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Preface

Following an invitation from the National Election Commission in Sierra Leone and a Memorandum of Understanding between the Government of Sierra Leone and the European Commission, signed 13 June 2007, EU launched a European Union Election Observation Mission (EUEOM) to Sierra Leone on 6 July 2007. The mission was led by Chief Observer Marie Anne Islèr Beguin, a Member of the European Parliament. On 16 July EU deployed 28 Long Term Observers (LTOs) from 19 European member states as well as one from Norway and two from Switzerland. A few days before the 11 August elections took place, the EUEOM deployed a total of 83 short term observers (STOs) and seven members of the European Parliament throughout the country, representing 23 European member states. Norway deployed two STOs in addition to the Norwegian LTO. On election day the observers visited 445 polling stations in all 14 district covering 88 of the 112 single-member electoral constituencies in Sierra Leone.

The 14 LTO teams were deployed to one district each across the country. The Norwegian LTO stayed in Kenema district in the Eastern region together with a LTO from Czech Republic, for two months to observe the entire electoral processes, including the 8 September presidential run-off.

The findings in this report are primarily based on the observations of the Norwegian LTO Toril Lund. Some of the background information draws on the EUEOM information given to LTOs by the core team. Included in the report are observations on election day 11 August from the two Norwegian STOs Tom Vold and Tove Gravdal. For the run-off election day on 8 September, observations from the Norwegian STOs Bror Gevelt and Vibeke Christie are included. The Norwegian observers were all recruited by the Norwegian Centre for Human Rights’ (NCHR) Stand-by force NORDEM.

The report has been written by Toril Lund and the opinions expressed in the report are the responsibility of the author and do not necessarily reflect the views of NCHR.

The Norwegian Centre for Human Rights / NORDEM
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Map of Country
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Introduction

Five years after the end of the civil war, Sierra Leone conducted the second national polls on 11 August 2007, the first under full sovereign control of the government of Sierra Leone. The country is in a phase of consolidation of peace, but it remains fragile. Some of the root causes of discontent that ultimately led to armed conflict remain: widespread poverty, corruption, high unemployment and limited access to education.

The 2007 elections were extremely important for the consolidation of democracy which is linked to the consolidation of peace. None of the presidential candidates secured a first round victory on 11 August and a run-off presidential election took place on 8 September 2007. Although the political atmosphere was tense before the second round, the voters could cast their votes in a relatively secure environment.

After the first round of the presidential and parliamentary elections the EUEOM concluded in its preliminary statement that

“the 11 August presidential and parliamentary elections in Sierra Leone have so far been generally well administered, peaceful and competitive. If this continues it will mark a significant and positive development in Sierra Leone’s progress toward the consolidation of democracy and peace.”

This statement was followed by a similar positive assessment in the EUEOM statement after the presidential run-off election:

“the 8 September 2007 second round presidential election has so far been generally well administered, offering an opportunity to build on the successful organizations of the 11 August elections. The National Electoral Commission (NEC) demonstrated a continued commitment to ensuring transparent elections.”

The Norwegian LTO observed in a politically tense area proved to be a ruling party Sierra Leone People’s Party (SLPP) stronghold. The newcomer in Sierra Leone politics, People’s Movement for Democratic Change (PMDC), represented a challenge to SLPP and PMDC attracted support from many of the young voters in the area. Strong links were observed between traditional structures represented by paramount chiefs and SLPP during the pre-elections period. Consequently, PMDC and the opposition party All People’s Congress (APC) complained about a lack of a level playing field.

On the 8 September presidential second round election the LTO observed some irregularities.

However, a thorough investigation by the National Election Commission, NEC, contributed to maintain the confidence and trust of key stakeholders with regard to the NEC performance.

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1 EUEOM Preliminary statement, 13 August 2007, page 1
2 EUEOM Preliminary statement, 10 September 2007, page 1
Political background

Since the 2002 elections some progress has been made in Sierra Leone: the consolidation of the state’s authority, the police, army and civil authorities have established their presence at provincial and district levels, former combatants have been disarmed and strong efforts have been made to curb illicit diamond mining. The judiciary, however, remains weak.

Seven out of nine registered political parties contested the 2007 presidential and parliamentary elections. Only three of them proved to have significant political support: SLPP, PMDC and APC.

SLPP was the ruling incumbent party. Its traditional support base has been within the Mende tribe in the South and East. The party was in power 1961-1967, 1996-1997, and 1998-2007. In the 2002 elections, SLPP won 83 out of 112 seats in parliament. The president of Sierra Leone, Ahmad Tejan Kabbah, was to step down after having served the two terms permitted by the constitution. The SLPP 2007 presidential candidate was vice-president Solomon Berewa. He managed to gain 38.3 % of the presidential votes after the first round. SLPP won 43 parliamentary seats in the 11 August 2007 parliamentary election.

PMDC was registered in 2006. Its leader Charles Margai left SLPP because he was not nominated as the party’s presidential candidate for the 2007 elections. He is a former SLPP minister of safety and security and son of Albert Margai, Sierra Leone’s second prime minister. PMDC was expected to split the SLPP votes, especially in the SLPP traditional strongholds in the east and south of the country. As a new political party not affiliated with previous governments and corruption charges, PMDC hoped for the support from the younger generation. Margai received 17.9 % of the presidential votes on 11 August 2007 and PMDC won 10 of the parliamentary seats.

APC is traditionally based amongst the Temne and Limba people in the north. Election results after the first round showed that APC also is strong in the capital Freetown, and APC came forward as the main opposition party. APC was in power from 1968-1992. From 1978-1991 APC was the only legal party in Sierra Leone. The leader and presidential candidate in 2007 was Ernest Bai Koroma. He won the first round of the 11 August 2007 presidential election with 44.3% of the votes. APC took 59 of the parliamentary seats. This made APC a clear winner of the parliamentary election, though Koroma was not able to secure a first round presidential victory as it requires 55% of valid votes.

The Legislative Framework

The EUEOM stated that

“In general the legal framework provides an effective basis for the conduct of democratic elections according to international and regional standards. However, there are a number of provisions that
acted to constrain parts of the election process such as the restrictive barriers placed on public servants to stand for elections.”

The 1991 Constitution (amended in 2002), the 2002 Electoral Laws Act, the 2002 National Electoral Commission Act, the 2002 Political Parties Act, the 2007 Election Petition Rules as well as a number of NEC regulations, all regulated these elections.

Sierra Leone is a signatory to all major international and regional standards for elections including the International Covenant on Civil and Political Rights (ICCPR) and the ECOWAS Protocol on Democracy and Good Governance.

The Constitution provides for a unicameral parliament with legislative powers and a directly elected president. The president nominates ministers who need approval by the parliament. For parliamentary elections the country is divided into 112 constituencies (single-member districts) with each electing one Member of Parliament (MP). Additionally, 12 parliamentary seats are reserved for paramount chiefs who are supposed to be elected indirectly by chiefdom councilors, as prescribed for in the Constitution (§74). The LTO observed however that these elections did not take place except for one district. The paramount chiefs negotiated among themselves and eventually came up with one candidate per district. The negotiations were non-transparent and people seemed afraid to talk to the observers about this issue, possibly in fear of retaliation.

The constitution guarantees fundamental rights and freedoms including freedom of conscience, expression, movement, assembly, association and participation in elections. In June, Sierra Leone passed an election campaign ethics, named as the Code of Conduct by political stakeholders, into law (Electoral Laws Act, 117-119) and it is now a statutory provision. The Code of Conduct is an obligation of candidates and political parties to carry out the campaign according to ethical and moral standards.

According to EUEOM and general international standards for election observations some shortcomings were observed with regard to the 2002 Electoral Laws Act:

- Disqualified as electors are persons serving a sentence of imprisonment (part 2, §7 d). The law does not specify the kind of crimes which disqualify as electors. According to international standards for elections only specific serious crimes should disqualify as elector.

- Disqualified as MP are people with dual citizenship and naturalized persons i.e. for example the many people from the Lebanese community. Also disqualified are members of the armed forces for the last 12 months, public corporation, civil servant i.e. teachers cannot run unless the person has been out of service for the last 12 months. These are unreasonable restrictions on candidate eligibility. They also restrict the possibilities for the candidates, i.e. civil servants who are eligible, to run.

- An MP do not have the possibility to leave a political party from which he/she was elected and still be in parliament as independent candidates.

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3 EUEOM Preliminary statement, 13 August 2007, page 4
The Electoral Laws Act provides for a compilation of statements with the polling station (PS) results within a district (§84.1) and stipulates that certified copies of the summaries compiled shall be supplied to any observers or counting agents present at the District Returning Office (§84.2). But NEC changed the procedures with regards to the compilation on district level. The PS results went directly to the National Tally Centre in Freetown and the NEC manual did not provide for copies of the results to the party agents present at the PSs. The LTO observed that party agents complained about this practice and it caused some suspicion which could have easily been avoided by issuing a copy to the party agents present.

The Electoral Administration

The EUEOM preliminary statement assessed that

"The NEC has so far organized the elections in a transparent and impartial manner. It has managed the challenges posted by these elections in a proficient and competent manner."\(^4\)

In May 2005 the current chair of the National Electoral Commission, NEC, Christiana Thorpe, was appointed. She is the Chief Commissioner of NEC, which is composed of four additional commissioners who are responsible for the election activities in Northern, Southern, Eastern regions and Western Area. Commissioners are all appointed by the president after consultation with all political parties and they are approved by parliament.

Since 2005 the Commission’s secretariat and the district offices have been re-staffed with new and permanent personnel. NEC is now in the process of reviewing the electoral laws and regulations.

There is a district NEC office in each of the 14 districts throughout the country. These are staffed by District Election Officers (DEO), Assistant District Election Officers (ADEO) and District Returning Officers (DRO). In Kenema district the DEO acted as DRO. The districts would also have Presiding Officers (POs) and Assistant Presiding Officers (APO).

In the constituencies observed, the LTO found there were two or three Constituency Election Monitors (CEMs) in each, depending on the size of the constituency. They were NEC employees on the constituency level. CEMs organized the voter education program and played a key role in the collection of the election results from the polling centres (PCs).

The LTO team observed that NEC performed their duties in an organized manner and it had the necessary credibility from the public. It was generally considered to be impartial by the political stakeholders.

The team observed however that the resources of NEC were insufficient. NEC had to rely upon the military to support them with 86 trucks and fuel. Additionally, support

\(^4\) EUEOM Preliminary statement, 13 August 2007, page 1
came from a team of UNIOSIL\textsuperscript{5} logistical advisors. The team observed that although the responsibility of conducting the elections was entirely with NEC, the logistical support and the assistance from the international community was absolutely necessary. The DEO not only relied upon the logistical assistance, but the UN presence was also important in order to safeguard the election materials and a generally secure environment.

**Voter and Civic Education**

The EUEOM general assessment of the voter and civic education was:

\textit{"Across the country the success of the voter education initiative has varied: whilst there was an extensive campaign promoting peaceful elections there was less information informing voters on polling procedures or their basic voter rights."}\textsuperscript{6}

The LTO observed that a NEC team of voter education officers and CEMs were conducting voter education in the constituencies. The NEC training structure included the training of chiefdom youth leaders to educate voters in rural areas. The trainers were knowledgeable, but the training was insufficient considering the number of voters who were in need of it.

As the elections approached, the radio stations sent NEC information on a regular basis as well as election related discussion programs. A voter education program could also be observed on the regional Eastern Radio.

The observers found a huge variety of local NGOs and they frequently complained about lack of funding. The domestic NGO Campaign for Good Governance had not been able to monitor the candidates in the district constituencies because of these constraints. The NGO would like to ask candidates about their manifestos and what people could expect from them if they would be elected. The LTO observed that NGOs were not able to conduct this important task.

It is an open question what was most influential with regard to voter education: the NEC education or the traditional voter training conducted by the paramount chiefs. The LTO observed that while campaigning in chiefdoms, SLPP took the opportunity to conduct so called voter education, i.e. how to vote for SLPP. The ruling party used the traditional chiefdom structures for this purpose to a much larger extent than other parties.

The total amount of invalid ballots was relatively high in the 11 August elections; nearly 10 % in AoR, and 7.3 % at the national level. The voters were supposed to vote by pressing their thumb inside a box beside the preferred party or candidate, but too many ballots could not clearly indicate the will of the voter.

\textsuperscript{5} First January 2006 the UN established an Integrated Office, named UNAMSIL, to assist the government. It has a broad mandate which includes to assist in capacity building of state institutions and to build the capacity of NEC.

\textsuperscript{6} EUEOM Preliminary statement, 13 August 2007, page 6
Voter Registration

EUEOM assessed that

“generally political parties raised little concern about the quality of the voter registration exercise and only a few complaints were lodged.”

A voter registration exercise took place between 26 February and 18 March 2007. 2,621,000 voters registered. The observers, however, received many complaints from political party representatives who were worried that people in remote areas would not be able to travel long distances to cast their votes. The dissatisfaction was rooted in the delineation process which left people, who were used to go to the chiefdom centre to do their business, with long walking distances to be registered in another constituency. In rural areas this was considered to be a breach of people’s traditional way of living and critical voices were raised from the paramount chiefs.

The boundaries of the election constituencies, delineated in July and August and ratified by the Parliament in 2006, had cut across their chiefdoms contrary to §36.3 of the Constitution.

§36.3 stipulates:

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

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

Some cases of double registration occurred in AoR. The Regional Crime Officer, who was in charge of investigation of complaints, had 7 such cases pending at the time when the observers left.

Paragraph 38.8 of the constitution stipulates that

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

The LTO observed that the registration process was perceived as problematic by political stakeholders. The accuracy of the Final Voter Register (FVR) was crucial for the conduct of a transparent election and the registration exercise would need some facilitation in order to avoid any mistrust in the FVR legitimacy.

Candidate registration

A total of 566 candidates registered with NEC for the parliamentary election, 11 independent candidates included. 64 of them were women. The three main parties

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7 EUEOM Preliminary statement, 13 August 2007, page 5
nominated quite a low percentage of female candidates: SLPP 15%, PMDC 11% and APC 10%. No female candidates were nominated for the presidential election.

According to EUEOM preliminary statement

"Political parties expressed satisfaction in the nomination process."\(^8\)

Generally this statement is in line with the LTO observations. NEC regional commissioner received two objections with regard to the qualifications of the candidates. The total number of objections in the country was 54. In the end the NEC commission disqualified one candidate because the candidate had not resigned as public servant in time\(^9\), whilst the remaining candidates were allowed to stand in the elections.

The Election campaign

The general EUEOM assessment of the campaign was that

"The campaign of the ruling party, SLPP and the two main opposition parties APC and PMDC, dominated the months long campaign period with the four smaller parties engaging in less visible campaigning."\(^10\)

In general the campaigning was conducted in a peaceful atmosphere. The observers found that the efforts to promote elections free of violence made by district code monitoring commission DCMC and the Regional Commissioner were effective. The two electoral bodies were constantly vigilant and solved many problems before they could have erupted into violence. But in other parts of Eastern Province, as Kailahun and Kono, the political atmosphere was tense and the towns experienced several violent incidents.

All political parties had to adhere to a notification process were 1) the police had to be notified and 2) the paramount chiefs would be notified through the police before the political parties could initiate campaign activities. The LTO never observed any complaints from parties with regard to the police or any breach of neutrality from SLP side on this issue, but the team observed many complaints regarding the chiefs. Especially PMDC often complained that the paramount chiefs gave preferential treatment and even denial of authorization to hold events.

The LTO observed that many chiefs were SLPP party members. Some of them took part in SLPP rallies dressed in SLPP green colours and expressed their loyalty to the ruling party.

There was a patron-client relationship between the people and the paramount chiefs and between the candidates and the voters as well. The personality of candidates played an influential role in attracting voters. During the campaign period there were rather weak attempts from the candidates’ side to present political issues with substantial information to the electorate. The rallies in Kenema town reminded of party events which attracted a

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\(^8\) EUEOM Preliminary statement, 13 August 2007, page 6

\(^9\) EUEOM Preliminary statement, 13 August 2007, page 6

\(^10\) EUEOM Preliminary statement, 13 August 2007, page 7
lot of young people rather than political gatherings. Unfortunately, many of the rally participants were intoxicated already early in the morning and just a few of them seemed to be interested in political discussions.

The LTO team observed extensive religious activities from Christians and Muslims alike, but religion did not play a role during campaigning. Tribal affiliation however was an undercurrent which was often brought up to the surface as an issue. APC presented themselves as a nationalist party and would accuse SLPP of bringing tribalism into politics. SLPP, on the other hand, would accuse APC of wrongdoings like corruption in the previous APC governments.

Although the LTO team frequently asked political leaders about their party positions on issues like health, education, infrastructure etc. they never presented substantial information on the party political stances.

None of the 11 August presidential candidates gained 55% of valid votes cast as prescribed for in the constitution, part 1, 42.2d, in order to be elected president. Thus, a second presidential round, scheduled for 8 September, was announced by NEC on 25 August and the campaigning period started the same day. The contenders were Ernest Bai Koroma (APC) and Solomon Berewa (SLPP):

Tension rose immediately throughout the country. Freetown saw clashes between APC and SLPP supporters, but none of them escalated into serious violence. In Eastern region SLPP became afraid that they would loose support from the traditional Mende support base. APC and PMDC decided to campaign together and they both came out strongly with a non-tribalism message.

In AoR, the LTO observed that PMDC supporters were more than willing to give the APC presidential candidate their votes. PMDC rather than APC, which was very weak and consequently was not a threat to SLPP, had experienced harassments from traditional leaders supporting SLPP during the first presidential round. PMDC's Charles Margai and APC's Ernest Bai Koroma campaigned together in Eastern province and clashes between SLPP and APC/PMDC occurred. In Kenema a curfew was imposed for several days.

The LTO observed the traditional leaders coming out strongly in their support for SLPP during the second campaign period. The paramount chief in Kenema town displayed his strong support to SLPP by naming the president as the saviour of Sierra Leone and at the same time expressed his fear of APC rule. The powerful paramount chief of Bo campaigned together with Berewa in Kenema.

The Media

The preliminary EUEOM statement found that

"overall the media provided a relatively diverse platform for the major political parties across most of the country despite the difficulties many media outlets experience due to poor infrastructure and
Radio broadcasting was the main source of information for the people in Sierra Leone and in Kenema district as well. 34 radio stations operated throughout the regions and three Kenema based radio stations besides the Freetown-based UN radio dominated the media picture in AoR; Radio Nongowa, Eastern Radio and the state owned Sierra Leone Broadcasting Station (SLBS).

Several media related laws were adopted by parliament: An independent Media Commission Act, Part 9 of the Election Laws Act 2002 and a Media Code of Practice with principles for the standards for audiovisual and newspaper content. The Sierra Leone Association of Journalists has developed a code of conduct for media coverage of elections signed by key media outlets.

The observer found that people were relying on the radio stations rather than newspapers for information regarding election related events; rallies, political outdoor gatherings, meetings and daily events.

Eastern Radio had one hour scheduled for NEC information every Thursday and voter education programs took place as the elections came closer. NEC, and especially the regional commissioner, was very active on radio the last days before election day. NEC constantly advocated the peace message and conducted several election related discussions and debates.

The LTO team observed that the police at regional and district level ridiculed the journalists who inquired about election related events. As the journalists inquired about certain events in the region, some of them violent ones, the police made a mockery out of the serious questions and intimidated the journalists as well as political party representatives.

The team found that the paramount chiefs were challenged by the fact that more information sources were available for the people in the chiefdoms. The chiefs expressed some critical point of views on the role of the media. Although illiteracy is still a problem in Sierra Leone, people can make up their own opinions easier now than just a few years ago due to more diverse information flow. Consequently, the role of the paramount chiefs as the most important source of information has changed.

Observation on the Polling Day

EUEOM found that

"the polling was generally conducted in a professional manner."

The LTO found that the EUEOM statement was generally in line with the observations done by all the Norwegian observers.
11 August observations

Observation in Kenema district, Eastern Region

Observer’s name: Toril Lund

Area of responsibility

Kenema is the main town in the Eastern region and it hosts one of the four regional election Commissioners. The ethnic composition is dominated by the Mende tribe who traditionally has been supportive to the SLPP party. The 16 chiefdoms each has their paramount chief and eventually it was the influential paramount chief from Small Bo chiefdom who was selected /negotiated for the district paramount chief parliamentary seat. Tribalism played an important role in politics throughout the whole country. Ruling families would try to stay in power and maintain the traditional structures of power within the families and the tribe.

Eastern province and Kenema district have diamond mines. Unfortunately the income from mining has not reached the local communities, as the profit from diamonds goes into private hands. Good infrastructure like electricity is scarce and the road network deteriorated during the rainy season.

The district was divided in to 11 constituencies where 270,989 registered voters were to cast their votes. 3791 polling staff was allocated to 631 polling stations (PS). Not more than 550 voters were supposed to be registered in each PS.

According to the NEC manual for polling and counting, the former voter registration centres turned in to polling centres (PCs) and were defined as a location where the voting would take place. The PCs could have from one to four polling stations within the centre. The district had 275 PCs, 7 satellite PCs included. 26 CEMs were responsible for the collection of the PS results.

Observations of opening

As the observers arrived at 06:15 in the morning, they found the PS far from ready for polling. The voters were already queued up in a long line, but some of the election material was missing. The Long Term/Short Term Observer (L/STO) team observed in central Kenema. Due to heavy rain the centre of town was muddy and could hardly be reached by car. Earlier the same morning the trucks with some of the sensitive election material, like the ballot papers, were stuck in the mud, and the openings of some PSs were delayed by a couple of hours.

The team found a PS with all material present and the PS could open with only half an hour delay.

Observations of polling

A lot of domestic observers were present in the PCs. National Election Watch (NEW) had representatives in all PSs observed. The Council of Churches deployed national as well as international observers throughout Kenema district and three EUEOM STO teams coordinated the observation itinerary with the three international National Democratic Institute (NDI) teams.

The three main political parties had their party agents present in all PSs observed.
The polling procedures were generally followed as prescribed for in the election law and the manual. The polling staff was competent and the polling took place in an orderly manner. A few shortcomings were observed which slowed the process; checking of voters ID and the voters’ list took a lot of time. However, by the time of closing at 5 p.m., the voters had already cast their votes and no queues were observed.

Some shortcomings were observed with regards to the voter’s list. If the names of the voters did not appear on the voter’s list, they were still allowed to vote. This practice was contrary to NEC’s decision which stipulated that people was not allowed to vote if they were not included in the voter’s list. This decision from NEC came only a couple of days before e-day and the polling staff had already been instructed otherwise. The observers found that this was the most difficult part of the polling procedure and some of the polling staff were not well trained on this issue.

The police was visible throughout the day, but they kept a low profile.

*Observations of counting*

The counting procedures were followed in a correct manner. The process was transparent and the party agents participated in discussions regarding invalid/valid ballot decisions in a constructive manner. However, more than 10% of the ballots in the PS observed were declared invalid. The number of votes declared invalid was not unusually high compared to other PSs in these elections. The invalidation of ballots did not favour any of the parties. The LTO observed that if there was any doubt, the polling staff and the party agents declared the ballots invalid.

The party agents signed the result forms, but they were not displayed on the wall outside the PS buildings as prescribed for in the manual.

The PS result forms were put in tamper evident envelopes (TEE), collected by CEMs and brought to NEC’s district office in Kenema. Without being opened at district level, all envelopes went to Freetown where they were tallied. It took Kenema district five days to collect the last envelopes from the constituencies.

All 11 constituency parliamentary seats in Kenema district were won by SLPP, four of them were women.

**Observation in Bo district, Eastern Region**

*Observer’s name: Tom Fr. Vold*

*Area of responsibility*

Bo District is situated in the southern region of Sierra Leone and comprises 15 chiefdoms and 11 constituencies. It has an estimated population of more than 600,000 people. The main economic activities are trade, gold and diamond mining and agriculture (rice, coffee, cacao and palm oil). Bo town is the region capital and, after Freetown, the second largest town in Sierra Leone. The constituencies observed were partly urban (the outskirts of Bo town) and partly rural.

Bo District has been a SLPP stronghold: In the 2002 Parliamentary Election all 7 seats from the district were occupied by SLPP representatives. This has however changed. For the 2007 elections Bo District has been considered politically volatile.
Observation of the opening

When the team arrived at 06:20 several hundred voters had lined up in front of the 5 PSs at the school. No signs guided voters in respect to which PS they were to vote in.

The five staff members of the PS observed did not arrive before around 06:40. At the time there was already a long line of voters waiting in front of the PS. All five staff members participated in the preparation of the opening, which was done in a rush, but in a professional and transparent manner. Party agents from APC, PMDC and SLPP and a national observer from NEW observed. The PS opened – on time – at around 07:00.

It soon became clear that many voters had lined up without knowing which PS they were registered in. This resulted in some confusion, and many voters became quite agitated when they were rejected by the PS staff and referred to the line of another PS. At one point the situation became so challenging that the polling station manager (PCM) closed the PS and called for the police. However, after numerous complaints from voters, the manager again opened the PS, without having received the requested help. At the moment there did not seem to be enough police officers present.

The PS staff found it difficult to find a system in the voter’s list; voters were neither systemized alphabetically or by numbers. This slowed the voting process because the Voter Identification Officer sometimes had to look through all the names in the voter register in order to find a voter. The considerable delays this caused resulted in complaints from voters.

Observation of the polling

The general impression was that the polling was conducted in a calm, transparent and orderly manner, and the team did not observe any attempts of foul play. The team was well received and given full access to all PSs. The team did not see any form of intimidation or disorder neither outside nor inside the PSs. In all stations, party agents from APC, PMDC and SLPP and a national observer from NEW observed, and there were police present outside all visited stations. The great majority of voters voted in the morning, hence the PSs were almost empty in the afternoon.

The above mentioned problems with the voter’s list created delays and long lines at some PSs. This improved during the day, probably because more and more voter identification officers found a system in the list (voters were gathered in batches identified by the first digits of the number of their Voter Card).

During the day the team interviewed 28 voters. A clear majority seemed satisfied with voter education and voter registration, and no one felt intimidated. Surprisingly many, however, 8 in all, mainly in rural areas, confirmed that they had received “instructions as to whom to vote for from traditional authorities”.

Some PSs, typically school classrooms, were small and easily crowded. Further, no PS staff wore official NEC accreditation, and during the day the team saw police inside PSs on numerous occasions. Few PSs had arranged for a specific procedure for ink checking. All blind voters observed were assisted; the team did not see the tactile ballot guide in use.

Observation of the closing and counting

The general impression was that the closing and counting – in spite of difficult conditions, especially the lack of light (the PS was only supplied with a flash light) – was
preformed in a calm, transparent and professional manner. The team did not observe any attempts of foul play.

The physical counting of the votes was done according to procedure. However, the presiding officer ran into difficulties with the reconciliation, partly because she had entered the results in the Result Form before any figures were entered in the Reconciliation Form. There also seemed to be some confusion regarding the rules for determining the validity of ballots (according to the regulation a ballot is valid if the voter’s intention is clear); a few rejections were in the team’s opinion questionable. Nevertheless, there were few discussions regarding validity of ballots and all present seemed to agree on the decisions. The policewoman assigned to the PS was present inside the PS during the process.

Out of 406 submitted votes in each election, 18 were deemed invalid in the presidential election and 21 in the parliamentary election. The results of the counting process were posted outside the PS.

Observation of the aggregation and verification of results

Due to security concerns all STOs were instructed to return by midnight. Because of this the team was not able to observe the Constituency Election Monitors (CEM) collect the sealed envelopes containing the results, from the PS.

The next morning, the team visited a larger part of the PSs and photographed the results. Close to all PSs had the results posted outside. The process of collecting results seemed slow, however; some PCs had not by noon been visited by the CEM.

Observation in Kambia, Northern Region

Observer’s name: Tove Gravdal

Area of responsibility

The district shares a 180 km long border with Guinea. Kambia was the last stronghold of the RUF rebels before disarmament from May 2001. Before the civil war the district had 400 000 inhabitants. The 2004 census showed a population of 270 462. Up to the 2007 election the political support has been rather evenly divided between the ruling party SLPP and APC. There is a major generation gap in political support in the district. The older remember the one party period of the APC and honours SLPP for having brought peace to the country in 2001. The young generation has no memory of the one party state and criticises the SLPP for not having improved the standard of living in their years of power since 1996. The young generation therefore voted generally for APC.

One major feature observed in AoR was the conflict between the paramount chiefs (the traditional chiefs descending from kings of the region. Their power structure was reinstalled as part of the 2001 peace agreement) and politicians. The chiefs are not supposed to be political, but in two cases observed in Kambia, they were obviously campaigning for SLPP.

Observation of the opening

The PS observed in Kambia town was delayed but it did open before 8 am. A lot of people were in line to vote and the queuing was rather disorganized for a while. Some protests occurred when the PCM asked old people, pregnant women and handicapped
people to go first in the line. There were minor irregularities, like police being present in the PS. But there were no observed breaches that could influence the result of the vote.

**Observation of the polling**

Seven PSs were observed in three constituencies during the day. Irregularities observed:

1) None of the polling staffs were wearing photo IDs. They only wore a blue vest identifying them as polling staff, but no ID to confirm their identity. According to NEC regulations they were supposed to have IDs.

2) Illiterate people were not entitled to assistance in voting. In one PS the PMC nevertheless played a very active role in helping illiterate women by going with them behind the screen. The team observed him taking the thumb of the women and stamping the ballot with her.

3) Police was present in a few PSs without their presence having been required by the polling staff. But no intimidation observed.

4) In one PC four persons had been allowed to vote without a voter’s card or a photo ID. Their names were on the voter’s list.

**Observation of the closing and counting**

The team observed the closing and counting in a PS in a rather rural area. The closing and counting procedures were followed, except for the counting of votes for each candidate not being done independently twice. But the counting was closely followed by the party agents, and no irregularities were observed.

**Observation of the aggregation and verification of results**

The performance of the PS staff and by the PCM was very poor. Party agents also showed a lack of understanding of the process. As soon as the counting had ended, the SLPP agent disappeared in disappointment and the APC agent left to celebrate. None of them followed how the result form was completed, and only one party agent from the neighbouring PS signed the result form. The process of filling in the forms was very complicated for the polling staff. Confusion arouse after the PCM wrongly instructed that the invalid ballots should be listed as spoiled ballots in the reconciliation form. Results were not posted on the wall outside the PSs in the evening and the result forms were not picked up by the CEM until the day after.

**8 September observations**

EUEOM assessed that

“Opening and polling procedures that were observed in 388 polling stations improved in comparison to the first round. There were, however, some regional differences in the electoral process with procedures smoother in the north and more complex in the eastern and southern provinces.”

This assessment is in line with the LTO observations during the two polling days.

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Observation in Kenema district, Eastern Region

Observer’s name: Toril Lund

The voter turnout was observed to be slightly less the second round as compared to the first. The voting pattern on election day for the second round was a bit different. The voters did not come out in big numbers early in the morning and consequently, the queues were calm and orderly. The voters came trickling in throughout the whole day and the team observed voting going on until the closing time at 17 p.m.

The women came out late in the afternoon. Some of them claimed they had not gone out early in the morning in fear of unrest. The radio stations informed there were no reasons for such fear and urged people to go out to cast their votes.

The scale of PSs with more than 95% turnout is estimated to be less than 10%. To the surprise of the team, the instances of fraud observed were not in the rural areas but in Kenema town. Although APC trained and deployed a lot of additional party agents as compared to the first round in Kenema town, the police could confirm that polling staff linked to SLPP still were involved in fraudulent behaviour: i.e. one incident of casting two ballots (double voting) and an SLPP party agent with the support of one of the polling staff harassed an APC party agent. In both of the PSs where these incidents occurred the turnout was 100% and the results were later invalidated by NEC.

The closing and counting procedures were obviously much easier to handle during the run-off election. The polling staff could count and finalize much of their work while there was still some daylight. No disputes were observed as to the decisions on the valid/invalid votes. The polling staff had obviously been trained on this issue and they performed better during the second round.

The team observed some confusion as to whether the sealed envelopes should be sealed by the DEO or in the PCs. More than 90% of the TEEs observed were sealed as they arrived in DEO office, but during the run-off, the team observed POs who were not sure on this point. CEMs were however clear as to how the procedures should be and the LTO observed that they gave correct messages to the polling staff.

Observation in Pujehun district, Southern Region

Observer’s name: Bror Gevelt

Area of responsibility

Pujehun is the southernmost district of Sierra Leone. It borders the Atlantic Ocean and Liberia. The population is 228,000, of which 98,475 are registered voters. Pujehun district, which is largely agricultural, consists of five constituencies and 12 chiefdoms. Export of diamonds and rubber is commercially important.

One of the constituencies was deemed inaccessible, while one of the districts’ three teams (LTO 11, STO 11A, STO 11B) was deployed to Zimmi to cover a constituency (91) not reachable from the town of Pujehun, the district centre. Infrastructure is poor throughout the district.

The population is Mende and traditionally Sierra Leone People’s Party (SLPP) voters. The party holds 20 out of the 21 seats in the District Council. In the August 11 election, the district’s electorate gave the SLPP renegade party, the People’s Movement for
Democratic Change (PMDC), a considerable share of the votes. In the first round of the Presidential election, Berewa (SLPP) got 50.3% of the Pujehun votes, while Margai (PMDC) received 43.5%. All People’s Congress Party (APC) has marginal support in the district.

Margai encouraged the PMDC voters to support APC’s presidential candidate Koroma in the second round. In rural districts, like Pujehun, the majority of the electorate was expected to vote along ethnic lines, i.e. Mende (Berewa).

Observation of the opening

Opening started on time at the polling station observed by LTO 11. The two other district-teams also reported punctuality with regard to the opening. In some cases people were queuing already at 6 am. However, fewer people were observed than at the same time in the first round. Due to poor queue control, some voters were queuing up at the wrong PS.

The opening sequence in Pujehun district was conducted in an orderly manner and generally in a peaceful atmosphere. No major incidents, violence or clashes were reported or observed. In some parts of the district, however, more tension, threats, allegations and fraud were observed.

Disabled and elderly people were allowed to cast their ballots first. In these cases, an exceptionally high number of assisted voting was observed, allowing the assisting person to follow the voter inside the screen.

Observation of the polling

LTO 11 visited eight different PSs in constituency 88. In general, the atmosphere was calm and no organised fraud was observed. However, in one separate case, an individual was caught inside the PS holding eight ballots. An APC agent prevented him from casting them. Allegedly, the ballot box controller gave the person the eight ballots. The controller denied the allegation. The voter was subsequently arrested by the police and taken to Pujehun for further investigation.

Minor, but numerous irregularities were observed, i.e. assisted voting (see above), no check for indelible ink before the voters were issued ballot papers, insufficient ballot box marking (PC/PS) numbers, ballot papers pre-folded and pre-stamped, lack of inking after voting.

According to reports from other constituencies in the district, the second round elections in Pujehun represented a huge step back when compared to the August 11 voting. Intimidation, tension and widespread organised election fraud were observed by EU observer teams, in particular in constituencies 89 and 91. Extraordinary high turnout at an early stage questioned the credibility of various polling staffs and some PSs ended up with 100% turnout or more. (Confirmed by DEO and later also NEC. Hence, 45% of the PS results were reportedly disqualified).

Observation of the closing and counting

Observed closing and counting was conducted smoothly and according to procedures. However, lack of polling staff skills and education caused an extremely slow process. In particular, knowledge about filling in reconciliation forms and about which papers to be included in the TEEs was marginal.
Observation of the aggregation and verification of results

The first TEEs arrived at the DEO around 2030 hrs. Exceptionally many TEE-bags were brought to the collection centre unsealed, which left the polling staff with an option of “last minutes adjustments”. At closing around midnight, only 19 out of totally 92 TEEs had been delivered. The process was scheduled to resume at 0600 hrs. the following day. No further process was observed.

Observation in Kambia district, Northern Region

Observer’s name: Vibeke Christie

Area of responsibility

Kambia has a population of 270,462 and 134,757 registered voters. The district chiefdoms are separated along ethnic lines (3 Temne, 3 Susu, and 1 Limba) and the six constituencies are not matching the boundaries of the chiefdoms. The population is 70% Muslim and 30% Christian. Temne, representing 40% of the population, was said to vote for both the SLPP and APC, while the Susu (28%) and the Limba (21%) was said to mainly vote for APC.

SLPP had a clear defeat in Kambia in the first round and APC received even more votes in the second round. Kambia had one of the lowest voter turnouts in the country (65.9% in the first round and only 58.11% in the second round), presumably due to high illiteracy, political apathy, the peak of the farming period, lack of voter education, intimidation of voters, and parties’ inability to transport voters to the PCs.

Observation of the opening

The team observed the opening in one PS in Kambia town and rated the overall conduct of opening to be very good. The procedures were followed. All the polling staff, the accredited party agents for the two parties, as well as a national observer from NEW was present. Both the polling staff and the party agents seemed to be well aware of the procedures and no complaints were made.

Observation of the polling

The team observed the polling in rural areas except from one urban PS. The team never observed, or heard of by interviewing voters, any intimidation of voters outside or within the PSs, nor any disorder. However, the team discovered that the police had been summoned to calm down tensions in as many as three of the observed PSs, as individuals had disrupted the opening of the polling earlier in the morning. These persons were all angry and frustrated former junior polling staff who had not been reemployed by NEC at district level for the second round, due to “poor performance or behaviour during the first round”. These incidents were all considered complaints, but only one of these was recorded in the PO’s journal.

In the eight PSs observed, the polling staff generally seemed to know the procedures well and the procedures were adhered to, except for the procedures with regard to the checking for ink, but nobody complained about this. Some of the party agents and national observers were not aware of the new rule stating party agents were entitled to a copy of the results.

The team’s rating of the overall conduct of the voting in the observed PSs was from very good (6 PSs) to good (2 PSs).
Observation of the closing and counting

The team observed no voters outside the PC prior to the closing.

The closing procedures were done in a fairly good manner. Everyone could fully observe the counting process, no invalid votes were disputed or incorrectly rejected, and no complaints were made.

All the right papers were filled in. However, the PCM did not verify and enter the results in the PC return form before the PO stamped and signed the result form, only after. Both party agents left the PS after the count, but were summoned back to sign and receive a copy of the results. The results were taken to the PCM who sealed all the TEEs of that PC. The results were not posted in the PSs in that PC. The PCM did not wait for the CEM to collect the TEEs, but brought the TEEs to the CEM’s house to be locked in for the night.

Observation of the aggregation and verification of results

The team observed the TEEs arriving in the NEC district office in Kambia until midnight.

In Mambolo, the team found three PCs with a suspiciously high turn out; 95%, 96, 2% and 99, 9%. In all three PCs, the APC candidate won overwhelmingly and received a much higher number of the votes compared to the first round. No SLPP party agents had signed the result form in the PCs. Several SLPP supporters in Mambolo told the team that they had been afraid of going to vote for SLPP, some of them showing their cards which had only been punched once.

The review of Complaints Process

EUEOM assessed that

"the creation of special courts of law dedicated to electoral issues for the 2007 elections is widely considered as a major and positive achievement." 14

With the purpose of acting as both an election petition court and a special electoral offences court, six courts were established on 16 July. Three were located in Freetown and one each in Bo, Kenema (LTO AoR) and Makeni. Criminal matters with references to offences listed in the Election Laws Act, sections from 93-111, could be heard in the Electoral Offences Courts (EOC). These were cases connected to the general elections, be it from registration through the final announcements of results.

The election petitions courts handled civil matters specifically with regard to the results of the parliamentary elections. These petitions had to be submitted within seven days of the announcement of the results.

These two special courts were supposed to be functioning for six months only.

The LTOs observed that the electoral offences court did not receive a single case before election day 11 August. At that time, 12 cases were reported to the police. Most of them

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were cases related to violence and damage to property. The judge seemed dedicated and competent and was ready to take the cases as soon as they came to her desk.

The procedures from the police and State Council sides were exactly the same as for other criminal offences; they took time with the police and the State Councillor did not have additional resources to handle these cases speedily. The role of the Attorney general was a role of a politician. Director of Public Prosecutor (DPP), who sorted under Attorney general, could institute a private prosecution and it might also disclose a case.

The team observed that the State Councillor in Kenema was frustrated by the fact that the State Council did not belong to the judiciary. He presented the State Council as a political body which was dependent on the ruling political party. His office was a part of the Ministry of Justice, the Attorney general and himself reported to the DPP. It was a serious concern that some cases which should have come to court never would be prosecuted.

District Code Monitoring Committees

The DCMCs were established on 20 October 2006 by the Political Party Registration Committee (PPRC) to monitor breaches of Code of Conduct before, during and after the elections. PPRC formed DCMCs in each of the 12 districts. The overall aim of this electoral body was to keep the political tensions low and create a positive atmosphere for mediations during election-related conflicts. Unfortunately, the link to the traditional structures was missing. DCMCs included representatives from all political parties, NEC, the police and civil society organisations. The widespread representation from all corners of the society failed however to reach into the traditional society in the chiefdoms.

The LTO team observed that the traditional structures were still strong when it comes to loyalty to the paramount chiefs. In order to have DCMC become an election body which could provide for a level playing field in the chiefdoms, it would be necessary for DCMC to have representatives from the paramount chiefs. This would be a meeting place to discuss and clarify the links between the paramount chiefs and the political parties.

The LTOs observed a very active and well organised DCMC in AoR. It was actively involved in public discussions concerning appropriate behaviour from the election stakeholders and DCMC members mediated in cases of conflicts and observed the behaviour of political party supporters as well.

The LTO observed that the electorate, members of DCMC and parties came forward with written complaints which were directed to PPRC. These were minor breaches of the Code of Conduct; denial of rallies in chiefdoms, ignoring the rally schedule, provocative language etc.

DCMC assessed the complaints and cases of crimes were sent to the police.

Conclusions and recommendations

The observer’s main finding was that the two independent institutions NEC and PPRC represented the main contribution to the peaceful elections. Establishing DCMCs to
mediate in conflicts before they erupted into violence, additionally contributed to a peaceful election environment.

NEC

It is important for NEC and PPRC to continue to develop independent structures in order to enhance transparency and to maintain their credibility. NEC's announcements of the results took a lot of time and the process with publishing the results on the website and journalists present in the tally centre was transparent but at the same time criticized. People were afraid of riots during this nearly two week process of announcements, but it never happened. NEC should continue the transparent way of announcing the results.

NEC will need more logistical capacity to be able to conduct future elections without logistical support from the international community. In order to plan for future elections they will need adequate funding and it should be provided for on a long-term basis.

Election procedures

In spite of an overall successful 11 August elections, some shortcomings were observed. For the 8 September presidential run-off, NEC provided for some new regulations which contributed to a smooth polling and counting process. The most important changes in the procedures were the improvement of queue control, issuing of a copy of the PS result to party agents, focusing on the intentions of the voter when determining valid/invalid ballots and the collection and handling of the TEEs.

It is however necessary to improve the training of political party agents. In order to prevent misconduct and come forward with their right to complain, they will have to be more confident. The team observed party agents to be more knowledgeable in the run-off election as political party activists from Freetown came to AoR to train and support their party agents.

The voter training campaigns should be intensified and take place during the last month before election day. The NEC Voter Register needs update on a regular basis and more frequently than every third year. The registration should be facilitated in a way which provides for a level playing field for all potential voters weather from urban or rural areas. The publishing of the FVR should be improved by displaying the register in the town/village official places.

The LTO recommends that no more ballot papers than 100% + 2 - 5% of registered voters will be delivered to PS in order to avoid misuse of ballots. Two PSs with 100% turnout were observed by the LTO during the presidential run-off.

Traditional structures

Before election day the observers found that the opposition parties PMDC and APC came forward with many complaints about the traditional structures in the chiefdoms related to the patronage networks developed by the paramount chiefs. The unwillingness of chiefs to provide for a level playing field for all political parties aiming to rally in the
chiefdoms was a concern for all stakeholders. NEC and DCMC intervened but the LTO could observe close links between the ruling party SLPP and the paramount chiefs throughout the whole period of observation.

The LTO found that the non-transparent and not observable election of the 12 parliamentary paramount chief seats did not follow the procedures as prescribed for in the Constitution § 74.

Gender

The observer found that women have a long way to go to reach a gender balance within political party executive bodies and parliamentary representation.

Civil society organizations should engage in long-term democratic processes while focusing on women participation within political parties. As elections approach, NGOs should support female candidates; organize workshops, campaign funds, visibilities, media sensitization etc.

The Police

The LTO observed the police to control the security situation in a professional manner. The riot police was visible but discrete. The Sierra Leone police was commended by all political parties and other political stakeholders as well.

On the other hand, the LTO observed the police to be ineffective when it came to investigation of election related complaints and alleged fraud.

Election results

17 September NEC announced the final results of the presidential election. Koroma obtained 950,407 (54.6%) votes and Berewa 789,651 (45.4%). The turnout was 68% and the number of invalid votes dropped to 2.45%. NEC decided to invalidate all results from PSs reporting over 100% turnout. 477 PSs across the country were thus invalidated; 426 from the South-East and 51 from the North-West. The invalidation of these PSs did not affect the outcome of the results and consequently it did not require a repeat of the polling exercise.

Assessing the total election results from both rounds would make it clear that there is a decline in the power of SLPP in the Eastern and Southern region strongholds. The newcomer in the 2007 elections, PMDC, managed to split the SLPP votes to certain extent. Should the alliance seen between APC and PMDC during the presidential run-off prevail, it would be a challenge to SLPP to maintain its dominant position in these two regions.

Appendices

List of abbreviations

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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ADEO</td>
<td>Assistant District Election Officer</td>
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<td>APC</td>
<td>All People’s Congress</td>
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<td>APO</td>
<td>Assistant Presiding Officer</td>
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<td>AU</td>
<td>African Union</td>
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<td>CCSL</td>
<td>Council of Churches in Sierra Leone</td>
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<td>DEO</td>
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<td>DRO</td>
<td>District Returning Officers</td>
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<td>Ecowas</td>
<td>Economic Community of West African States</td>
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<td>E-DAY</td>
<td>Election Day</td>
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<td>EOC</td>
<td>Electoral Offences Court</td>
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<td>FVR</td>
<td>Final Voter Register</td>
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<td>ICCPR</td>
<td>International Covenant of Civil and Political Rights</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<tr>
<td>LTO</td>
<td>Long Term Observer</td>
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<td>L/STO</td>
<td>Long Term/Short Term Observer</td>
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<td>MP</td>
<td>Member of Parliament</td>
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<td>NEC</td>
<td>National Election Committee</td>
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<td>NEW</td>
<td>National Election Watch</td>
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<td>NDI</td>
<td>National Democratic Institute</td>
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<td>NCHR</td>
<td>Norwegian Centre for Human Rights</td>
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<td>PC</td>
<td>Polling Centre</td>
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<td>PCM</td>
<td>Polling Centre Manager</td>
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<td>PMDC</td>
<td>People’s Movement for Democratic Change</td>
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<td>PO</td>
<td>Presiding Officer</td>
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<td>PPRC</td>
<td>Political Party Registration Committee</td>
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<td>PS</td>
<td>Polling Station</td>
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<td>SLBS</td>
<td>Sierra Leone Broadcasting Station</td>
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<td>SLP</td>
<td>Sierra Leone Police</td>
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<td>SLPP</td>
<td>Sierra Leone Peoples Party</td>
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<td>STO</td>
<td>Short Term Observer</td>
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<tr>
<td>TEE</td>
<td>Tamper Evident Envelope</td>
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Appendices (not published in the Web Edition)

- European Union Election Observation Mission preliminary statement
- European Union Election Observation Mission preliminary statement for the second round presidential election