
- (c) the party is formed for the sole purpose of securing or advancing the interests and welfare of a particular tribal or ethnic group, community, geographical area or religious faith; or
- (d) the party does not have a registered office in each of the Provincial Headquarter towns and the Western Area.

(6) Subject to the provisions of this Constitution, and in furtherance of the provisions of this section, Parliament may make laws regulating the registration, functions and operation of political parties.

(7) Any association aggrieved by a decision of the Political Parties Registration Commission under this section may appeal to the Supreme Court and the decision of the Court shall be final.

- (8) For the purposes of this section the expression—
- “association” includes any body of persons, corporate or incorporate, who agree to act together for any common purpose, or an association formed for any ethnic, social, cultural, occupational or religious purpose; and
- “political party” means any association registered as a political party as prescribed by subsection (5).

36. At any public elections or referenda voting shall be by secret ballot.

37. (1) In any referendum held pursuant to an Act of Parliament, every person who is entitled to vote in elections of Members of Parliament shall be entitled to vote at such referendum and no other person may so vote; and the issue in the referendum shall not be regarded as having been approved at that referendum unless it was so approved by the votes of not less than one-half of all such persons or by not less than two-thirds of all the valid votes cast.

(2) The conduct of any referendum for the purposes of subsection (1) shall be under the general supervision of the Electoral Commission and the provisions of Section 38 of this Constitution

Secret ballot.

Referendum.

shall apply in relation to the exercise by the Electoral Commission of its functions with respect to a referendum as they apply in relation to the exercise of its functions with respect to elections of Members of Parliament.

(3) A Bill for an Act of Parliament under this Section shall not be submitted to the President for his assent unless it is accompanied by a certificate under the hand of the Speaker (or if the Speaker is for any reason unable to exercise the functions of his office, the Deputy Speaker) that the provisions of subsections (1), (2) and (3) of section 106 and, where appropriate, the provisions of subsections (1) and (2) have been complied with.

38. (1) Sierra Leone shall be divided into such constituencies for the purpose of electing the Members of Parliament referred to in paragraph (b) of subsection (1) of section 74 of this Constitution as the Electoral Commission, acting with the approval of Parliament signified by resolution of Parliament, may prescribe.

Constituencies and elections.

(2) Every constituency established under this section shall return one Member of Parliament.

(3) The boundaries of each constituency shall be such that the number of inhabitants thereof is as nearly equal to the population quota as is reasonably practicable:

Provided that the number of inhabitants of such a constituency may be greater or less than the population quota in order to take account of means of communications, geographical features, density of population, the distribution of different communities, the areas and boundaries of the Chiefdoms and other administrative or traditional areas.

(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, and may alter the constituencies in accordance with the provisions of this section to such extent as it may consider desirable in the light of the review:

Provided that the Commission may at any time carry out such a review and alter the constituencies in accordance with the provisions of this section to such extent as it considers necessary in consequence of any alteration in the number of Members of Parliament referred to in paragraph (b) of subsection (1) of section 74 by reason of the holding of a census of the population of Sierra Leone in pursuance of an Act of Parliament.

(5) Where the boundaries of any constituency are altered in accordance with the provisions of this section, that alteration shall

come into effect upon the next dissolution of Parliament after the alteration has been approved by Parliament.

(6) In this section "population quota" means 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.

(7) For the purposes of this section the number of inhabitants of Sierra Leone shall be ascertained by reference to the latest census of the population of Sierra Leone held in pursuance of an Act of Parliament or if no census has been so held, by reference to any available information, which in the opinion of the Electoral Commission best indicates the number of those inhabitants.

(8) 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.

39. (1) When the seat of any member of Parliament becomes vacant, the vacancy shall be filled by election, not later than six months after the vacancy occurs, in accordance with the provisions of law relating to such election:

Provided that if Parliament is dissolved before such election is due to be held, the vacancy shall be filled at the general election.

(2) The Proclamation appointing a date for the holding of an election to fill a vacancy shall be published in the *Gazette* not less than twenty-one days before the date appointed for holding the

II. The Electoral Provisions Act (1990)

ACTS

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXI, No. 7
dated 24th December, 1990

SIGNED this 21st day of December, 1990.

J. S. MOMOH,
President.

LS

No. 8



Sierra Leone

1990

The Electoral Provisions (Amendment) Act, 1990

Short title.

Being an Act to amend the Electoral Provisions Act, 1962

Date of
commence
ment.

BE IT ENACTED by the President and Members of Parliament in this present Parliament assembled, as follows:—

1. Section 2 of the Electoral Provisions Act, 1962 is hereby amended—

Amendm:
of Sectio:
2 of Act:
14 of 196

(a) by the insertion immediately before the definition of "bye-election" of the following new definition—

"ballot paper" means the printed form used for the purpose of voting for a candidate;

(b) by the insertion immediately after the definition of "nomination paper" of the following new definition—

"official mark" means an official secret mark (if any be prescribed by the Electoral Commission) impressed upon a ballot paper before delivery to an elector at an election;

Repeal and replacement of Section 3 of Act No. 14 of 1962.

2. Section 3 of the principal Act is repealed and replaced by the following new section—

"Composition of Parliament.

Act No. 12 of 1978.

3. The Composition of Parliament shall be as prescribed in section 43 of the Constitution of Sierra Leone, 1978 and shall include such other Members of Parliament as may be appointed by the President.

Repeal and replacement of Section 10 of Act No. 14 of 1962.

3. Section 10 of the principal Act is repealed and replaced by the following new Section—

"Appointment of Returning Officers and Assistant Returning Officers.

10. (1) Whenever a time is appointed for an election under the provisions of section 6 or the Minister or other authority declares or appoints a date or dates for an election for membership of a local Authority under the provisions of any Act, the Electoral Commission shall, by notice published in the *Gazette*, appoint a fit and proper person, who shall not be a candidate, to be Returning Officer for the electoral area in respect of which the election is to take place.

(2) The Electoral Commission may also appoint any number of fit and proper persons, none of whom shall be a candidate, to be Assistant Returning Officers who shall, subject to any special or general directions of the Returning Officer, have all the powers and may perform any of the duties of a Returning Officer.

(3) An Assistant Returning Officer shall have all the powers of a Presiding Officer and may, if he thinks fit, relieve a Presiding Officer of his duties at any polling Station and in such event may appoint a Polling Assistant to be Presiding Officer.

(4) Returning Officers and Assistant Returning Officers shall comply with any general or special directions, not inconsistent with this Act or with any Regulations made thereunder, which may be given by the Electoral Commission with respect to the arrangements to be made by such officers for carrying out their duties under this Act."

4. Section 13 of the principal Act is repealed and replaced by the following new section—

"Payment of the sum of Le 10,000.00

13. (1) Every candidate for an election as an ordinary Member of Parliament under paragraph (b) of subsection (1) of section 43 of the Constitution of Sierra Leone, 1978 shall, at the time when his nomination paper is delivered at the office of the Returning Officer in accordance with Section 12, pay or cause to be paid to the Returning Officer the sum of ten thousand leones or a written receipt issued by or on behalf of the Accountant-General for ten thousand leones received from or on account of that candidate in respect of that sum and the nomination shall not be valid until the payment has been made.

(2) The payment shall be non-refundable and shall be paid into the Consolidated Fund."

5. Sections 22 to 50 of the principal Act are repealed and replaced by the following new sections—

"Electoral Commission to make arrangements for contested elections.

22. (1) The Electoral Commission shall make arrangements for the holding of a contested election at the time and place notified under Section 11.

(2) The Electoral Commission shall—

(a) Provide one or more polling stations in each electoral area and allot the voters within the electoral area to the polling stations in such manner as it thinks most convenient;

(b) on or before the fourth day before the day of election give notice of the election in such manner as it may think fit, specifying—

(i) the day and hours fixed for voting;

Repeal and replacement of Section 13 of Act No. 14 of 1962.

Repeal and replacement of Sections 22 to 50 of Act No. 14 of 1962.

- (ii) the full name, address and occupation of each candidate, together with a description of the symbol which the Electoral Commission has allotted to each candidate;
 - (iii) the full names, addresses and occupations of the persons who nominated each candidate; and
 - (iv) the situation of the polling station or stations and a statement of the persons entitled to vote thereat;
- (c) appoint such person as it may think fit, other than a candidate for election, or a nominator of any such candidate, to be in charge of each polling station who shall be known as the Presiding Officer and who shall be under the direction of the Electoral Commission and who shall have all the powers conferred upon a Polling Assistant by this Act;
- (d) appoint in respect of each electoral area such persons as it may think fit, other than any candidate for election, or a nominator of any such candidate, to assist at the voting in the election who shall be known as Polling Assistants, and who shall be under the direction of the Presiding Officer;
- (e) (i) provide each Presiding Officer with a ballot box for each polling station in the electoral area and such number of ballot papers as in the opinion of the Presiding Officer may be necessary;
- (ii) ensure that each candidate shall provide the Presiding Officer with photographs of himself measuring not more than the standard A4 size and the Presiding Officer

- shall affix one photograph together with the symbol of that candidate on the wall of each polling booth where the elector goes alone to place his mark.
- (f) provide the Presiding Officer at each polling station with instruments for making an official mark on the ballot papers;
 - (g) provide the Presiding Officer at each polling station with copies of the Register of Electors or such part thereof as contains the names of the electors allotted to vote at such polling station;
 - (h) cause to be published in each polling station the photograph of every candidate together with the symbol which the Electoral Commission has allotted to each candidate for whom a vote can be cast at such polling station;
 - (i) do such other acts and things as may be necessary for conducting the election in the manner provided in this Act.

23. (1) Each nominated candidate may appoint ^{Polling} two persons (hereinafter referred to as "polling agents") ^{Agents.} to attend at each polling station within the electoral area for which he is a candidate, for the purpose of detecting personation and making representations to Polling Assistants under the provisions of paragraph (e) of section 26, or to the Presiding Officer under the provisions of subsection (1) of section 30; and generally for drawing the attention of the Presiding Officer to irregularities in the procedure at a polling station.

(2) Notice in writing of the appointment, stating the names and addresses of the polling agents, together with the polling stations to which they have been assigned, shall be given by the candidate to the Returning Officer not later than three days before the first day appointed for the election and before four o'clock in the afternoon of the last day for the delivery of the notice.

(3) If any polling agent dies or becomes incapable of acting as such, the candidate may appoint another polling agent in his place, and shall give to the Returning Officer due notice in writing of the name and address of the polling agent so appointed.

(4) A candidate may do any act or thing which his polling agent is authorised to do under subsection (1).

Precautions
to ensure
secrecy.

24. (1) Every ballot box shall be so constructed that the ballot papers can be put therein by the voter but cannot by him be withdrawn.

(2) The Presiding Officer shall cause to be placed at each polling station a ballot box in which shall be deposited the votes of the elections.

(3) Immediately before the commencement of voting the Polling Officer at each polling station shall show the ballot box empty to such persons as may be lawfully present so that they may see that it is empty and shall in such person's presence close and place distinctive seals upon the ballot box in such manner as to prevent the ballot box being opened without breaking the seals and shall keep it so closed and sealed until the voting is completed and counting commenced.

(4) The Presiding Officer shall place the ballot box which he shall have caused to be prepared under this section, in the Polling Station in full view of the Presiding Officer, the Polling Assistants, the Polling Agents, as the case may be, and such other persons as authorised to be present in the Polling Station throughout the voting time prescribed.

Hours of
voting.

25. The Hours of voting shall be from seven o'clock in the morning to six o'clock in the afternoon, and no ballot paper may be placed in any ballot box outside these hours of voting.

Manner of
voting.

26. The voting at an election shall be conducted in the following manner—

(a) Every elector desiring to record his vote shall present himself to a Polling Assistant at the polling station at which he is entitled to vote, and the Polling Assistant, after satisfying himself that—

(i) the name of such elector appears in the copy of the Register of Electors, or part thereof, provided for that polling station; and

(ii) he has not already voted; shall deliver to him a ballot paper and the elector shall proceed to the polling booth where in secret he shall mark the ballot paper:

Provided that the Presiding Officer may, before any ballot paper is delivered to the elector, require the elector to submit to being searched in private by a person appointed by the Presiding Officer for the purpose of ensuring that no ballot paper relating to the election is already in his possession, and if the elector in such case does not submit to a search he shall not be entitled to receive a ballot paper or to vote; and provided that no female elector shall be searched except by a female.

(b) Immediately before the Polling Assistant delivers a ballot paper to an elector—

(i) he shall call out the elector's serial ward number and his name and address as stated in the Register of Electors;

(ii) he shall examine the elector's left hand for traces of the ink (if any) referred to in paragraph (c), and if he is satisfied that there are such traces he shall not deliver any ballot paper to that elector;

(iii) he shall mark the ballot paper or papers with any official mark which may be prescribed by the Electoral Commission;

- (iv) the number of the elector in the copy of the Register of Electors shall be marked on the counter-foil of the ballot paper or ballot papers.
- (v) a mark shall be placed against the number of the elector in the copy of the Register of Electors to denote that a ballot paper or ballot papers have been delivered, but without stating or showing the printed number of the ballot paper or ballot papers which have been delivered.
- (c) A Polling Assistant may, and, if required by a candidate or polling agent, shall put to any persons applying for a ballot paper or papers at the time of his application, but not afterwards, the following questions, or any of them—
 - (i) "Are you the person whose name is on the Register of Electors as (reading the entry in the Register)?"
 - (ii) "Have you already voted at the present election at this or any other polling station?"
- (d) No person who is required by the Polling Assistant to answer these questions, or either of them, shall be provided with a ballot paper or allowed to vote until he has answered the same to the satisfaction of the Presiding Officer.
- (e) An elector, if the Electoral Commission so direct, immediately before receiving a ballot paper, shall submit to having his left thumb or a finger of the left hand marked with indelible ink.

- (f) The elector shall then go alone to the booth or enclosure, put his mark against the symbol of the candidate of his choice secretly and then come out of the booth or enclosure with his ballot paper folded which he will then cast in full view of everyone present.
- (g) An elector who has accidentally dealt with a ballot paper in such manner that it cannot conveniently be used as a valid ballot paper may, on delivering such ballot paper, and any other ballot paper issued to him bearing the same serial number to the Presiding Officer and after satisfying the Presiding Officer that the ballot paper has been spoiled by accident, obtain another ballot paper or other ballot papers in the place of the ballot paper or ballot papers so delivered up, and the spoiled ballot paper or ballot papers and any other ballot paper bearing the same number shall be immediately cancelled by the Presiding Officer writing the word "CANCELLED" across the face of the same, and the Presiding Officer shall preserve all such cancelled ballot papers and shall deliver them to the Returning Officer as hereinafter mentioned.
- (h) (i) An elector shall not place on the ballot paper any writing or mark by which he may be identified.
- (ii) For the purpose of subparagraph (i), a fingerprint or other mark caused by merely handling a ballot paper shall not be regarded as a mark of identification.
- (i) If any elector, by reason of blindness, or other physical disability, is unable to cast his vote or votes in person, he

may call the Presiding Officer or the Assistant Returning Officer aside and inform him, no other person being within hearing, of the name or names of the candidate or candidates for whom he wishes to vote, and the Presiding Officer or Polling Assistants shall record that elector's vote by placing a mark on the ballot paper against the symbol signifying the elector's choice.

- (j) If on the day of voting an elector will be engaged on official duties in connection with the election, which a Returning Officer is satisfied will preclude the elector from recording his vote, such Returning Officer may, on application by such elector, made not less than seven days before the day or days appointed for voting at the polling station at which the elector is entitled to vote, provide such elector with a certificate of authorisation in a form approved by the Electoral Commission to authorise the Presiding Officer of the Polling Station at which the elector is entitled to vote to record the vote or votes of such elector. The elector shall insert in the appropriate place in the certificate the name or names of the candidate or candidates for whom he wishes to record his vote or votes and the Returning Officer shall then seal the certificate in the presence of the elector and cause it to be transmitted to the Presiding Officer authorised to record the vote or votes, as the case may be. A Presiding Officer on the day of voting, shall record the vote or votes, for the recording of which he has an authority given in accordance with the provisions of this paragraph, in conformity with the directions contained in such authority.

- (k) A civil servant or an employee of a public corporation or commercial firm or mining company or mission or a member of the Sierra Leone Police Force or the Republic of Sierra Leone Military Forces if transferred by his employer or superior officer to a place of employment in another constituency between the time of his registration under the provisions of the Franchise and Electoral Registration Act, 1961, and the time of the next general election for members of Parliament after such registration may, not less than seven days before a poll is appointed to be taken at the station at which he is entitled to vote, apply to the Returning Officer, who, if he is satisfied that that application is well founded and supported by the written confirmation of the employer or superior officer that the employee was so transferred, shall provide the elector making such application with the certificate of authorisation described in the paragraph (j); and the elector and the Returning Officer shall then act as set out in that paragraph and the appropriate Presiding Officer shall record that elector's vote.

27. Every ballot paper shall have a number printed thereon and shall be attached to a counter-foil bearing the same number as is printed on the ballot paper. The ballot paper shall be numbered in such manner that no elector shall receive ballot papers bearing the same numbers as any ballot papers delivered to any other elector in that electoral area.

28. Every voter shall vote without undue delay and shall quit the polling station as soon as he has put his ballot paper in the ballot box.

29. (1) No person shall be permitted to vote at any polling station other than the one allocated to him under the provisions of paragraph (a) of subsection (2) of section 22.

(2) The Presiding Officer shall regulate the admission of electors to the polling station, and shall exclude all other persons except candidates, polling agents, polling Assistant, constables on duty, and any other person who in his opinion has lawful reason to be admitted.

(3) Every elector present in a polling station shall comply with any directions of the Presiding Officer for regulating the casting of votes and generally shall conduct himself in an orderly manner.

Personation.

30. (1) If at the time a person applies for a ballot paper or after he has so applied and before he has left the polling station, a polling agent declares to the Presiding Officer that he has reasonable cause to believe that the applicant has committed the offence of personation and undertakes to substantiate the charge in a court of law or, if the Presiding Officer himself has reasonable cause to believe that an applicant for a ballot paper has committed the offence of personation, the Presiding Officer may order a constable to arrest such person and the order of the Presiding Officer shall be sufficient authority for the constable to do so.

(2) A person in respect of whom a polling agent makes a declaration in accordance with subsection (1) of this section or whom the Presiding Officer has reasonable cause to believe has committed the offence of personation shall not, by reason thereof, be prevented from voting, but the Presiding Officer shall cause the words "Protested against for personation" to be placed against his name in the marked copy of the Register of Electors or part thereof:

Provided that where a person in respect of whom such declaration is made admits to the Presiding Officer that he is not the person he held himself out to be, he shall not be permitted to vote if he has not already done so, and if he has already voted, the Presiding Officer shall make a note of the number of the ballot paper delivered to him, and upon the count being taken, such ballot paper shall be invalid.

(3) A person arrested under the provisions of this section shall be deemed to be a person taken into custody by a constable for an offence in respect of which he may be arrested without a warrant.

31. If a person representing himself to be an elector named in the Register of Electors applies for a ballot paper after another person has voted as such elector, the applicant shall, upon giving satisfactory answers to the questions set out in paragraph (c) of section 26, be entitled to receive a ballot paper or ballot papers as the case may be, and record his vote or votes in the same manner as any other elector, but every such ballot paper (hereinafter called a tendered ballot paper) shall be of a colour differing from the other ballot papers.

Tendered ballot papers.

32. (1) The Presiding Officer shall keep order in the polling station:

Conduct in polling stations.

(2) If any person misconducts himself in a polling station or fails to obey any lawful order of the Presiding Officer, such person may, by order of the Presiding Officer, be removed from the polling station by any constable, or by any other person authorised in writing by the Presiding Officer in that behalf; and the person so removed shall not, without the permission of the Presiding Officer, again enter the polling station during the day of the election; and any person so removed may, if the Presiding Officer considers it necessary, be arrested and charged with the commission of an offence in such polling station and shall be deemed to be a person taken into custody by a constable for an offence in respect of which he may be arrested without a warrant:

Provided that the provisions of this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of so voting.

33. (1) On the day appointed for an election, or where the time appointed for an election consists of a number of days, on the last day for voting appointed under the provisions of section 9, the Presiding Officer at each polling station shall, at the expiration of the hours of voting prescribed by or under the provisions of section 25, close the polling station and

Despatch of ballot boxes, etc. to Returning Officer.

cease to receive any votes and shall as soon as is practicable thereafter, in the presence of any polling agents in attendance, make up into separate packets, each sealed with his own seal—

- (a) the ballot box in use at the polling station, unopened and sealed so as to prevent the introduction of additional ballot papers;
- (b) any certificates he has received under paragraphs (j) and (k) of section 26;
- (c) the unused and spoilt ballot papers, placed together;
- (d) the tendered ballot papers in separate packets relating to each candidate;
- (e) the marked copies of the Register of Electors or the part thereof;

and shall deliver the packets to the Returning Officer.

Form D
First Schedule.

(2) The packets shall be accompanied by a statement to be called the Ballot Papers Account, which shall be in the Form D prescribed in the First Schedule, prepared by the Presiding Officer showing the number of ballot papers entrusted to him and accounting for them under the following heads—

- (a) number of spoilt ballot papers; and
- (b) number of unused ballot papers; and
- (c) number of persons marked on the Register of Electors as having been issued with a ballot paper.

Counting Agents.

34. (1) Each candidate shall appoint one person, hereinafter referred to as a counting agent, for each polling station to attend at the counting of votes.

(2) Notice in writing of the appointment, stating the name and address of the counting agent, shall be given by the candidate to the Returning Officer not later than three days before the last day of the election and before four o'clock in the afternoon

of the last day for the delivery of the notice; and the Returning Officer may refuse to admit to the place where the votes are counted any person purporting to be a counting agent in respect of whom such notice has not been given.

(3) If a counting agent dies or becomes incapable of acting as such, the candidate shall appoint another counting agent in his place, and shall immediately give to the Returning Officer notice in writing of the name and address of the counting agent so appointed.

35. (1) At the time and place appointed for counting the Returning Officer, after the receipt of the ballot box from the Presiding Officer in the polling station shall then open the ballot box and taking out the ballot papers, cause them to be counted, subject to the provisions of subsection (2) of section 30 and of sections 37 and 38, and the number of valid ballot papers to be recorded, but so that the ballot papers of each candidate shall be kept separate from the ballot papers of the other candidates.

Counting votes.

(2) From the time of delivery of the sealed packets by the Presiding Officer under the provisions of subsection (1) of section 33 until the counting of votes the Returning Officer shall keep such packets in safe custody.

36. Except with the consent of the Returning Officer, no person other than the Counting Officer, Counting Assistants, Polling Staff, the candidates and their counting agents may be present at the counting of votes.

Persons with whom the counting of votes may be present.

37. At any counting of votes in terms of subsection (1) of section 35, any ballot paper—

Void ballot papers.

- (a) which bears a number or mark or variation indicating that it was issued for use at a polling station other than that at which it was used to vote; or
- (b) which bears the same number as another ballot paper found in the same ballot box and which has already been counted; or

(c) not bearing any official mark (if any such mark has been prescribed by the Electoral Commission); or

(d) on which anything is written or marked by which the voter may be identified (other than a fingerprint) except the printed number thereon; shall not be counted.

Rejection of void ballot papers.

38. (1) The Returning Officer shall endorse the word "Rejected" on any ballot paper which, under the provisions of section 37, is not counted. The Returning Officer shall add the word "Rejection objected to" if an objection to his decision is made by any counting agent.

(2) the Returning Officer shall not allow any tendered ballot paper to be counted as a vote in favour of any candidate.

Returning Officer's decision final.

39. The decision of the Returning Officer as to any question arising in respect of any ballot paper shall be final and subject to review only on an election petition questioning the election.

40. (1) A candidate or his counting agent may, if present when the counting or any recount of the votes is completed, require the Returning Officer to have the votes recounted or again recounted but the Returning Officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates and counting agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by this section.

Equality of votes.

41. Where an equality of votes is found to exist between any candidates and the addition of a vote would entitle any one of them to be declared elected, the Returning Officer shall order a re-count of the votes cast. If there be again an equality of votes, as ascertained by such re-count, there shall be a second casting of votes, and if there are more than two candidates, the first two Candidates obtaining the highest votes shall be the only Candidates entitled to offer themselves for the second voting.

42. Upon the conclusion of the counting of the votes the Returning Officer shall seal up in separate packets (a) the counted and (b) the rejected and tendered ballot papers, the ballot papers for each candidate being kept separate from those of any other candidate as each packet shall be endorsed on the outside by the Returning Officer with the name of the candidate for whom the votes represented by the ballot papers therein were cast. He shall not open the sealed packet containing the marked copy of the Register of Electors nor the sealed packets containing the counterfoils of used ballot papers, but shall proceed, in the presence of the counting agents, to verify the ballot paper account given by each Presiding Officer by comparing it with the number of ballot papers counted or rejected in accordance with section 35 and the unused and spoilt papers in his possession, and shall reseal each packet after examination. The Returning Officer shall prepare a statement as to the result of the verification and showing the number of ballot papers rejected, which shall be in the Form E prescribed in the First Schedule and shall, on request by any counting agent, allow him to copy the statement. The Returning Officer shall receive results of counted ballot papers from the Counting Officer from each polling station.

Returning Officer's duties at conclusion of counting.

Form E First Schedule.

43. When the result of the election has been ascertained, the Returning Officer shall—

Declaration of results.

- (a) forthwith declare to be elected the candidate or candidates, as the case may be, for whom the majority of votes has been cast;
- (b) forthwith publish at the place of counting, the number of votes cast in favour of each candidate and the name or names of the candidates whom he has declared to be elected;
- (c) send notification of election in writing to the successful candidate or candidates;

- (d) deliver personally to the Secretary of the Electoral Commission the sealed packages containing the voting papers and all other documents relating to the election, including all forms whether used or unused; and
- (e) (i) in the case of an election to Parliament certify to the Electoral Commission in writing the result of the election; or
- (ii) in the case of an election to a Local Authority, inform the Minister and the Electoral Commission in writing of the result of the election.

Publication of results.

44. (1) The Electoral Commission, on receipt of the results of an election in accordance with section 43 shall forthwith cause to be published in the Gazette the result of the election; together with the number of votes recorded for each candidate.

(2) The Secretary of the Electoral Commission shall retain in safe custody the voting papers and other documents transmitted to him under seal by the Returning Officer for a period of six months on the expiration of which period he shall destroy such of them as are not required for the investigation or trial of any election petition or offence.

Power of Polling Assistants.

45. A Polling Assistant may be authorised by the Presiding Officer to do any act which the Presiding Officer is required or authorised to do at a polling station by this Act, except that he may not order the arrest or search of any person, or the exclusion or removal of any person from the polling station.

Candidate has power of his agent.

46. A candidate may do any act or thing which his agent would have been authorised or required to do; and may assist his agent in the doing of any such act or thing.

47. Where in this Act any act or thing is required or authorised to be done in the presence of the candidates or polling or counting agents, the non-attendance of any candidate or agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Non-attendance of candidate or agents not to invalidate.

48. The Returning Officer, Assistant Returning Officers, Presiding Officers and Polling Assistants shall receive such reasonable remuneration for their services as the Minister shall authorise, on the recommendation of the Electoral Commission.

Remuneration of Returning Officer, etc

49. (1) All expenses properly incurred by the Returning Officer in the conduct of the election, the remuneration of the officers specified in section 48 and, except where the proceedings result from the act or omission of the Returning Officer done otherwise than in the *bona fide* performance of his duty under this Act, any expenses incurred by a Returning Officer in any legal proceedings arising in connection with an election held under the provisions of this Act shall be a charge upon the Consolidated Revenue Fund.

Expenses of the election.

(2) Upon the determination of any legal proceedings arising in connection with an election under the provisions of this Act, the High Court shall, if a Returning Officer is a party thereto, certify whether or not such proceedings result from an act or omission of the Returning Officer done otherwise than in the *bona fide* performance of his duty under this Act.

Secrecy of voting.

50. No person who has voted at an election shall, in any legal proceedings arising out of the election, be required to state for whom he voted."

6. Subsection (3) of Section 52 of the principal Act is repealed and replaced by the following new subsection—

Repeal and replacement of Section 52 (3) of Act No. 14 of 1962.

"(3) Before so issuing a ballot paper the Polling Assistant shall place a mark against the number of the Elector in the Gazette List to denote that a ballot paper has been delivered to him, but without showing the number of the ballot paper which has been issued."

Repeal and replacement of Section 60 of Act No. 14 of 1962.

7. Section 60 of the principal Act is repealed and replaced by the following new Section—

"Security for costs

60. (1) At the time of presenting an election petition the petitioner shall give security for the payment of all costs, charges and expenses which may become payable by him to any witnesses summoned on his behalf or to any respondent.

(2) The security shall be of such an amount (not exceeding one hundred thousand leones) and shall be given in such a manner as the court may order.

(3) No proceedings shall be heard on the petition if the petitioner fails to give the security for costs prescribed by subsection (2) of this section."

Repeal and replacement of Section 61 of Act No. 14 of 1962.

8. Section 61 of the principal Act is hereby repealed and replaced by the following new section—

"Trial of election petition.

61. (1) Every election petition shall be tried by a Judge of the High Court in open Court.

(2) During such trial the Court may order—

(a) the inspection and production of any rejected ballot papers; or

(b) the inspection of any counted ballot papers;

Provided that in making and carrying into effect the order, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved that his vote was given and the vote has been declared by the Court to be invalid.

(3) At the conclusion of the trial, the Court shall determine whether the person whose return or election is complained of was duly returned or elected, or whether the election was void, and shall certify such determination as provided in subsection (2) of section 57 where the question decided concerns an election to Parliament, or, where such question concerns an election to a Local Authority, the Court shall certify its determination to the Minister and the Electoral Commission."

9. Section 73 of the principal Act is repealed and replaced by the following new section—

"Offences in respect of nomination papers, ballot papers, etc.

73. (1) Every person who—

- (a) forces or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to any person or authority to whom nomination papers are required by this Act or any regulations made hereunder to be delivered, any nomination paper knowing the same to be forged; or
- (b) signs a nomination paper as candidate in more than one constituency; or
- (c) forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or any official mark on any ballot paper; or
- (d) without due authority, supplies any ballot paper to any person; or
- (e) fraudulently puts into any ballot box any paper other than a ballot paper which he is authorised by law to put in; or
- (f) without the authority of the Presiding Officer brings into or takes out of any polling station, place of voting or place of election, any ballot paper; or
- (g) without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election; or
- (h) unlawfully votes for more candidates than one or records more than one vote in favour of any candidate;

shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one hundred thousand leones or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Replacement of Section 73 of Act No. 14 of 1962.

(2) Any attempt to commit an offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

(3) In any prosecution for an offence in relation to the nomination papers, ballot box, ballot papers, marking instruments and other things in use at an election, the property in such papers, box, instruments and things may be stated to be in the Returning Officer at such election.

Replacement of Section 82 of Act No. 14 of 1962.

10. Section 82 of the principal Act is repealed and replaced by the following new section—

*Penalty for certain illegal practices.

82. Every person who—

- (a) votes or induces or procures any person to vote at any election under this Act knowing that he or such other person is prohibited by this Act or by any other law from voting at such election; or
- (b) before or during an election under this Act knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate;

shall be guilty of an illegal practice and shall be liable on summary conviction to a fine not exceeding fifty thousand leones and be incapable during a period of five years from the date of his conviction of being registered as an elector or voting at any election."

Replacement of Section 83 of Act No. 14 of 1962.

11. Section 83 of the principal Act is repealed and replaced by the following new section—

* Use of fetish, etc.

83. Every person who—

- (a) (i) swears or administers any oath otherwise than for the purpose of any legal proceedings, whether or not such oath is recognised as lawful by the customary laws;
- (ii) or administers, invokes or makes any other use of any fetish; or
- (iii) makes any other invocation; or
- (iv) purports to cast any spell; and relates any such act to or connects any such act with the voting or

refraining from voting by any person at any election held under this Act; or

- (b) on the day or days of voting beats a drum or employs any other means of calling attention or of promulgating public message normally used by the Paramount Chief of the Tribal Authority for public purposes, accompanied by any statement or announcement relating to or connected with the voting or refraining from voting by any person at any election held under this Act, other than an announcement or statement of the date, time, and place at which the voting is to take place; or

(c) threatens to do any of the things referred to in paragraph (a); shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred thousand leones or to imprisonment for a term not exceeding five years or to both such fine and imprisonment, and shall be incapable for a period of five years from the date of conviction, of being registered as an elector or of voting at any election held under this Act, and of being elected as a Member of Parliament or of any Local Authority, or, if elected before his conviction, of retaining his seat as such Member."

12. Section 84 of the principal Act is repealed and replaced by the following new section—

"Symbols and emblems of candidates.

84. (1) The Electoral Commission, its agents or any candidate may display symbols and emblems of the candidate within the vicinity of the place of voting:

Provided that no person shall, within four hundred yards of the place of voting, make any public address indicating his support for a particular candidate.

Offence and penalty.

(2) Any person acting in contravention of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten thousand leones or to imprisonment for a term not exceeding two years or to both such fine and imprisonment."

Repealed and replaced by Section 84 of Act No. 14 of 1962.

General amendment to Act No. 14 of 1952.

13. The principal Act is amended as follows—

- (a) by the substitution of the words "ballot paper" for the words "ballot token" wherever they appear in the Act;
- (b) by the substitution of the words "ballot papers" for the words "ballot tokens" wherever they appear in the Act;
- (c) by the substitution of the word "papers" for the word "tokens" wherever such word relates to ballot.

Replacement of Forms D and E of First Schedule to Act No. 14 of 1962.

14. Forms D and E of the First Schedule to the principal Act are hereby repealed and replaced by the following new Forms—

FORM D (Sections 33 (2) and 55 (a))

ELECTIONS

ELECTORAL PROVISIONS ACT, 1962
BALLOT PAPERS ACCOUNT

To the Returning Officer:.....

(i)	(ii)	(iii)	(iv)
Serial numbers provided (to be completed by the Returning Officer)	Serial numbers unused	Serial numbers spoilt	Number of persons marked on Register of Electors or Gazette List as being issued with Ballot Papers.

Date:.....

**Signature of Presiding Officer/
Returning Officer.

.....Polling Station
.....Electoral Area

*(State the nature of the elections here)
**(Delete inappropriate)

FORM E

(Section 42 and 55 (c))

ELECTIONS

ELECTIONS PROVISIONS ACT, 1962
VERIFICATION OF BALLOT PAPERS

*.....
**..... Constituency/District/Ward
No. of Ballot papers issued to Polling Station
Station.....

	Name	Ballots
(1) No. of ballot papers cast for
(2) No. of ballot papers cast for
(3) No. of ballot papers cast for

No. of ballot papers spoilt
No. of ballot papers unused
No. of ballot papers rejected, under categories (b) and (c) below:

Total

REJECTED BALLOT PAPERS

	(a)	(b)	(c)	(d)
No. cast for candidate No. (1)
No. cast for candidate No. (2)
No. cast for candidate No. (3)
Totals

- (a) bearing a number not included amongst those issued to the station;
- (b) bearing the same number as another ballot paper found in the same candidate's box and which has already been counted;
- (c) not bearing the official mark (if any has been prescribed); cast by an admitted impersonator, or bearing identification mark other than a finger print or printed number;
- (d) tendered ballot papers.

Date:.....

.....
(Signature of Returning Officer.)

*(State nature of election here)

** (Delete where inappropriate)

Passed in Parliament this 15th day of *November*, in the year of our Lord One thousand nine hundred and ninety.

M. T. BETTS-PRIDDY,
Acting Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correctly printed copy of the said Bill.

M. T. BETTS-PRIDDY,
Acting Clerk of Parliament

III. Sample Ballots

BALLOT PAPER
Local Council
Elections



SIERRA LEONE

No 58002

LOCAL COUNCIL ELECTIONS

A

A

58002

SYMBOL

MARK HERE



Broom



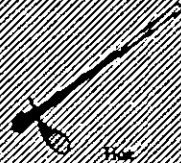
Cutlass



Lamp



Umbrella



Pipe

Mark/Stamp in the Box against symbol
of your Choice.

ED AND REJECTED
ALLOT PAPER
OUNCIL ELECTIONS



SIERRA LEONE

C No 46402

TENDERED AND REJECTED
BALLOT PAPER

LOCAL COUNCIL ELECTIONS






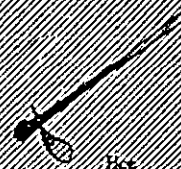




SYMBOL

MARK HERE

SYMBOL

MARK HERE

6402

 Fish	TENDERED AND REJECTED	 Lantern	REJECTED
 Sword		 Map	
 Spear and Shield		 Spear and Shield	
 Basket of Goods		 Basket of Goods	
 Spear		 Tree	


Mark/Stamp in the Box against Symbol of your Choice.



SIERRA LEONE GOVERNMENT

BALLOT PAPER
1991 REFERENDUM


A No 359608

YES	 UMBRELLAS
------------	--

Do you agree that the Republic of Sierra Leone should be governed by the Multi-Party Constitution already adopted by Parliament?

If your answer is "YES" please mark the Umbrella Symbols on the Ballot Paper.

If your answer is "NO" please mark the Cutlass Symbol on the Ballot Paper.

NO	 CUTLASS
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