



PRELIMINARY STATEMENT

Voters' commitment to a democratic process challenged by violence and lack of transparency at critical stages of elections

Freetown, 26 June 2023

This preliminary statement of the EU election observation mission (EU EOM) is delivered before the completion of the entire electoral process. Critical stages remain, including tabulation of results and adjudication of petitions. The EU EOM is now only in a position to comment on observation undertaken to date, and will later publish a final report, including full analysis and recommendations for electoral reform. The EU EOM may also make additional statements on election-related matters as and when it considers it appropriate.

Summary

The 2023 general elections unfolded in a highly polarised and volatile socio-political environment. In a positive development, these elections were preceded by newly introduced electoral legislation, which included the gender quota for candidates lists. However, there was a lack of transparency and timely communication from the Electoral Commission for Sierra Leone (ECSL) on electoral preparedness. At the start of the campaign, freedom of movement, assembly and expression were largely respected, yet closer to election day, localised, politically motivated attacks, and disproportional use of force by security agencies in some cases, shrank the space of political participation in several districts. Divisive content, circulating on social media, fuelled discord. Media debates in all districts helped voters to make an informed choice, but a national presidential debate did not happen. Civil society was key to rising voters' awareness.

The ECSL appeared operationally prepared, but delays and omissions in the delivery of sensitive materials occurred on election day. Training of temporary election staff on election day proceedings was overall positively assessed by the EU EOM observers. However, procedures for tallying and results management came late, clouding prospects of a transparent tabulation and results process.

On election day, all but two polling stations observed by EU EOM opened late, due to the late reception of essential and sensitive material, and in several instances also due to the lack of preparedness of, or absent, polling staff. Voting was conducted in a peaceful atmosphere in most of the country. Intimidation and violent incidents were reported by police, media, citizen and international observers in six districts, with live ammunition being fired in Port Loko, Freetown and Koinadugu, creating insecurities for voters and poll workers alike. The EU EOM directly observed violence and unrest inside seven polling stations during voting and in three, during the closing and counting.

On election day the ECSL held one press conference, during which reasons for late delivery of materials were not properly explained. Reception of materials and early stages of tabulation were assessed by EU EOM observers as lacking transparency. Unrest and turbulences were directly witnessed by EU EOM observers in tally centres in Port Loko, Freetown and Makeni. The EU EOM is continuing its observation of the ongoing tabulation.

The electoral legal framework lays a sound basis for conducting democratic elections. Recent legal reforms, following broad stakeholder consultations, implemented a number of EU EOM recommendations, and included affirmative action to ensure gender equality, as well as strengthen financial autonomy of the ECSL. The proportional district representation system was introduced without a public debate, and sparse civic education left many voters unsure about how their votes will translate into parliamentary and local council seats.

Positive measures taken by the ECSL prior to election day to mitigate various shortcomings and missteps were eclipsed by insufficient transparency, which, compounded by a highly polarised political environment, reduced the overall confidence in the electoral process. The ECSL lacked clear, timely and comprehensive communication with the broader public, creating uncertainties and reducing stakeholders' trust in the institution.

The ECSL registered candidates for all races in an inclusive process. In total 13 candidates contested the presidential election; 14 parties fielded candidate lists for parliamentary elections with a total of 877, among whom 32 per cent were women. As reported to the EU EOM, political parties attempted to circumvent the gender quota requirement. Only four out of 63 the parliamentary lists were led by a women, indicating a lack of political will.

The publication of final candidates' lists for parliamentary elections in the Gazette only four days before the polls clearly undermined voters' right to scrutinise their prospective representatives and resulted in candidates campaigning without knowing their electability. Lists of presidential candidates were made public well in advance.

The campaign was energetic, yet marked by divisive rhetoric, with tensions rising in the weeks ahead of the polls in certain areas of the country, especially in the south and south-east. This hampered a level playing field during the campaign. There were violent incidents reported in six districts, including intimidation and attacks against party members and supporters, primarily in the south and south-east. Just three days before elections, security agencies fired live ammunition and tear gas outside the main opposition party's headquarters in Freetown, resulting in one fatality. During the campaign many cases of harassment and assaults were reported to the EU EOM, yet only a few reached the courts. Overall, most stakeholders expressed low trust in law enforcement bodies due to alleged biased behaviour.

Fundamental rights of freedom of assembly and movement were largely respected. Lead presidential candidates toured the country, while those for other races focused on a door-to-door canvass. The Political Parties Regulation Commission (PPRC) mediated political confrontations between the APC and SLPP, yet only on a few occasions used its sanctioning powers to ensure full compliance with campaign rules. A message of a peace pledge signed by presidential candidates did not trickle down to the districts. Clearer, timelier and more resolute actions against harmful practices would have helped to uphold an issue-based campaign discourse.

With no caps on donations or expenditures, better-off candidates had a clear advantage in all races. The APC and SLPP were by far the biggest spenders, holding costly large-scale rallies, dominating the outdoor advertising space and radio broadcasts. Digital ads were rarely used. Instead, the SLPP campaigned on official government websites and social media accounts, effectively blurring the line between governing and campaigning.

Well-established broadcasters offered a balanced coverage of campaign, and held political debates at various levels, helping voters to compare lead contestants directly. However, owing to the dire financial situation, many community radio stations sold their prime-time to parties or openly rallied either for the APC or SLPP. Such practices do not accord with the core principles of professional journalism and misled voters whose main source of news are local radios. Public TV favoured SLPP.

Aggressive, divisive content, exploiting ethno-regional sentiments and economic hardships, was posted on political groups on Facebook and in comments on Twitter, creating insecurities, also for those who rarely use social media. False and manipulative information was primarily spread through WhatsApp. Meta introduced only basic measures to counter damaging content on its platforms. Overall, divisive online communication heightened the already polarised campaign environment.

Positively, well-established media offered the national fact-checking initiative iVerify, a multitude of digital and offline channels to debunk falsehoods, helping voters to navigate the election information environment. Media and civil society were key to various voter information campaigns promoting inclusive participation. Citizen observers and faith-based organisations monitored different aspects and stages of the process and issued timely reports, offering voters a non-partisan assessment of elections. Observer groups also condemned political violence and use of inciteful language.

The European Union Election Observation Mission (EU EOM) has been present in the Sierra Leone since 11 May 2023 following an invitation from the Electoral Commission for Sierra Leone (ECSL). The Mission is led by Chief Observer, Evin Incir, Member of the European Parliament (Sweden). In total, the EU EOM deployed 100 observers from 26 EU Member States, Canada and Norway across the country to assess the whole electoral process against international obligations and commitments for democratic elections as well as the laws of Sierra Leone. A delegation of the European Parliament, headed by Georgios Kyrtos (Greece), MEP, also joined the mission and fully endorses this Statement. On election day, observers visited 439 polling stations in all 16 districts of Sierra Leone to observe voting and counting. This preliminary statement is delivered prior to the completion of the election process. The final assessment of the elections will depend, in part, on the conduct of the remaining stages of the election process, in particular, the tabulation of results, and the handling of possible post-election day complaints and appeals. The EU EOM remains in country to observe post-election developments and will publish a final report, containing detailed recommendations, after the conclusion of the entire electoral process. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation endorsed at the United Nations in October 2005.

Preliminary Findings

BACKGROUND

The general elections held on 24 June 2023 were the fifth consecutive elections since the Republic of Sierra Leone returned from an 11-year period of civil war to civilian rule in 2002. During those 21 years the country saw two peaceful and orderly administered changes of power between the Sierra Leone People's Party (SLPP) and the All People's Congress (APC), through the citizens' vote. This attested to significant steps towards the consolidation of democracy, despite the ruling party of the day exploiting incumbency advantages. Apart from the APC and SLPP, no other party was able to sustain relative success beyond one electoral cycle.

The 2023 presidential elections were contested by the same two main contenders of the 2018 elections, only that the incumbency has switched. The then opposition candidate Julius Maada Bio, campaigned this year from a position of executive power and sought re-election for a second and final term on the ticket of the SLPP. Samura Kamara, the 2018 candidate of the then ruling party APC, went into this year's campaign as the leader of the main opposition party. The political contest was characterised by high ethno-regional polarisation, primarily between the Temne in the north, mainly behind the APC, and the Mende in the south and east, backing primarily the SLPP.

The pre-election environment was characterised by high tensions related to three key issues. Those were uncertainties about the APC's ability to overcome internal struggles and to contest the elections, suspicion from the opposition that the controversial mid-term census 2021 and the voter-registration 2022 disadvantaged APC strongholds, and security concerns following the August 2022 violent protests, in a context of high unemployment and soaring living costs, intertwining with the election. Uncertainties related to the APC faded when the party overcame its leadership impasse, rallying behind Samura Kamara and when in late April 2023 the High Court adjourned a court case against him based on corruption allegations until after the elections. Issues stemming from the voter registration and social distress carried on into the election period.

LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The revised legal framework provides a sound basis but shortcomings and gaps still persist

Sierra Leone has subscribed to the main international and regional instruments related to the conduct of democratic elections. The 1991 Constitution, as amended, positively enshrines fundamental rights and freedoms of expression, association, and assembly. The legal framework was recently revised, following broad stakeholder consultations in line with international good practice, and implementing a number of the 2018 EU EOM recommendations. It comprises the Public Elections Act (PEA) and the Political Parties Act (PPA), both enacted in 2022, and is supplemented by other laws and regulations, laying a sound foundation for democratic elections.

Nevertheless, shortcomings previously identified persist, with important aspects of the process still not aligned with international standards. Notably restrictions on the right to stand, such as the ban of independent candidates for presidential office and the requirement for civil servants to resign 12 months before elections for both presidential and parliamentary races, are unreasonably restrictive. Furthermore, campaign finance is not adequately regulated to ensure transparency and a level playing field, and the electoral dispute resolution mechanisms do not always provide for timely remedies. Reforms are needed to guarantee full inclusion, transparency, and legal predictability.

Positively the revised PEA introduced gender quotas for elected offices and enhanced the financial autonomy of the ECSL. The PPA significantly expanded the powers of the PPRC to regulate, supervise and monitor the conduct of political parties. The PPRC did not use those new powers to a full extent, particularly related to campaign finance.

The newly enacted Gender Equality and Women's Empowerment (GEWE) Act introduced a 30 per cent quota for women representation in public and private bodies, positively advancing gender equality. The positive step to decriminalise defamatory and seditious libel was followed by the enactment of the Cyber Security and Crime Act, which criminalises vaguely defined cyber-offences and is seen by stakeholders as being instrumentalised, impeding freedom of expression.

The president serves a five-year mandate, limited to two terms. If no candidate obtains at least 55 per cent of the valid votes, a run-off is foreseen between the two leading contestants within 14 days from the ECSL announcement of results, for which there is no deadline provided by law. There are 135 parliamentary seats to be distributed through a District Block Proportional Representation (PR) system, with another 14 seats reserved for Paramount Chiefs. The number of seats for each of the 16 districts varies between 4 (Falaba and Koinadugu) and 16 (Western Urban), a political compromise resulting from the data of the contentious 2021 mid-term population census and the number of seats per district as allocated in 2016. The 11.9 per cent threshold in each of the 16 districts was considered by interlocutors of EU EOM as challenging to reach for smaller political parties and independent candidates, negatively affecting political pluralism. The newly introduced PR system was viewed by EU EOM interlocutors as largely centralised and depersonalised, lowering elected representatives' accountability towards voters. The low public awareness of how votes translate into seats under the PR system remained a common concern throughout the campaign.

ELECTORAL ADMINISTRATION

The ECSL's lack of communication and transparency affected confidence in the integrity of the elections

The Electoral Commission for Sierra Leone (ECSL) is composed of a chairman and five commissioners, each responsible for a distinct region, namely the East, North, South, West, and for the first time Northwest. All commissioners were appointed between April 2019 and March 2023 for a five-year term. Before election day most stakeholders expressed confidence in the ECSL's operational capacity. Overall perception of the ECSL was highly polarised along the political divide. The SLPP expressed trust in the ECSL professionalism and impartiality, while the APC perceived the ECSL as biased, with the criticism rising as election day approached.

The ECSL received timely disbursement of funding and appeared operationally prepared, but delays, errors and omissions in the delivery of sensitive materials occurred on election day. Despite a tight timeline and budget, the ECSL recruitment of some 91,300 temporary election staff and conducted of cascade trainings which were mostly positively assessed by the EU EOM observers.

The ECSL held regular meetings of its Political Parties Liaison Committee in the presence of civil society and media. Those meetings informed on key decisions and offered opportunities for discussion. Yet, ECSL's decisions were rarely published, undermining access to information and transparency.

Several delays and shortcomings at key stages of the electoral process occurred and were not comprehensively explained to the public, reducing confidence in the process. Those included important steps in the voter registration process (see below); final candidate lists for parliamentary elections were published late and contained numerous errors; late release of tallying and result certification procedures. A stress-test or a nation-wide mock exercise of the results management system was not conducted and there was no public information on the security safeguards of the results management system, a measure that could have defused political tensions.

The ECSL worked to address problematic issues at different stages of the electoral process. ECSL's mitigation measures included recapturing of missing voter registration data after the exhibition of provisional list, providing special certificates to voters whose photos were missing on their voter cards, and briefing observers and political parties on polling and counting procedures. However, steps taken were not accompanied by a clear and comprehensive public outreach. By providing detailed and timely public information on those issues, the ECSL would have mitigated against distrust and enhanced certainty and institutional transparency.

The ECSL contracted 27 civil society organisations, town criers and some 1,800 Locality Electoral Education Committees to disseminate voter education, as well as produced a wide range of audio visual and printed voter information materials, distributed through broadcast, print and online media. The ECSL, together with other electoral management bodies, participated in regular meetings of the Elections Steering Committee, which reviewed electoral preparedness issues, in the presence of civil society and international partners.

VOTER REGISTRATION

Lack of clear and timely public explanations of technical problems related to the voter register reduced confidence in its accuracy

Since the 2016 National Civil Registration Act, citizens are only added to the voter register if already included in the civil register, which is used to initially extract voters' data. The registration was conducted from 3 September to 4 October 2022, with preliminary voter registration data per district published in December 2022. Following corrections, the totals per polling centre were published on 25 May 2023, with an electronic copy of the final voter register per polling centre given to political parties on 8 June 2023. In total 3,374,258 voters were registered, among whom 52 per cent were women. Contrary to the legal framework, no arrangements were made to register persons in pre-trial detention and the diaspora.

Issues stemming from the voter registration were at the centrepiece of the campaign, as political parties, the opposition in particular, and civil society organisations were requesting the publication of the disaggregated voter register since December 2022, as per previous practice. Technical missteps related to the distribution of voter identification cards (VIDs) was another publicly discussed issue of concern. From 6 to 17 April, VIDs were distributed across all 3,630 registration centres. However, the distribution period was short and coupled with long queues, which led to the extension for collection of VIDs in district offices until the elections. In predominantly rural districts, reaching district capitals was challenging. Many VIDs had missing, or poor-quality pictures, which again enabled the

opposition to criticise the accuracy of the register. The ECSL made efforts to address the issues identified during the exhibition of the provisional voter register, as well as during the distribution of the voter VIDs, in order to prepare the final voter list. However, again, the lack of clearer and more transparent public explanation on issues encountered hampered public confidence in the accuracy of the voter register.

REGISTRATION OF CANDIDATES

Introduction of gender quota elevates women participation, while late publication of lists interferes with voters' right to know their candidates

After an inclusive registration period, a provisional list of 13 presidential candidates was published on 11 May. The parliamentary and local council lists were posted on the ECSL's website on 14 June and then removed and reposted several times, with the final list for parliamentary elections being published in the Gazette on 20 June, after the legal deadline and with numerous errors. The ECSL explained delays with necessary rectifications in the lists, amongst others, to identify the right gender of the candidate. In parallel, political parties also refused to disclose their own lists, reportedly due to ongoing internal negotiations on the ranking of candidates. As a result, contestants campaigned without being aware of their electability. The publication of full lists just a few days before the elections risked to lead to intra-party tensions and most importantly, reduced voters' ability to make an informed choice.

Positively, for the first time a 30 per cent gender quota was introduced by law for party lists, although without a clear ranking order, interpreted as placement of a women candidate primarily in third place. To ensure compliance, the ECSL designed a software for submission of party lists, with a fair and mandatory vertical distribution of women candidates. However, as reported by interlocutors of EU EOM, parties tried to circumvent the quota by identifying male candidates as female ones. Women comprised 32 per cent of all parliamentary candidates, with the APC and SLPP having 32 and 33 per cent female contestants respectively. Only four out of 63 lists were led by a women. While 14 parties contested elections, only the SLPP and APC filled candidates for all elections in all districts; there were 29 independent parliamentary candidates nationwide, including one woman.

CAMPAIGN ENVIRONMENT

Initially competitive campaign turned openly confrontational, subsequently marred by violence against the opposition on several parts of the country

On 25 May, for the first time in the country's electoral history most presidential candidates, including the SLPP and APC flagbearers, publicly signed a peace pledge. The high-profile event was initiated by the Inter-religious Council and the Independent Commission for Peace and National Cohesion and supported by the Commonwealth Secretariat and a wide range of national and international actors. Key to the success of the event was that the two main contenders signed the document together on stage and their handshake lent a weight to the promise to abstain from violence. However, the impact of the peace pledge on the campaign environment was limited, with little to no awareness among party activists and the wider public at the district level.

The political environment initially allowed for competitive campaigning throughout the country, in a generally peaceful atmosphere, with a focus on personalities rather than issues. However, in a highly polarised political scenario, with the tensions raising in the weeks ahead of the polls, the campaigning space became increasingly restrictive for the APC in several southern and eastern districts. This followed localised politically motivated violence. According to reports gathered by the EU EOM, this included the burning of an APC office in Bo district, vandalism of another party office in Kailahun and armed attacks on party officials and some candidates in Pujehun, Kenema and north-western district of Kambia. Most attacks occurred in SLPP strongholds. The EU EOM observers also confirmed a few instances when SLPP supporters were victims, including damaging of a house of SLPP candidate in Freetown. An atmosphere of intimidation in at least six districts was detrimental to

unhindered political participation and inclusiveness.

The political climate became more tense starting from the second week of June, when, with calls for protests against the ECSL a highly popular, diaspora blogger tried to become a force in the electoral process outside the party structures. To forestall a repetition of the August 2022 violent incidents, on 11 and 12 June there was a heavy police and military presence in several district capitals, including Freetown. As the result of several isolated incidents, at least 87 persons were arrested, according to the police. When just three days before the polls the PPRC did not succeed to broker a compromise between the APC and the ECSL over their set of demands, the APC called for protest demonstrations. Security agencies fired live ammunition and tear gas canisters against the APC headquarters in Freetown, which left one person killed, appeared excessive. Police arrested 72 people.

According to EU EOM interlocutors the police was generally seen as biased. It is acknowledged though that in several districts they also attempted to accommodate interests and concerns of both main parties. The EU EOM observers reported about a wide-spread perception that investigations about violent attacks against APC candidates and activists often were not sufficient to ensure victim's right to effective remedy and conducive campaign environment, particularly in the southern and eastern districts. The security situation in certain areas of the country, especially in the south and south-east, hampered a level playing field during the campaign between the two main political parties.

The PPRC did not always and fully use its recently enhanced powers bestowed upon them to ensure adherence to the campaign rules. The PPRC chair in specific cases used his personal authority to mediate conflicts between the parties. However, the PPRC as an institution often shied away from using its powers to sanction campaign violations, partly due to concerns of further destabilisation of the political situation, and partly because the police was not concluding investigations in political violence cases, that would allow further actions by the PPRC. This led to perceptions of impunity among stakeholders at local level.

Among the 13 presidential candidates, only those of the APC and SLPP were actively campaigning, with none of the other presidential aspirants trying to become a third political force on the national level. All other candidates and their parties openly formed alliances with one of the two main parties, but no clear camps took shape, with internal splits in their support for one of the two bigger ones. Although discouraged by the PPRC, other parties continued to “donate” campaign days to the two main ones or to campaign together with them. It was mainly SLPP benefitting from this practice in several districts, including Bo, Kambia and Kono.

The abuse of state resources by the ruling party for electoral purposes was noted by EU EOM observers. The President started campaigning early, using inaugurations of government projects to promote his achievements and agenda. In 50 per cent of SLPP campaign events visited, the EU EOM noted the misuse of government vehicles, while in 32 per cent of rallies ministers were canvassing for votes. Official websites and social media accounts of ministries and the presidency were also used for campaign purposes. Paramount and other Chiefs, as public officials bound to be neutral, were seen actively campaigning for the SLPP in Tonkolili, Kambia and Pujehun district. Campaigning by state officials blurred the line between governing and campaigning and gave an undue advantage to the ruling party contrary to regional and international good practice.

CAMPAIGN FINANCE

Inadequate finance regulations leave political parties and candidates unaccountable

Campaign finance is inadequately regulated, undermining transparency. The law neither provides for regular reporting nor for ceilings on income or spending, contrary to international principle of level playing field. The PPRC did not use its statutory powers to impose such limits or require disclosure of financial information to reduce the influence of money in the electoral process. Three (APC, NGC

and SLPP) out of the 14 political parties contesting the elections complied with the law and submitted their assets and liability statements to the PPRC. Overall, scattered provisions on financial obligations during elections in the PPA, and a lack of oversight on political finance, underpinned by gaps in the law, did not guarantee a level playing field.

Political parties and campaigns were mostly financed from donations; on the regional level most campaigns were self-financed, with no details provided as to the origin or the allocation of funds and in most cases no income or expenditure records were kept.

Political parties did not advertise much in traditional and online media. Only a few ads were placed in national broadcasters, nevertheless the APC and SLPP bought bulk airtime by hour on local radio stations. The Facebook Ad Library report shows that from 8 May 32 political ads were bought, with a total spending not exceeding EUR 600. All, but two favoured the SLPP.

MEDIA

A few media outlets offered a pluralistic campaign coverage, while most favoured either the SLPP or APC

Broadcast media closely followed the campaign, devoting most of its prime-time news to election-related topics, focusing on the campaigns of the APC and SLPP. A handful of well-established radio and TV stations strived to offer a balanced news coverage and engaged in fact-checking, helping voters to navigate the pre-election environment. At the same time, many other outlets which are either owned by politicians or their affiliates, or financially hinge on government advertising, openly rallied either for the APC or SLPP, and allowed divisive language to be used on air.

Recent legal changes strengthened the Independent Media Commission's (IMC's) mandate and enhanced its powers to uphold professional reporting standards. Prior to the elections the regulator organised numerous trainings for journalists and monitored broadcasters' coverage of campaign. The IMC suspended licences of three radio stations for allowing on air commentary during live call-in programmes, that in a local context is perceived as "hate speech". Two stations were APC, one SLPP leaning. The regulator was perceived by media professionals as rather effective and fair.

Public broadcaster SLBC's TV prime-time news focused on the ruling party, the president and his family, devoting some 90 per cent of newscasts to the SLPP campaigns, predominantly in a neutral tone. Commercial broadcasters offered a more balanced coverage with neither the APC nor the SLPP getting more than 50 per cent of prime-time news, overall neutral in tone. AYV Radio, Culture Radio and Democracy Radio undertook a more diversified approach, and analysed the President's records in office in their broadcast and giving some airtime to parties, currently not represented in the parliament. Independent broadcasters better facilitated voters in making an informed choice than the public TV.

Most media outlets faced multiple financial and technical challenges, including power cuts and lack of equipment. The SLBC does not receive state funding on a regular basis and often funds do not reach regional offices, impeding their operations. Community and private stations also struggled financially. Hence, instead of producing their own content, broadcasters sold their prime time to parties, significantly reducing the amount of non-partisan information available to voters.

Positively, debates among candidates for various elections were organised by media and civil society organisations in at least eight districts, allowing voters to compare candidates directly. The peace initiative 'Talking Drum Studio' from Freetown held 60 debates, bringing together also representatives of vulnerable groups. The presidential debate, was planned but did not take place.

SOCIAL MEDIA AND DIGITAL RIGHTS

Independent fact-checkers countered disinformation, while divisive messages raised agitation

Aggressive and divisive messages played a significant role in online communication on political and electoral matters. The most damaging messages were made by a diaspora blogger Adebayor, whose calls to boycott the elections and to protests in mid-June reached at least 58,000 people on Facebook alone. His posts were also widely shared on WhatsApp, rising alarm also among those who seldom use social media. The EU EOM social media monitoring detected divisive content in 409 Facebook posts placed in public political groups and pages with up to followers 238,345 each. On Twitter such language primarily featured in the comment sections. Aggressive messages, even if not spread by politicians themselves, added to the already tense pre-election information environment.

Disinformation was mostly spread through WhatsApp groups and rarely featured on public Twitter and Facebook accounts. Outright false content was found only in 35 posts; manipulated information was identified in 89, out of some 9,500 election-related posts coded by the EU EOM since May 25. None of those posts got more than 2,813 interactions. In total EU EOM coded over 17,000 posts.

Meta introduced only basic measures to prevent abuse and spread of harmful content. Fact-checkers recognised by Facebook did not have a solid presence in Sierra Leone and Meta did not have the so called *trusted partner*, who would have an direct communication line with Facebook. Consequently, content moderation in local languages was scarce, without a direct communication channel for swift removal of harmful content. Positively, the national fact-checker initiative iVerify cooperated with the Independent Radio Network and disseminate debunked stories through 25 WhatsApp groups.

The role of WhatsApp was three-fold. It was the main platform for contestants to communicate with supporters and voters; it was used by the ECSL and civil society to inform and educate voters; and it was the channel for malign messages aiming at confusing voters and impairing their electoral choices. In areas where the internet coverage was limited, political messages were sent to receivers who passed the content orally to the community, as observed by EU EOM observers.

The 2021 Cyber Security and Crime Act is seen by EU EOM interlocutors as a notable impediment to freedom of expression online. The vague definitions for various cybercrimes do not accord with international standards and leave room for law enforcement bodies and politicians to exert pressure on critical voices. Many EU EOM interlocutors noted that the Act leads to self-censorship online.

PARTICIPATION OF WOMEN AND OTHER MARGINALISED GROUPS

Positive affirmative actions to enhance women representation faced resistance within parties

Positive legislative steps strive to ensure the advancement of women in elected and appointed offices. Owing to the newly introduced gender quota, women accounted for an average of 32 per cent of candidates for the parliamentary elections. However, none of the APC lists was led by a women; for SLPP a women headed only that of Kambia. Women were rarely placed in the second position. It underscores the lack of political will to assign women electable positions and indicates that despite legislative progress, women do not fully enjoy yet equal participation in political life. One woman contested the presidential election, five stood as running mates.

Regional media debates exclusively for female candidates promoted inclusion. However, the EU EOM monitoring shows that not a single prime-time news item was devoted to the female presidential aspirant and women contesting other races were also barely visible in the national media. The only exception was the wife of the president, whose canvass for SLPP votes was often featured in the news.

Positively, the participation rights of persons with disabilities in political parties was introduced in the new PPA and the rules for assisted voting were revised in accordance with international standards. The ECSL coordinates measures to facilitate the participation of vulnerable groups through a dedicated inclusion department, that organised many stakeholders' meetings. The ECSL directly funded 27 civil society organisations to reach out to vulnerable groups, reviewed the Ballot Tactile Guide and allocated funds for ramps for polling centres.

CITIZEN AND INTERNATIONAL OBSERVATION

Citizen observation offered an independent assessment of electoral process

Citizen observers and faith-based organisations monitored different aspects and stages of the electoral process and issued timely reports, offering voters a non-partisan assessment of elections. In total, the ECSL accredited some 25,000 domestic and 1,000 international observers, as well as 2,500 journalists. The two largest domestic observer groups, the National Election Watch (NEW) and the Elections Observer Network (EON) observers covered all 3,630 polling centres each. The NEW also conducted a parallel vote tabulation based on a sample of results from 750 polling centres. International observer groups included the African Union, ECOWAS, the Commonwealth, and the Carter Center.

VOTING, COUNTING AND TABULATION

Peaceful and orderly conduct of the polls marred by late opening, violence and intimidation in several districts

The EU EOM observers assessed the atmosphere during the opening as calm but disorganised. The opening was delayed in nearly all polling stations visited, due to the late reception of essential and sensitive material, as well as owing to the lack of preparedness of, or insufficient number of polling staff. The longest delays were reported in Kono and Western Urban Freetown. The EU EOM observers negatively assessed the opening in 19 out of 43 polling stations observed in all 16 districts.

Polling took place in a largely peaceful and calm atmosphere with a few instances of unrest inside polling stations in Port Loko (4), Western Urban (4), Tonkalili (1) and Kambia (1). Throughout the day long queues were observed in 40 per cent out of the 353 polling stations observed. Essential materials were missing in 21 polling stations observed, mainly material transfer and result and reconciliation forms. In 67 polling stations visited, the layout did not always ensure the secrecy of vote. Over half of polling stations were not accessible to persons with reduced mobility. The overall conduct of the polling was assessed as good or very good in 92 per cent of the polling stations observed, with procedures mostly followed except for the verification of voters' finger for ink mark. Polling was ended early in two polling stations due to lack of availability of ballots.

Overall closing and counting was conducted transparently and calmly. However, in three cases the EU EOM observers could not finish the observation of counting due to the rising tensions. In total 10 polling stations closed after the designated time due to long queues. In two other cases, polling was officially extended to compensate for the late opening, contrary to the ECSL instructions. Contradictory instructions on extension of polling was observed by the EU EOM during ECSL's cascade trainings. Counting procedures were largely followed, although the sequence for processing different elections varied. In 13 cases polling staff had difficulties to fill the result forms, but figures mostly reconciled. In most cases the electronic transmission of results from polling stations was not observed, due to either malfunctioning of the tablet or lack of internet connection.

The repatriation plan of results from the polling stations was not shared with EU EOM observers in most districts. The reception of materials and early stages of tabulation were slow, procedural omissions were observed. The process thus far was assessed by EU EOM observers as generally lacking transparency with meaningful observation of critical stages being impeded.

During voting, closing and counting party agents from SLPP and APC, were present in nearly all observed polling stations, with exception of Pujehun, where APC agents were present only in 17 per cent of polling stations visited. Citizen observers, primarily NEW and EON, were less in 50 per cent and 25 per cent of visited polling stations.

The EU EOM directly observed violence and unrest inside nine polling stations during voting or closing and counting, while unrest was directly witnessed in three tally centres. One team in Kono and one team in Kenema were obstructed from voting, while another one was not allowed to enter a

polling station in Kono. Further confirmed incidents included a burn down of a house of the APC parliamentary candidate in Bonte and evacuation of APC agents from Pujehun due to threats. The EU EOM observers saw the SLPP chief campaigner was bussing Sierra Leonean voters residing in Guinea into Kambia. The ECSL reported intimidation of election staff and destruction of voter register in several polling stations. Intimidation and violent incidents were reported by police, media, citizen and international observers in six districts; live ammunition was fired in Port Loko, Freetown and Koinadugu, creating insecurities for voters and poll workers alike. On election day the ECSL held one press conference. Reasons for delayed opening were not comprehensively explained. Preliminary turnout figures were not announced.

ELECTORAL DISPUTES

Procedural timelines hinder timely consideration of election-related matters

Adjudication of complaints and appeals was not significantly reviewed in the new PEA which may undermine effective and timely remedies. Objections to presidential nominations may be decided close to election day, whereas any disqualification of other candidates may be brought in court only after the polls. On 31 May, the Supreme Court concluded a case challenging Samura Kamara's candidacy with a court order striking it out for the applicants' failure to fulfil procedural requirements. Three objections against parliamentary candidates were rejected on a district level.

Despite the establishment of the Electoral Offences and Petitions Court (EOPC) and the new procedural rules allowing for expedited adjudication of cases, until election day reportedly there were no cases filed with those courts. The PEA expanded the EOPC's mandate over all election petitions, resulting in some provisions being in conflict with the Constitution, which vests the power over the presidential election petitions exclusively to the Supreme Court.

On 7 June, the APC filed a case in the High Court requesting orders against ECSL to release the disaggregated voter register and to comply with the provisions of the law on tabulation and certification of results on a district level. On 12 June, PMDC filed a case with the Supreme Court questioning the constitutionality of the Chief Electoral Commissioner's appointment and the handling of the electoral process by the ECSL. Governed by regular procedural timeframes, those cases were not heard before the elections. Overall, trust in the judiciary in handling political cases is low amongst the electoral stakeholders of the opposition and smaller political parties. The branch reportedly also suffers from financial constraints in order to fulfilling its tasks

Campaign related offenses not listed in the PEA fall under the competence of magistrates' courts and are governed by regular court procedures, at times confusing stakeholders. A case involving 11 APC supporters arrested in Pujehun district on 9 May, following the nomination of an APC candidate and charged with disorderly behaviour, is pending in the Bo Magistrate's court. Another case of an attack on an independent candidate, allegedly by an SLPP supporter, was dismissed by the Moyamba Magistrates' court. Further instances of harassment or assaults were reported to the EU EOM but did not reach the courts reportedly due to lack of evidence or witnesses. Interlocutors noted, that witnesses often feel intimidated or evidence is hard to collect. Overall, stakeholders expressed low trust in law enforcement bodies due to alleged biased behaviour. Arrests of party supporters and prolonged detentions beyond the constitutional deadline that fall below regional and international standards, were reported to EU EOM throughout the campaign period.

An electronic version of this Preliminary Statement is available at:

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