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## SIERRA LEONE: RIPE FOR ELECTIONS?

### INTRODUCTION

The news is mostly good from Sierra Leone where significant strides are being made in the peace process. With the arrival of a Nepali battalion, the United Nations Mission (UNAMSIL) has nearly reached its force ceiling of 17,500. The disarmament process has been completed everywhere except the eastern districts of Kenema and Kailahun. It had stalled there for three weeks because the Revolutionary United Front (RUF) rebel command was unhappy with the outcome of the 13-15 November National Consultative Conference (NCC) on the timeframe for presidential and parliamentary elections, which it felt – with some reason – had been stage-managed by the government. The RUF had also been strongly rebuffed by the international community when it returned for the first time in months to the demand that its leader, Foday Sankoh, be released from prison.

The RUF has little leverage right now because it is clearly losing strength as a military organisation. Many seasoned fighters who have not disarmed and accepted the programs on offer for reintegration into society are leaving to take up lucrative mercenary jobs with Charles Taylor, the hard-pressed president of Liberia, who has always been the group's godfather. Significant splits are opening up between the RUF leadership and front line combatants in Kailahun. The RUF's efforts to convert itself into a viable political party have not been going well either due to a serious lack of capacity and funding and despite training provided by the Nigerian government.

As the RUF crumbles, the government continues to extend its authority throughout the country. The army (SLA) has deployed along the border with Guinea and Liberia, though it has not yet secured the most troublesome sector (Kailahun). The police

(SLP) are also consolidating their presence in many former RUF-held areas, though organised diamond mining by combatant groups persists in Kono and Kenema districts.

The events of the last few months have given the international community confidence that Sierra Leone has finally emerged from its decade-long civil war and can embark on the next stage in the peace process, a presidential and parliamentary election. This briefing paper, which continues recent ICG reporting<sup>1</sup> on Sierra Leone's efforts to break out of a cycle of violence that resulted in the death of at least 50,000 persons and destabilised a considerable portion of West Africa, examines the assumptions behind this confidence and the related strategy. It finds that it is far too early to declare the danger over. The security situation is still shaky, and the electoral course itself is fraught with uncertainty.

In his latest report to the Security Council, the UN Secretary General acknowledges that "the prevailing situation therefore calls for continued vigilance, as well as the concerted efforts of all concerned, to ensure that the elections are a success".<sup>2</sup> Indeed, many reputable observers and participants fear that elections in spring 2002, as now planned, would be premature and could re-ignite the conflict. There is urgent need for the international community to play a more hands-on – even directly intrusive – role than it has indicated it is willing to do if the elections are in fact to mark a decisive turn toward peace and reconstruction in the devastated country.

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<sup>1</sup> See ICG Africa Reports No. 28, *Sierra Leone: Time for a New Military and Political Strategy* (Freetown/Brussels), 11 April 2001, and No. 35, *Sierra Leone: Managing Uncertainty* (Freetown/Brussels), 24 October 2001.

<sup>2</sup> "UN deployment leads to more security, economic revival in Sierra Leone", 12<sup>th</sup> report of the Secretary General to the UN Security Council on Sierra Leone, press release, 18 December 2001.

## I. SPRING ELECTIONS: WHY AND FOR WHOM?

Last month's "National Consultative Conference on Democracy and Peace in Sierra Leone: The Way Forward" was organised by the government agency, the National Commission for Democracy and Human Rights (NCDHR). Representatives from civil society, political parties and government endorsed recommendations by the government-influenced National Electoral Commission (NEC) that the presidential and parliamentary elections be held in May or June 2002 and under a new District Block System rather than the constituency system provided for in the constitution.<sup>3</sup> Participants also discussed what needs to be done in advance of the elections as well as broader issues of post-war national recovery. They passed 25 resolutions aimed at ensuring a free and democratic election process including completion of disarmament on schedule, an early enough end to the state of emergency to allow parties time to campaign as stipulated in the constitution, equal access to the media for all parties, election monitoring and speedy resettlement of refugees and displaced persons.<sup>4</sup>

The conference results suit the interests of President Kabbah, who, in agreement with the main donor countries and international organisations, wants an early election. Some opposition parties and the RUF, by contrast, prefer later elections and installation now of an interim government that would provide them a greater political voice and give the RUF in particular more time to transform itself into a credible political party (RUF-P). Those within the RUF less disposed towards the democratic pursuit of power probably consider that such additional time could also usefully be employed to find a new opportunity to destabilise the situation and seize power in the time-honoured way.

Donors wish to avoid an interim government in order to block the RUF from a share of power and because they believe there is need to establish a more powerful, politically secure government before popular agitation about the lack of basic services reaches a critical point. The President and

his cabinet share the donors' view that another six-month "extension" of the existing government would soon make pressure on the ruling party unbearable to share power in some kind of transitional arrangement.

Both Kabbah and the donors anticipate that the ruling party (the Sierra Leone People's Party, SLPP) will win in the spring. It has organisational advantages over the fragmented opposition and is favoured by the electoral system the conference established.<sup>5</sup> This result would allow the international community to continue to assist in reforming the state and encouraging the dissolution of the RUF. The expectation is that the RUF would be demoralised by the demonstration of its own unpopularity and the fact that it would have to wait five years before having another chance at electoral power. The international community also considers installation of a stable, legitimate government as necessary to move forward effectively with the Truth and Reconciliation Commission (TRC) and Special Court that are integral components of the peace process.

The bottom line, however, as noted in the unpublished report by a UN mission that assessed electoral needs, is that donors also see presidential and parliamentary elections in the spring as a major element of their exit strategy. The British want to scale down their already reduced military presence and the U.S. would like to see UNAMSIL, which is the largest and most costly peacekeeping operation in the world, downsize drastically.<sup>6</sup> The military campaign in Afghanistan and the increased humanitarian assistance requirements that have flowed from it have increased pressure for donors to wrap up their operation in Sierra Leone. Spring is also considered the best time for an election in Sierra Leone because the subsequent rainy season provides a natural "cooling off" period that could allow UNAMSIL to depart gracefully while reducing the chances disgruntled losers would quickly resume large-scale hostilities.

<sup>5</sup> Indeed, the greatest danger to the government appears to come not from political party rivals but from the investigations of the Anti-Corruption Commission (ACC), which is being pushed by its crusading head and its funder, the British Department for International Development (DFID) to attack corruption at the highest levels.

<sup>6</sup> A UN Electoral Needs Assessment Mission was conducted from 5-19 May and 18-29 August 2001 but the report has yet to be made public.

<sup>3</sup> See below for details of the distinctions in the two systems.

<sup>4</sup> The resolutions can be found at [www.sierra-leone.org](http://www.sierra-leone.org).

Sierra Leone's civil society organisations are ambivalent about spring elections. They recognise the problems that are discussed below but generally are supportive because they desire a legitimate government with a mandate to govern and consolidate the peace effort and see no plausible alternative. They share concerns about the type of arrangements that would likely emerge if elections were postponed. Many argue that they want neither another extension of the present government, which is weak and corrupt, nor an interim government including the RUF. Some are increasingly aware that the focus of international attention is being diverted to other parts of the world and favour an early vote out of increasing concern about the impact further delays are likely to have on donor commitments.

The opposition political parties are split on their attitude toward a spring date. They have been unable as yet to coalesce into a "Grand Alliance" that might mount a credible electoral challenge. They are largely opportunistic and consider an interim government the most plausible way to come to power.

## II. THE RISKS

### A. UNFINISHED PEACE PROCESS

Despite acknowledgement that they will not be perfect, Britain and the United States have largely driven the demand for elections in the firm belief that they will be a symbol of progress and return to normalcy. Officials from both countries argue that, as a sovereign nation with a democratically elected government, Sierra Leone should run its own elections. Yet the same officials privately raise doubts about the capacity of the government and NEC to do so.<sup>7</sup>

Many civil society activists are more openly sceptical that less than a half-year will be enough time to consolidate the peace process before spring elections. Recalling the hurried 1996 elections that replaced a military regime with the Kabbah government but ushered in the most brutal phase of the civil war, they call for "peace before elections".<sup>8</sup> They argue that Sierra Leone should ensure that necessary foundations are in place before heading for the ballot box. They believe that a further year or two is needed to stabilise the situation and list the following as conditions that must be met before genuinely free and fair elections that do not carry high risk of provoking further conflict can be held:

- ❑ full disarmament and reintegration of armed groups;
- ❑ transformation of the Civil Defence Forces (CDF) into Territorial Defence Forces (TDF);
- ❑ national healing through operation of the Truth and Reconciliation Commission (TRC);
- ❑ accountability through the Special Court;
- ❑ return and resettlement of internally displaced persons;
- ❑ reconstruction of shattered public infrastructure in the north;
- ❑ economic recovery;
- ❑ continued reform of the army; and

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<sup>7</sup> ICG interviews with British and U.S. officials, November 2001.

<sup>8</sup> ICG interviews with various civil society groups, August-November 2001.

- a non-rushed electoral process based on a constituency system rather than the newly devised district system.

## **B. THE INTERNAL SECURITY ENVIRONMENT**

A second questionable assumption is that there will be no return to violence, and the RUF will be transformed into a political entity rather than continue as a military entity within the country or inside neighbouring Liberia. Security remains an overriding concern. Even the NEC is still sceptical about the safety of its staff in areas declared disarmed by UNAMSIL.<sup>9</sup>

More than just the physical disarming of ex-combatants, the real issue is whether the RUF insurgents and CDF militia will remain coherent and partisan groups and threaten to resume at least large-scale thuggery and intimidation. Important RUF grievances about the state of emergency and Foday Sankoh are not likely to be addressed in the lead up to the elections. The current plan is to lift part of the state of emergency by January 2002 but hold Sankoh under its remaining provisions at least until March, which is the deadline for the total removal of the state of emergency, and to retain him in jail thereafter on other charges.<sup>10</sup> This will likely produce an uproar from RUF front line combatants, who still revere him, that could spill over into violence during the elections.<sup>11</sup>

The largest southern CDF group, the Kamajor CDF, also has the ability to disrupt the elections. It holds the majority of uncollected weapons, which it is expected to turn in under the government's community arms collection programme scheduled to take place in three phases between November

2001 and March 2002.<sup>12</sup> There are serious doubts about whether this program will in fact be concluded by spring elections. Furthermore, many Kamajor will be reluctant to give up shotguns and hunting rifles, which are traditional weapons for hunters and farmers. Like much of the disarmament activity, the arms collection program may turn out to be more cosmetic and symbolic than substantive. If it retains weapons, the Kamajor CDF, strongly allied to the ruling SLPP, could use them to prevent the RUF-P and other parties from campaigning in the south. Equally important, the SLPP and other parties opposed to the RUF could find their access to the north blocked by the RUF in retaliation or by local backers of other opposition parties.<sup>13</sup>

On the present election timeline, the police (SLP) are expected to lead on a number of critical internal security matters including the community arms collection and cordon and search programs. It is tasked with posting at least two officers at each of 5,400 proposed polling stations on registration and voting days. Though some polling stations will be co-located, the number to be guarded far exceeds the capacity of a force that has fewer than 7,500 uniformed officers. Even if the NEC scales down the number to about 3,000, as is being suggested, the police will still find it difficult to commit the necessary manpower. The force is already over-stretched by day-to-day criminality and faces serious infrastructure problems in areas where it has been deployed. It will need to rely on other uniformed services such as the fire brigade and prison guards to help it man voter registration and polling sites. But with such limited capacities, the police may well be unable to challenge organised election intimidation and fraud.

UNAMSIL could make up the deficiencies in capacity, training, infrastructure and equipment but it has turned down a police request for up to 2-3,000 unarmed peacekeepers to operate in support at various polling sites, arguing that it does not want to conduct a militarised election.

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<sup>9</sup> ICG interviews with NEC officials, November 2001.

<sup>10</sup> The state of emergency corresponds with the end of the government's second six-month term extension on 26 March 2002. Sankoh is presently being held on an "arbitrary" arrest permitted under the state of emergency. If he is to be kept in jail after March, as the international community wishes, more formal charges will have to be brought. Given his history such charges should be possible.

<sup>11</sup> Of course the release of the widely feared and hated Sankoh, who retains a strong cult following in much of the RUF, could also well have a destabilising effect on the elections and even lead to the remobilization of many rebels.

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<sup>12</sup> The first phase of the arms collection program began on 30 November 2001 in the Western district and Bombali and is scheduled to conclude on 30 December 2001.

<sup>13</sup> Almost every political party in Sierra Leone has a tribal and support base in a geographical area where its backing is overwhelming.

## C. THE EXTERNAL SECURITY THREAT

The main security threat in the lead up to the elections, however, may well come from outside the country's borders. Offensives during November and December 2001 by the Guinean-backed LURD rebels<sup>14</sup> reached deep into Liberia's Lofa County and killed President Taylor's deputy minister (Emmett Ross) in the Ministry of National Security. Taylor, who has a long history of malign intervention in Sierra Leone, has warned that he may be forced to conduct operations across the Sierra Leone border to fight his dissidents. He is already paying large numbers of RUF to fight for him in Lofa County and perhaps to prepare for renewed war on Liberia's borders with both Guinea and Sierra Leone, as happened in spring 2001.

Regardless of the uses to which these RUF mercenaries are currently being put, their existence in Liberia represents a security threat to Sierra Leone that either Taylor, or disgruntled losers in the spring elections, or a combination of both, can draw upon. The SLA has been deployed in the border region to prevent any regional conflict from spilling over but there are already disturbing stories of commanders in these outlying areas misappropriating their men's rations, suggesting that the old evil of an untrustworthy army may be rearing its head again.

## D. THE NATIONAL ELECTORAL COMMISSION: MANIPULATED AND UNPREPARED

Some of the problems of an early election are already apparent in the NEC, the body charged with running the process. A recent poll conducted in the capital, Freetown, by the local civil society group Campaign for Good Governance (CGG) indicates how little public confidence the NEC enjoys.<sup>15</sup> Donors have similar doubts. The NEC is perceived in many quarters as politically partial to

the government and incapable of properly managing the electoral process.

The first issue is its heavily pro-government composition. Four out of five commissioners have known sympathy for the ruling party, and a majority of staff is composed of civil servants in the Kabbah government.<sup>16</sup> The Chairman, Walter Nicol, is suspected to lack the independence necessary to resist SLPP pressure. Concern in many quarters for its impartiality is hindering the NEC's work, and could be used as a cover or an excuse for other actors to engage in the electoral fraud that most observers seem to consider inevitable.

A key, though as yet unproven, charge is that NEC officials misappropriated government funds, in particular that of 200 million Leones intended to buy utility vehicles, 140 million Leones went into the account of Chairman Nicol.<sup>17</sup> While this is currently under investigation by the Anti-corruption Commission, the perception of corruption raises concern about NEC performances during the election period.<sup>18</sup> One solution to addressing concerns about the NEC is to have its financial activities externally audited.

The NEC in any event faces an enormous job in running the elections. It has a lot of ground to cover, including voter education and registration, in a very short time. A major worry is how the overstretched commission can tackle fraud. The registration alone of an estimated 2.7 million potential voters is estimated to require more than 11,000 staff, who need to be organised by mid January (if disarmament is concluded on schedule).

<sup>16</sup> The government's civil service commission allocates staff to the NEC. The unpublished report of the UN Electoral Needs Assessment Mission also raised concerns about the perception created by this association when it noted that "this can be perceived as severely compromising the independence of the NEC".

<sup>17</sup> On 18 December 2001 U.S.\$1 equalled 1,975 Sierra Leone Leones.

<sup>18</sup> These allegations against the NEC were made by the *Standard Times* newspaper – "Anti Corruption probes Election Office", 20 November 2001 and "A Non-starter for the NEC", 26 November 2001. While no other newspaper has given coverage to this allegation, the *Standard Times* claims to have a number of documents to back up its story. The donor community has requested the Anti-Corruption Commission to resolve its investigations by December to give time for the selection of new commissioners if the allegations are found to be true. ICG Interview with U.S. official, November 2001.

<sup>14</sup> Liberians United for Reconciliation and Democracy.

<sup>15</sup> The poll, conducted between 30 November and 12 December 2001 from a sample of 3,039 residents, suggested that more than half of the capital's potential voters lack confidence in the NEC: while 47 per cent trust it to conduct free and fair elections, 30.11 per cent do not and 21.98 per cent are unsure. The full results are available at [www.sierra-leone.org](http://www.sierra-leone.org).

Setting up and running the registration centres will be a logistical nightmare.<sup>19</sup> With the NEC's transport shortages<sup>20</sup> and the poor road conditions that make many parts of the country virtually inaccessible, the task seems nearly impossible. Communications are also highly problematic. NEC staff in Freetown, for example, have trouble even telephoning their own regional headquarters.

The trustworthiness of NEC staff at registration and polling stations is a further concern. NEC officials say that they will have their own monitoring and accounting system in place to ensure that heavily partisan communities do not pressure local hires into falsifying registration but this does not guarantee the neutrality of that staff. They also say they will demand birth certificates to prevent underage registration, but the expectation that these documents can be widely presented and authenticated is unrealistic. There are major doubts about both how carefully NEC staff will be scrutinised for political bias and how effectively they can guard against registration of bogus, ghost or underage voters. Training of staff has not started, thus repeating the 1996 mistake when this was left to the last minute.

## E. A QUESTIONABLE VOTING SYSTEM

Despite endorsement at the National Consultative Conference, many citizens are unhappy with the NEC-proposed district block system (DBS). A CGG poll in the capital indicated that only 17.61 percent of the Freetown population understood the DBS. Of these, 62.5 per cent said they would prefer the constitutionally recognised first-past-the-post constituency system.

A constituency system places greater emphasis on the candidate than on the party. The candidate is generally well known within the constituency. Once members have been individually elected, the party with the most seats in Parliament, regardless of whether or not it has a majority across the country, normally forms the next government. Under the DBS, however, an entire district will be

treated as a single constituency. Each district will be allocated a block of seats, with the exact number still to be determined by parliament.

The DBS is based on each party submitting a full list of candidates in a ranked order before the election, with the percentage of candidates from that list to make it into the parliament ultimately determined by the percentage of votes the party, rather than an individual candidate, receives. Arguably, the DBS, which allows proportional representation to smaller parties, is an inclusive and conciliatory process more appropriate to the post-war environment than the winner-takes-all constituency system.<sup>21</sup> However, the larger parties, and particularly the ruling SLPP with its superior organisational resources, are likely to benefit from a system that places a premium on party loyalty and ability to field complete lists in many areas of the country rather than the attractiveness of individual candidates.

Many citizens oppose the DBS because they believe that it is likely to produce the same effect as the national proportional representative (PR) system that was used for the February 1996 elections. The PR system, which is based on a single national constituency, was accepted at that time primarily because the dislocations of the civil war made it hard to sort out the population to the degree necessary to construct fair multiple constituencies, and there were difficulties accessing areas not under government control to obtain accurate residence statistics.

Such a proportional system was rejected immediately after the 1996 election, however, on the grounds that party bosses in Freetown had placed candidates on the national list without consulting the provinces and districts. In addition, since 1996, voters have neither seen nor known the politicians that represent their area. The NEC argues that the DBS is unlikely to repeat this scenario. But the DBS is effectively a PR system at the district level. Although the district party headquarters are to decide on the lists for each district rather than Freetown as in 1996, in practice many parties will not have local headquarters. Their lists are likely to be heavily influenced by the capital bosses, thus raising concern that

<sup>19</sup> As noted above, the anticipated number of such centres ranges from 5,400 (the present plan) to around 3,000.

<sup>20</sup> As of mid December 2001, the NEC had only twelve of the 25 vehicles it said it needs, and it is likely to total no more than twenty, although UNASMIL has said that it will fill in the gaps.

<sup>21</sup> ICG interview with NEC and IFES officials, November 2001.

candidates will again be unrepresentative of their region.

The NEC insists that while a DBS system is not popular, it would take at least two years in which to conduct another census after return of refugees and resettlement of displaced persons in order to make a constituency system again feasible. It calls the DBS the best available option, therefore, if there is to be an early election. The NEC had earlier considered and rejected using the voter registration process as a rough census and a basis on which to draw constituency boundaries.

Many parliamentarians prefer the DBS because the proportional mechanism will protect their positions. Ironically, however, parliamentarians may resist complete acceptance because of uncertainty surrounding the allocation of seats at district level. The ruling SLPP has most to gain from the current formulation of turning each district into a block constituency. While the north will have five of the overall fourteen districts, the SLPP strongholds in the south and east will have seven. The NEC had originally proposed an equal distribution of six seats per district, but this would disadvantage particularly the less populous north. The parliament will squabble over allocation of seats to districts, and donors should insist that this be decided before registration goes ahead as one disincentive to the use of fraud to increase the number of enrolled voters.

## **F. ELECTION FRAUD AND CORRUPTION**

Corruption and fraud around the electoral process such as the All People's Party Congress' (APC) gerrymandering of the 1986 election and serious allegations about voter irregularities in 1996 cause many in Sierra Leone to doubt the value of elections. In the current context, the movement of persons prior to elections has been the subject of much speculation, with many accusing the government of political motives for both the location of camps for internally displaced persons (IDPs) and decisions declaring areas safe for return. The NEC will have to be encouraged to be more vigilant in blocking attempts to manipulate resettlement for political gain. The option currently being debated by parliament – that IDPs should have the choice to register in either current or previous districts without having to physically

move – is one way of ensuring that politicians do not manipulate the process.<sup>22</sup>

The NEC intends to use indelible ink and computer-based data to guard against multiple registration. But, the government's control of the electoral process, especially during voter registration, will raise serious concerns as to the fairness and transparency of the process. The key danger is the likelihood of more registration, particularly of underage voters, in the south, which is a stronghold for President Kabbah, as well as being the most stable, accessible and populous region.

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<sup>22</sup> ICG interview with IFES official, November 2001.

### III. WHAT NEEDS TO HAPPEN BEFORE THE ELECTIONS

The target date for elections is 14 May 2002, although the government could extend this by a few weeks. Legally, the government has to hold elections, including the presidential run off, 90 days after the dissolution of parliament, which potentially could mean mid to late June. The government and the NEC could make use of those additional few weeks to allay some concerns that there is too little time to put in place all the mechanisms to ensure free and fair elections. Even if the vote is put off to late June, however, the above factors suggest that the circumstances would be far from ideal.

A number of efforts are underway to alleviate public concern about early elections. UNAMSIL and, more recently, the Chinese government have offered "in kind services" to tackle logistical issues confronting the NEC. UNAMSIL has also earmarked resources from its disarmament program to be redirected to the elections. A host of international bodies are providing technical advice. The International Foundation for Electoral Systems (IFES) has been giving NEC technical assistance in five areas: voter registration, voter education, operations, training, and information technology; the Commonwealth has provided a special adviser and legal officer while the European Union procurement officer is being financed by Britain through IFES until the EU elections budget for Sierra Leone is in place.

NEC's funding gap has been reduced in the past month from U.S.\$3 million to U.S.\$1.6 million.<sup>23</sup> Donors insist that they will not allow funding shortages to undermine the NEC's capacity to conduct the elections. The government of Sierra Leone, however, needs to be pushed to meet its commitment of 6.5 billion Leones; it is currently paying only 500 million Leones in tranches.

The Sierra Leone government also needs to put in place a number of mechanisms to ensure a properly managed process. The concerns expressed at the National Consultative Conference in November 2001 were eloquent testimony that events leading up to spring elections need to be properly managed

by all relevant actors if the voting is not to prove divisive.

#### A. A STRONGER INTERNATIONAL ELECTION STRATEGY

The international community should keep pressure on the government to show greater commitment to election management. It is important that the culture of dependency on the international community be replaced by a sense of national ownership of the process. The joint fortnightly co-ordination meetings between the NEC, IFES, UNAMSIL and donors is a useful way to keep all the relevant players active and in touch. Yet, this alone will not be enough to allay the fears of government manipulation or NEC deficiencies.

Donors remain reluctant about the ICG recommendation<sup>24</sup> that the UN should formally take over management of the elections. They advance two counter arguments. First, they say, the government and its electoral agencies need to own the process and remain committed to delivering free and fair elections. Secondly, they point out, a sovereign nation with a democratically elected government ought to run its own elections. The UN insists that it will support the NEC and government with technical and logistical support aimed at "inspiring confidence without taking over the functions of the state".<sup>25</sup> Moreover, donors argue, it would be for the government to authorise the UN to play a stronger role not for the international community to take the initiative.

These considerations become less weighty, however, when matched against the dangers that could confront Sierra Leone if elections are not properly conducted. Moreover, sovereignty arguments are somewhat disingenuous in a situation where the international community, led by Britain, has effectively been running key national institutions for over a year. The real reason for donor reluctance to have the UN take over the elections appears to be a desire to minimise the risk of too close an association with a process that many officials privately acknowledge will be far from perfect. Their preference is to keep a low profile. But the donor community cannot

<sup>23</sup> Total estimated NEC needs are U.S.\$11.5 million.

<sup>24</sup> See ICG Report, *Sierra Leone: Managing Uncertainty*, op. cit.

<sup>25</sup> ICG Interview with UNAMSIL officials, November 2001.

afford another disastrous electoral process in Sierra Leone, and the best way to avoid that is to get involved more deeply.

An increased role by the UN or by individual donor countries would not rule out the possibility for corruption or voter fraud, of course, but their stronger presence on the ground would be a deterrent in a highly volatile environment. Citizen fears of a premature and potentially explosive process are too compelling to dismiss out of hand the idea of a lead UN role. ICG, therefore, maintains its recommendation that the Security Council mandate a UN mission to run the elections jointly with the NEC.

At the minimum, however, if the policy window has closed on this option, then the international community should devise alternative solutions that allow it to provide robust monitoring at every stage of the electoral process. Such an alternative approach could see the UN operating directly within the NEC's decision-making centre, with powers of oversight, preparation and delivery to ensure transparency and credibility. The UN should immediately place up to six international staff with executive authority on the commission alongside the five NEC national commissioners. The latter would still take all executive decisions within the NEC, but international staff should have clear oversight powers and authority to help determine the modalities and preparations for the elections.

Any restriction on its capacity to play a more proactive and visible role could, as the UN Electoral Needs Assessment Mission acknowledged, mean the UN risks "being perceived as endorsing a questionable process and a specific government and not the principles of constitutional order and democratisation".<sup>26</sup>

## **B. A STRONGER ROLE FOR UNAMSIL IN ELECTIONS SECURITY**

The police's obvious lack of capacity means that UNAMSIL may have to take on more visible responsibilities. Apart from redeploying some troops in 2002 to positions that conform to voting district boundaries, UNAMSIL plans to establish a stationed presence at each of the 149 chiefdoms in

Sierra Leone and one electoral office in each of the country's five electoral regions.<sup>27</sup> UNAMSIL argues that this redeployment will allow it to protect NEC personnel and strategic points, as well as the transportation of election material and of ballots from each polling station to the district centre.

Since the police will be taking the lead on the community arms collection and cordon and search programs between now and March 2002, however, UNAMSIL may need to give even more direct support. Making certain that security for the elections is adequate is more important than preserving appearances of complete national ownership of the process.

Maximum deployment and co-operation will be required not only of the police and UNAMSIL, however, but also in carefully considered cases of the chiefdom police, and even the army. All these actors need to back the police up proactively in a policy of investigation and prosecution of abuses throughout the entire electoral process, including its aftermath. Among other actions, UNAMSIL should contribute more rigorous patrolling of areas in potentially especially troublesome districts such as Kailahun and Kenema.

The SLP must be ready and willing to challenge organised election intimidation and fraud. It will need to continue to work with UNAMSIL to develop an effective security arrangement and co-ordination at all levels, with a clear delineation of roles and responsibilities in securing registration and polling stations. One prerequisite for this is to increase the pace and weight of police deployment in areas declared safe.

## **C. A ROBUST INTERNATIONAL AND DOMESTIC MONITORING TEAM**

All registered political parties are to be allowed one party agent at each registration and polling station to allay fears of fraud, but a stronger deterrent is needed. Civilian staff from UNAMSIL's new election unit should be as closely involved as possible throughout the process to give credibility. UNAMSIL's military observers

<sup>26</sup> The unpublished report, see footnote 3 above.

<sup>27</sup> 12<sup>th</sup> report of the UN Secretary General to the Security Council on Sierra Leone, press release, 18 December 2001.

should also be fully trained in election observation techniques.

At the same time, domestic civil society monitors should have an important role in ensuring the effectiveness of NEC staff at all polling stations. They can support international observers like the Commonwealth, the Economic Community of West African States and the Organisation of African Unity, but there is limited faith in the ability of domestic civil society groups because no domestic organisation has sufficient skill or human resources and capital.

Rigorous training by international institutions will be crucial to preparing these domestic monitors. The donor community should focus in greater detail on generating significant funding both to support its own international monitors and to select, train and employ domestic monitors who can assist in rigorously scrutinising the NEC and the government throughout the electoral process.

#### **D. STRINGENT VOTER REGISTRATION**

The NEC does not need to run registration simultaneously at all 5,400 (or even 3,000) stations. There are too many places to monitor and too few staff. Many areas will definitely not even be ready by 24 January 2002 when the NEC plans to start a fifteen-day registration period. It would be better to extend the length of the process and have it move in stages, like disarmament, from one district to another so as not to overstretch the NEC's capacity. This would run counter to provisions in the constitution but not more fundamentally than other actions that have already been decided such as the DBS electoral system. There should also be analysis of voter registration results as the process proceeds to determine whether remedial measures are required.

#### **E. INTENSIVE VOTER EDUCATION**

Multiparty elections are virtually a new phenomenon in Sierra Leone, many of whose citizens, with the exception of 1996, have never really been able to exercise their franchise. Many still need to be educated on the meaning of elections, and with the illiteracy rate as high as 80-85 per cent, innovative methods such as picture poster campaigns, theatre sketches and radio

productions will be needed. The NEC has been slow to start voter education and has yet even to devise a strategy. Participants in the National Consultative Conference complained that the NEC has never 'sensitised' the public about the various voting systems.

With its present workplan and limited resources, it will be very difficult for the NEC to provide meaningful voter education. One possible solution is to use civilian affairs personnel from UNAMSIL's new electoral unit, at least to get out accurate information about voting procedures. UNAMSIL's public information unit, including its radio service, could take the lead in what should essentially be a three-month intensive education tour throughout the country.

Radio UNAMSIL, which already runs programs in Krio, the country's common language, could offer purely factual information about voting times and procedures and raise awareness about registration and polling stations. It already provides information about some NEC activity and fills in gaps left by the government-run Sierra Leone Broadcasting Service (SLBS) to help ensure equal media exposure and access for all political parties. But with such a tight deadline and concerns about access to many rural areas, UNAMSIL's public information unit should operate much more aggressively to help the NEC deliver election messages.

#### **F. ACCESS TO THE MEDIA FOR THE CANDIDATES**

Access of political parties to all districts, intimidation of candidates and supporters, and access of all sides to an independent media are key concerns. Media manipulation, of course, can extensively damage the integrity of an electoral process. There is desperate need for impartial and truly national media (i.e. radio) to provide trustworthy information and fight rumours. The British development agency, DFID, which is currently undertaking media training in Sierra Leone, is working to produce a draft bill to turn the pro-government Sierra Leone Broadcasting Service (SLBS) into a public and independent corporation. However, DFID should not shy away from funding a completely separate national radio station, with a transmitter powerful enough to reach every corner of the country and a specific focus on elections,

voter information, reporting on candidates, people's views and parties.

UNAMSIL could be a partner in such an undertaking but it needs to continue to strengthen and define its own operational strategy to assist the NEC, especially around the time of registration and polling, as its priority. This could be UNAMSIL's single biggest contribution to free and fair elections.

#### **IV. CONCLUSION**

Elections are a necessary and vital stage in the peace process, but Sierra Leone must cope with a number of difficult issues before its spring date at the polls. Neither the government nor its electoral commission can reassure the public that it can run the complex process fairly and effectively. The obvious gaps in NEC capacity and public perception of electoral fraud and irregularities suggest that the UN and donor community should not sustain their preferred option of maintaining a substantially invisible presence. The success of the whole venture ultimately depends on deep and aggressive UN and donor involvement. There is no substitute for this if old mistakes and a new tragedy are to be avoided.

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