

# PRELIMINARY STATEMENT

# Well-conducted elections provided voters a wide choice although the campaign was marred by intimidation

### Freetown, 9 March 2018

#### Summary

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 Election Observation Mission (EOM) remains in country to observe post-election developments and will publish a Final Report, containing detailed recommendations, within two months of the conclusion of the electoral process.

- These elections, the fourth since the end of the civil war, mark another milestone in the consolidation of democracy in Sierra Leone. They were conducted transparently and impartially by the National Electoral Commission (NEC). Voters were able to exercise their democratic rights peacefully however intimidation and instances of violence marred the election. At the time of issuing this Preliminary Statement, the electoral process continues at Regional Tally Centres.
- The EU EOM observed the conduct of the elections in more than 400 polling stations (PS) across all 16 districts. Voters turned out in large numbers. Procedural shortcomings were detected although they did not have significant impact on the integrity of the process. Observers assessed the voting as 'good' or 'very good' in 95% of the polling stations, while the closing and counting was assessed as 'good' or 'very good' in 85% of cases. Party agents representing the main parties as well as domestic observers followed the conduct of the elections in the vast majority of PSs visited.
- The legal framework governing the 2018 elections provides a sufficient basis for the conduct of a sound electoral process in line with international and regional commitments. Nevertheless, shortcomings identified in the 2012 elections by the EU EOM remain. These include several unreasonable restrictions on the right to stand for public office.
- Election preparations and voting were well-administered despite numerous challenges resulting from an extremely compressed timeframe, administrative difficulties and a severe financial situation. The NEC implemented the electoral calendar in an impartial and competent manner, and enjoyed high levels of confidence among stakeholders.
- The NEC succeeded in conducting a challenging voter registration exercise in 2017 despite a concurrent boundary delimitation process. This yielded a register of 3,178,663 voters, the integrity of which has been positively acknowledged by all main stakeholders.

- The high nomination fees combined with unequal financial positions among parties, individual candidates and female aspirants considerably tilted the playing field in favour of larger parties, wealthy candidates and men.
- The campaign was peaceful overall and free of hate speech, however government resources and incumbent advantage such as the launch of major projects immediately prior to the election were used by the ruling party for campaigning. Despite this, the campaign environment reflected a broadly level playing field and voters were provided with a genuine choice.
- In the final week of the campaign however, there were worrying signs of a considerable increase in intimidation and acts of violence against some candidates and activists, which resulted in a number of injuries. These events had a regrettable and negative effect on the tone and conduct of the campaign.
- The role of the police as an impartial force was questioned by opposition parties. Dozens of candidates and party campaigners were arrested during the electoral campaign period, in some cases without apparent justified cause; particularly in areas where the ruling party was perceived to be in a tight competition with the opposition. On election day, security forces attempted to gain access to the main opposition party's situation room and also the presidential candidate's home demonstrating disproportionate force.
- The restriction on the use of private and commercial vehicles on election day was controversial, poorly communicated and had a negative effect on relations between the key opposition parties and the police.
- The state broadcaster allotted political parties free airtime as required by law but it also featured the policies of the ruling party in additional and uncritical coverage of the president's farewell tour around the country. In a positive development the broadcast media organised a national debate, which allowed voters a possibility to compare the platforms of the main presidential candidates, as it focused on policies rather that personalities.

The EU EOM was deployed to Sierra Leone on 25 January 2018 following an invitation from the National Electoral Commission and the government of Sierra Leone. The Mission is led by Chief Observer, Jean Lambert, a Member of the European Parliament (MEP) from the UK. In total, the EU EOM deployed over 100 observers from 27 EU Member States 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 six MEPs, headed by Neena Gill CBE, also joined the mission and fully endorses this Preliminary Statement. On Election day, the observers visited over 400 polling stations in all 16 districts of Sierra Leone.

The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005.

#### **Preliminary Findings**

#### Background

Sierra Leone emerged from a brutal civil war less than a generation ago. The second peaceful transition from one elected leader to another should be an important milestone in the consolidation of democracy in the country. The absence of an incumbent presidential candidate and the emergence of several new parties who challenged the only two parties represented in the last parliament, contributed to widening the political spectrum. Voters were offered a choice of 16 presidential candidates. A run-off presidential election between the first and second placed candidates is held two weeks after the certification of the results, unless a candidate wins 55% in the first round. The parliamentary and council elections are decided in a single round, first past the post system. A total of 132 MPs are elected from a choice of 752 candidates fielded by 17 parties (as well as 40 independents). Additionally, there are 2,741 candidates for a total of 511 elected local positions as councillors, council chairpersons and mayors.

#### Legal framework sound but deficiencies related to nominations remain unaddressed

The 2012 legal framework remains applicable to the 2018 elections and provides a sufficient basis for the conduct of a credible electoral process. The shortcomings identified in the 2012 elections by the EU EOM still persist with a number of constitutional requirements not in line with international standards. Candidature for presidential and parliamentary office is limited to citizens by birth,<sup>1</sup> excluding naturalised citizens and has been interpreted by political parties as excluding holders of dual citizenship as well.<sup>2</sup> The supposed constitutional prohibition on candidates who are dual citizens was one of the most controversial issues of these elections. It is widely believed that many elected politicians in the last parliament were dual citizens, which led to a widespread assumption that the questioning of the supposed dual citizen provisions now was politically expedient.<sup>3</sup> Further, the requirement for candidates to resign 12 months prior to the elections from "public office", besides being unreasonably long, has in practice been interpreted to exclude public sector employees such as teachers.<sup>4</sup> This provision in particular was criticised by Civil Society Organisations (CSOs) as disproportionally affecting women, as they are prominent in the education sector. The requirement for presidential candidates to be members of, and nominated by, a political party prevents independent candidates.<sup>5</sup> All these shortcomings were identified already by the 2012 EU EOM and were recommended to be addressed.<sup>6</sup> Further, the discretionary

<sup>&</sup>lt;sup>1</sup> Citizenship Act, 1973 as amended in 1976, 2006, 2017: Citizens by birth are limited to those of "negro-African origin". Right to participate in public affairs, without distinction as to race, ICCPR art.2(1), art.25, 26

<sup>&</sup>lt;sup>2</sup> This requirement raised the question of "dual citizenship" and nominations for both presidential and parliamentary candidates having at some point acquired foreign nationality. ICCPR, art.25

<sup>&</sup>lt;sup>3</sup> A side-effect of this has been a marked decrease in the number of incumbents seeking re-election with only approximately 25% of sitting MPs becoming candidates in these elections.

<sup>&</sup>lt;sup>4</sup> According to Constitution s.171(1) "Public office" includes an office the emoluments attaching to which are paid directly from the Consolidated Fund or directly out of moneys provided by Parliament. Right to participate in public affairs, ICCPR, art.25

<sup>&</sup>lt;sup>5</sup> Constitution, s.42(1) Right to participate in public affairs, ICCPR, art 25

<sup>&</sup>lt;sup>6</sup> The EU EOM 2012 final report

statutory power conferred to the NEC to modify timeframes for the different stages of the election process could lead to a lack of legal certainty.

The parliament failed to reduce the prohibitively high non-refundable nomination fees, despite criticism by political parties and the recommendation by the EU EOM in 2012. This problem was somewhat alleviated by negotiations with the government initiated by the Political Parties Registration Commission (PPRC), which led to the state covering up to 70% of the cost. The still high fees, combined with unequal financial positions among parties, individual candidates and female aspirants considerably tilted the playing field in favour of larger parties, wealthy candidates and men.

# Election related cases handled promptly so far, with the exception of one key case still pending before the Supreme Court on election day

The timeframes for adjudication of electoral disputes do not guarantee timely decisions.<sup>7</sup> Objections to parliamentary and local council nominations are first decided by the NEC at district level and appealed to the NEC HQ and may only be further challenged by election petition after the results. In 2018, no parliamentary candidate was excluded from the process since the NEC upheld all parliamentary nominations subject to challenges.<sup>8</sup> Given the short time between nomination of candidates and election day, legal proceeding concerning presidential nominations have continued right up to election day, thus undermining the certainty of the electoral process.<sup>9</sup>

The Supreme Court (SC) dealt with two cases related to objections to the nomination of presidential candidates.<sup>10</sup> The first one, objecting to the nomination of the National Democratic Alliance (NDA) presidential candidate on the grounds that the party was restrained from holding a delegates' convention by court order,<sup>11</sup> was dismissed just two days before election day. The other, of potentially significant political impact, requested the Supreme Court to interpret sections of the Constitution and the Citizenship Act of 1973,<sup>12</sup> affecting by extension the eligibility of the National Grand Coalition (NGC) presidential candidate to stand. His potential disqualification was a significant distraction to the NGC particularly during the last week of the campaign. Following a series of interim proceedings, the case is yet to be heard on its merits and it remains to be seen how it will be handled.<sup>13</sup> The fairness of the decision-making process and the independence of the judiciary was questioned by various interlocutors, including opposition parties and CSOs.

<sup>&</sup>lt;sup>7</sup> Right to a timely and effective remedy, ICCPR, art.2(3)

<sup>&</sup>lt;sup>8</sup> The EU EOM was informed of eight cases on district level out of which three were appealed to the NEC HQ.

 $<sup>^{9}</sup>$  An objection may be lodged against the nomination of a presidential candidate with the Supreme Court within seven days of the Government Notice publication and a ruling shall be delivered within 30 days from the date the objection is lodged (PEA s.47(2)(3))

<sup>&</sup>lt;sup>10</sup> Also very late in the process an application for extension of time to file an objection challenging the nomination of the APC presidential candidate, Samura Kamara, was heard and judgment has been reserved by the Court.

<sup>&</sup>lt;sup>11</sup> SC No. 1/2018 Mohamed S. Jalloh, Abdul Razak Bah v. Mohamed C. Bah, the NEC, the PPRC, the AG, the NDA, 26 January 2018

<sup>&</sup>lt;sup>12</sup> Constitution, s.s.41, 75, 76. The Citizenship Act of 1973, as amended in 1976, 2006 and 2017

<sup>&</sup>lt;sup>13</sup> SC No. 2/2018 David Fornah v. Alhaji Dr. Kandeh Kolleh Yumkella, the AG & Minister of Justice, Mohamed N'Fah Alie Conteh, NEC, 5 February 2018

The High Court speedily ruled on voters' registration cases filed by the All People's Congress (APC) and Sierra Leone People's Party (SLPP) mayoral candidates in Freetown,<sup>14</sup> as well as intra party disputes on MP nominations.

#### Competent election administration under difficult circumstances

For the first time since the end of the civil war, Sierra Leone had the full ownership of the electoral process, with the NEC fully in charge of conducting the election, supported by a small number of international advisors.<sup>15</sup> While the government financed the largest part of the NEC's budget, funding was often disbursed late. In the aftermath of the Ebola crisis, which delayed crucial electoral preparations, including both census and voter registration operations, the NEC had to operate in a compressed timeframe. External factors, such as the late adoption of a new administrative division by parliament in March 2017, which called for a hurried redrawing of electoral boundaries, further complicated the NEC's operations. This brought about occasional shortcomings and delays which, combined with the mounting political pressure on the NEC,<sup>16</sup> threatened to derail the electoral process. Nevertheless, the deadlines of the electoral calendar adopted a year ago have been observed.<sup>17</sup> The NEC, together with its district branches, was widely perceived as competent and independent by most stakeholders and it has so far delivered a welladministered election process in an impartial way. However, the EU EOM noted that the rules for placing candidates on the presidential ballot have been modified. Had party acronyms instead of their full names been used, as in 2012, the ADP candidate would have been at the top of the ballot instead of the APC candidate.<sup>18</sup>

The NEC engaged at the national level with political, security and civil society stakeholders in regular consultative meetings with the aim to discuss planned measures and operations. Independent candidates' interests were sometimes disregarded as they were not represented in these meetings. However, earlier strategic communication with the public would further enhance confidence in the process.<sup>19</sup>

Polling and counting procedures provide sufficient protection of the secrecy and integrity of the vote. Following requests by the political parties, the NEC took a decision to print the polling station reconciliation and results forms with serial numbers. The potential of this measure to facilitate traceability of results was diminished by printing the sets of copies for the NEC and those for party/candidate agents with different serial numbers.

<sup>&</sup>lt;sup>14</sup> MISC. APPL. 4/2018 A No.30 14/2018 Denise Yvonne Aki Sawyer, Raymond Desouza George v. Registration Officer Ward 442, RO Western Area, NEC, 5 January, consolidated cases.

<sup>&</sup>lt;sup>15</sup> Since the restoration of peace in 2002, all elections were supported by a series of UN managed programmes aimed at strengthening the institutional capacity of the NEC.

<sup>&</sup>lt;sup>16</sup> On various occasions NEC commissioners were summoned to parliament to explain the shortcomings which had largely resulted from a chronic underfunding and the strongly compressed timeframe.

<sup>&</sup>lt;sup>17</sup> Adoption and publication of a consolidated electoral calendar with clearly set deadlines for completion of particular activities well ahead of any electoral was one of the implemented 2012 EU EOM recommendations.

<sup>&</sup>lt;sup>18</sup> In all other elections the candidates are ordered by their surnames. However, grouping of candidates into party/ independent candidate blocks on ballots in the local council multi-member wards was recommended by the 2012 EU EOM.

<sup>&</sup>lt;sup>19</sup> NEC's webpage has been updated only sporadically, no press conferences in the pre-electoral period were held and the commissioners rarely appeared in the media.

NEC's voter education suffered from late disbursement of funds and efforts from the authorities. It was limited to basic messages presenting candidates, election date and instructions on how to mark ballots, delivered mainly in the last three weeks before election days. Given the high levels of illiteracy, and addressing one of the concerns from the 2012 elections, the NEC opted for radio jingles in local languages and an extensive employment of public announcements made by so-called 'town criers' to deliver voter information to remote wards.

#### Voter registration

The Public Elections Act of 2012 (PEA) lays down sufficiently inclusive criteria for voter eligibility, however only the data of those citizens who attended one of the 3,300 centres during the 2017 registration drive were recorded. No provision for the registration of persons with reduced mobility or prisoners on remand was made. The final voter register contained 3,178,663 citizens. Stakeholders, including civil society organisations who observed the registration exercise, consider the voter register to be inclusive and credible.

The 2016 National Civil Registration Act of 2016 laid foundations for the establishment of a permanent civil register, which would serve as a base for the register of voters. However, due to a lack of time and resources, this ambitious project was not completed, and the NEC had to conduct a brand new registration of people despite the 2012 biometric voter database being available.<sup>20</sup> As the revision of electoral boundaries ran in parallel to the voter registration, approximately 289,559 voter identification cards were produced with incorrect information on wards or constituencies. The NEC managed to redistribute most of these cards three weeks before the election day. The provisions made for alternative methods of verifying the voters who did not have their voters identification cards were not fully communicated in the training of polling staff.

The PEA provides voters with the ability to change their polling centre if they move address. However, the NEC did not appear to have a system for enacting this necessary procedure which led to the disenfranchisement of some citizens particularly in light of the late imposition of a private vehicle ban on election day.

## Campaign marred by lack of trust, intimidation and increasing violence

The consensual adoption of a campaign calendar by the NEC, regulating the times and places of campaigning proved largely successful in preventing conflict by preventing concurrent rallies of the largest parties.<sup>21</sup> This also had the effect of levelling the playing field between established and new or smaller parties since it limited all parties to four days of rallies in each zone. Independent parliamentary and council candidates were however disadvantaged as they could only use one slot for campaigning.

<sup>&</sup>lt;sup>20</sup> On 6 September on the occasion of the publication of registration figures the NEC admitted that data of 39,276 persons were missing in the electronic database (mainly due to broken biometric voter registration kits) and had to be reconstructed from manual registration forms.

<sup>&</sup>lt;sup>21</sup> There were though some instances of some parties disregarding it; particularly the APC for instance taking the slot allocated to the NDA in Kono on 14 February.

All parties made clear commitments to peaceful elections, and were facilitated in doing so by codes of conduct produced by several vibrant civil society organisations and the PPRC.

However, the main opposition parties displayed deep distrust of the ruling party, stemming in part from some irregularities in the 2012 election, which they do not see as having been fully addressed for the 2018 elections.<sup>22</sup> There were increasing threats and acts of violence,<sup>23</sup> towards the end of the campaign, some of which led to injuries, arson and stoning. The APC and its supporters were usually accused by the opposition of instigating these incidents. Candidates and activists who had left the APC to join the challenger parties of NGC or C4C claimed to be particularly targeted. Campaign posters of all parties were destroyed in many parts of the country.

There was insufficient distinction between the incumbent government and the APC, both before and during the campaign, which disadvantaged all the other parties and independents.<sup>24</sup> In 37% of 49 observed APC rallies, government vehicles were seen to be used. There were no significant instances recorded of 'hate speech' but the SLPP's presidential candidate statement that "Ebola was created by the APC" was irresponsible.<sup>25</sup> The alarmist statements by the APC and the SLPP concerning the fatal stabbing on the margins of the APC nomination rally on 26 January, along with the suggestion by the SLPP that results might be manipulated, set a negative tone to the campaign.

The view held by the main opposition parties that the Sierra Leone Police (SLP) is biased in favour of the APC grew throughout the campaign. Some arrests of opposition activists appeared to indicate selective or harsh policing at a local level, other cases allegedly involved political pressure from the APC.<sup>26</sup> These arrests were reported to have a deterrent effect on the freedom to campaign of other activists. In a potentially dangerous development on election day, large numbers of state security forces attempted to search the home of the SLPP presidential candidate and the party's national situation room under the alleged suspicion of hacking into the NEC's data system. Strong doubts were cast on the motives of employment of such disproportionate force that could be interpreted as provocation.

<sup>&</sup>lt;sup>22</sup> The political parties legitimate requests for proactive and timely information from the NEC both recently and historically, particularly the provision of transparent disaggregated results for the 2012 election and an earlier commitment to disaggregated results in 2018 could have removed some of their concerns.

<sup>&</sup>lt;sup>23</sup> The convoys of the presidential candidates of the APC and SLPP were stoned by supporters of the other party In Bo on 8 February and Kamalu on 20 February respectively. Injuries and/or arson in Kono, Western Area Rural Port Loko and Tonkolili. There were two fatal stabbings (both during APC rallies) in Freetown which although not directly related to campaigning, were symptomatic of the reliance of several parties on gangs to bolster their support during rallies. A death was reported following a shooting in Kambia on 4 March.

<sup>&</sup>lt;sup>24</sup> A week before election day, the government held a ceremony to start the construction of a new airport; the podium was draped in the colours of the APC and political speeches were made. The APC presidential candidate and running mate were present and mentioned despite the event not being in the campaign calendar. Another example was the use by the president of government vehicles and other resources prior to the official campaign period on his "Thank You Tour" to present the APC presidential and vice presidential candidates.

<sup>&</sup>lt;sup>25</sup>The claim that the seemingly spontaneous stoning of his convoy was "an assassination attempt" did not help to calm nerves.

<sup>&</sup>lt;sup>26</sup> As reported to EU EOM LTOs by local police officers.

The main opposition parties did not agree to the SLP's proposed vehicle restrictions.<sup>27</sup> The mitigation measures for these restrictions were both late and inadequate. The policy was poorly communicated and disproportionate to the apparent security concerns which were at the origin of the restriction.

Campaign finance is barely regulated in law and disregarded in practice. The distribution of money, food and clothing at rallies was observed – though not on election day itself.

#### A few main parties dominated the overall media coverage but the ruling party was advantaged in the state media due to additional airtime allocated to president's farewell tour

There is a wide and diverse media landscape in Sierra Leone, but it is affected and limited by the low level of economic development and lack of professionalism in practitioners. Journalists are able to operate in an atmosphere of relative freedom, however, the Public Order Act of 1965 is seen by members of the media as a major obstacle to freedom of expression because of clauses criminalising libel and sedition.<sup>28</sup>

During the campaign period, the monitored media regularly covered the election process and candidates in a variety of programmes.<sup>29</sup> The presidential debate gave voters the opportunity to compare political platforms of six key candidates.<sup>30</sup>

The national state-owned broadcaster SLBC, meet its statutory obligations, by providing one-hour of free airtime to all political parties who requested it.<sup>31</sup> However, SLBC TV allocated 50% of its coverage in editorial programmes to APC, 17% to SLPP and 12% to NGC. On SLBC Radio, APC received 38% of coverage, SLPP 36% and NGC 14%. SLBC TV and Radio provided additional coverage of the ruling party through uncritical reporting of the president's 'Thank You Tour', during which he campaigned for APC. The private media focused their coverage on the main parties but generally with less of an advantage to the APC who were also more actively campaigning.<sup>32</sup> Only the main political parties used paid advertising in the national broadcast media.<sup>33</sup>

Radio Democracy: APC 37%, SLPP 33%, NGC 14%; Awareness Times: APC 53%, NGC 17%, SLPP 15%; Awoko Newspaper: NGC 38%, APC 34%, SLPP 11%

<sup>&</sup>lt;sup>27</sup> This was made worse by the SLP's poor explanation of the purpose or justification of the ban. Insufficient consideration was given by the SLP, the NEC, many of the parties and even some notable members of civil society to the predictable effects on the voters, particularly those with limited mobility of the restrictions.

<sup>&</sup>lt;sup>28</sup> POA, s.33; anyone guilty of seditious libel could be imprisoned for a term up to three years or a fine or to both, and for a subsequent offence shall be imprisoned for a term up to seven years.

<sup>&</sup>lt;sup>29</sup> From 7 February until 5 March 2018, the EU EOM monitored one TV and one radio station of SLBC, AYV's TV channel and radio station, and Radio Democracy. It also monitored Awoko and Awareness Times newspapers.

<sup>&</sup>lt;sup>30</sup> The presidential debate committee which included PPRC, Sierra Leone Association of Journalists (SLAJ) and Africa Young Voices (AYV) Media Empire, chose six presidential candidates whose parties had nominated candidates in at least 25% of constituencies.

<sup>&</sup>lt;sup>31</sup> PEA provides for equal airtime of a minimum of 30 minutes during the electoral campaign to be provided to all political parties and candidates who request it.

<sup>&</sup>lt;sup>32</sup> SLBC TV: APC 50%, SLPP, 17%, NGC 12%; SLBC Radio: APC 38%, SLPP 36%, NGC 14%;

AYV TV: APC 33%, NGC 22%, SLPP 17%; AYV Radio: APC 34%, SLPP 26%, NGC 21%;

<sup>&</sup>lt;sup>33</sup> In total, APC 60%, NGC26%, SLPP 12%

#### Setback for women's representation

In the presidential election, 2 out of 16 candidates are women, along with four vice presidential candidates. Of the five parties which fielded more than 100 MP candidates, none had a woman on the presidential ticket and none nominated more than 12.5% female parliamentary candidates. Women accounted for 18% of independent parliamentary candidates. Overall, this will likely result in a reduction of female representation from the already low 11% in the last parliament. Female candidates appeared to be more likely to face political harassment, a lack of internal party support and are economically disadvantaged, all of which remain barriers to female participation in elected politics.

In observed polling stations, 26% of presiding officers were women, indicating possible discrimination in the allocation of responsibilities, since the overall level of women in the sevenperson commission was 44%. The proportion of party polling agents who were women was 22%, and of domestic observers was 42%. The incidence of 'family voting' was negligible.

#### Citizen observation was a success

There is a thriving civil society extending well beyond Freetown. Numerous civic initiatives ran voter education and capacity building projects focusing on women, youth and people with disabilities. The National Election Watch (NEW), a coalition of 375 CSOs, has observed the NEC's activities throughout the full electoral cycle. Using their established position, they frequently voiced concerns over potential delays in the electoral process, advocated for the early announcement of the election date, and lobbied for acceptance of the complicated voter registration exercise. On election day, their observers were seen by the EU EOM in 85% of polling stations. They used a representative random sample of polling stations through which they were able to detect procedural trends and possible shortcomings in the electoral process and communicate them to the public. A number of other civil society initiatives observed the conduct of the polls.

#### **Polling and Counting**

Election day was generally peaceful and orderly. However, it was somewhat tainted by the false rumours of the withdrawal of the NGC presidential candidate. Allegations of electoral irregularities were also spread on social media, some of which EU EOM observers found not to be true.

On a positive note, the NEC promptly informed the public about the difficulties as they arose,<sup>34</sup> including errors in production of local council election ballots in three wards. As a result, the NEC postponed the affected elections.<sup>35</sup> Domestic observers as well as party agents of each the three

<sup>&</sup>lt;sup>34</sup> A box number 1512 with ballots for all four election for a PS in ward 49 (Kenema) was lost during distribution. <sup>35</sup> Bonthe Municipality Mayoral Election, Kenema District Councillor Election (Ward 55), and Pujehan District

Councillor Election (Ward 353).

largest parties - APC, NGC and SLPP, observed the conduct of the elections in the vast majority of polling stations.

Voters turned out in large numbers in the 344 PSs observed during polling in the 16 districts. The process of voting was relatively slow, in part due to conduct of four different concurrent elections. Polling procedures were largely followed, although checking of indelible ink on voters' fingers was done inconsistently at times. In 19% of visited PSs, there were instances of people on the register of voters who were not allowed to vote because they did not show their voter ID cards. This indicates that the procedures for verifying voters without ID cards were not followed. The layout of 20% of visited PSs did not provide sufficient protection of the secrecy of the vote, however this did not seem to have a major impact on the ability of voters to cast their ballots freely. Tactile ballot guides were available and ramps for easier access were installed in some PCs. Polling was assessed by EU Observers as 'good' or 'very good' in 95% of polling stations visited.

The mission observed counting in 36 PSs across the country. Polling station staff correctly ascertained the validity of ballots in full view of party or candidate agents and observers. Some of the administrative steps related to ballot reconciliation were either omitted or done in wrong sequence in 15 out of 36 observed PSs, which indicates deficiencies in training of polling staff. The results protocols, despite the 2012 EU EOM recommendations, still do not provide for reconciliation of the number of voters who voted and the number of ballots cast. Presiding officers were reported in over a half of the observed PSs to have had difficulties filling out the results protocols and appropriately packing the electoral material. The special form designed for accounting for contingency ballots, which was introduced very late in the process, was not consistently implemented. Nevertheless, the EU EOM observers evaluated closing and counting procedures as 'good' or 'very good' in 85% cases.

At the time of writing the collation of results in the five regional tally centres is still ongoing. The EU EOM will be following the process closely until its conclusion. The EU EOM encourages the NEC to follow the plan of progressive publication of provisional results and to publish detailed results for all elections at PS level. These steps are crucial for the overall transparency of the process. They are also in line with the recommendation of the 2012 EU EOM.

An electronic version of this Preliminary Statement is available on the Mission website: <a href="https://www.eomsierraleone2018.eu">www.eomsierraleone2018.eu</a>

For further information, please contact:

**European Union Election Observation Mission** 17 Lumley Beach Road, Aberdeen, Freetown

Peggy CORLIN, Tel. +232(0)30911583, email: peggy.corlin@eomsierraleone2018.eu