

Implementing Diaspora Voting for Sierra Leoneans: Outline for a Consultative Process

1. Background

A representative democracy is ensured by the conduct of free, fair and credible elections, one in which all eligible citizens are counted to vote, and whose votes are counted. This fundamental human right is not automatically relinquished by citizens when they emigrate.

Like many emigrants of developing countries, Sierra Leoneans in the diaspora contribute significantly to the economic development of their country of origin. This critical role is recognized by each of the four major political parties in their manifestos for the 2018 elections. The parties also recognize the importance of facilitating optimal citizen contribution to nation-building and national peace and cohesion. Accordingly, all the parties variably promised in their manifestos that enabling diasporas to register and vote at a location in or near their countries of residence (i.e. diaspora voting or out-of-country voting) is one way to facilitate such contributions.

Diaspora voting increases a sense of belonging and enhances the participation of diaspora in the political and socioeconomic development of their home countries. Several recent studies by the World Bank, the Brookings Institution, and other global think tanks found that, between 2010 and 2018, African countries such as Senegal and Mali that allowed their citizens in the diaspora to vote in their host countries of residence experienced a much higher increase per annum in the percentage of remittances repatriated by those diaspora to their home countries than African countries that did not allow or make provision for diaspora voting. Ghana, for example, has implemented special investment bonds for diaspora investors to boost finance for public works projects.

2. Rationale

For a developing country that derives up to 25% of its GDP from remittances sent by its diaspora, according to a UNDP study, Sierra Leone is missing out on even higher percentages of remittances and increased GDP by not instituting diaspora voting. According to the formula used in previous studies of other African countries, such as Senegal that have instituted diaspora voting, Sierra Leone stands to add between \$100 million USD and \$200 million USD to its annual GDP by permitting and facilitating diaspora voting. The additional money is potentially a huge source of funding for the government's priorities.

The evidence is unequivocal; diaspora voting strengthens connective bonds and greater buy-in by diaspora for a government's development agenda. As Laloupo (2014:22-23) puts it:

“Over the years, African communities originating from Mali, Senegal, Benin, Algeria, Namibia and Mozambique, among others, granted the opportunity to vote from their new home during election, have reinvented their ties with their countries of origin. In addition to its symbolic value, the vote, as a fundamental expression of democracy, has become a means of reaffirming and reinforcing citizenship. This major change has brought about a feeling of greater closeness to their “native land”. By making emigrant citizens permanent stakeholders in the ongoing history of their country, the right to vote has demolished a significant portion of the psychological barrier that used to exist between them and their homeland.”

Thus, this document is presented as an outline of a consultative process towards enabling eligible Sierra Leoneans in the diaspora to register and vote in elections officially conducted by the National Electoral Commission of Sierra Leone, at a location in or near their countries of residence, as a significant show of intent by the incumbent government to “*demolish... that psychological barrier*” alluded to by Laloupo (2014). The document focuses on the “how-to” of “diaspora voting” (DV) for eligible Sierra Leoneans in the diaspora. The paper assumes the following:

- That there are no legal impediments to DV for eligible Sierra Leoneans abroad.
- That eligible Sierra Leoneans abroad have the right to exercise their democratic franchise by participating in elections through DV.

Starting from and being based upon the above two premises, this paper does not address the question of “why diaspora voting?” Perhaps the only implicit contribution to that debate this paper offers is to demonstrate that, as has been the case in comparable countries like Senegal and Mali, DV is implementable and affordable. A plausible argument could be made, though not developed here, that DV extends the state’s democratic space beyond the confines of its physical borders with the potential to strengthen both democracy and the state itself.

Furthermore, international legal scholars such as Patti Lenard (2018) are increasingly pointing out the obligations of states to make global provisions for their resident and diaspora citizenry alike as an extension of the inalienable rights protections of dual citizenship found in the Universal Declaration of Human Rights. Thus, states such as Sierra Leone that are yet to implement diaspora voting are currently negligent in their duties to make commensurate voting provisions for their diaspora citizens as their domestic citizens under contemporary expectations of globalized citizenship.

The rest of this consultative paper is structured as follows: Section 3 sets out the legal basis for DV; Section 4 discusses DV implementation including locating Sierra Leoneans abroad; identifying DV polling stations; establishing the Electoral Supervision Committee (ESC); ESC member induction and training. Section 5 focuses on diaspora voter registration, diaspora voter education, and DV itself. Section 6 provides helpful case studies, and section 7 identifies the main budget components and some suggested next steps. Several useful sources are listed in section 8.

3. Legal Basis for Diaspora Voting

Since its establishment by law in 2002, the National Electoral Commission (NEC) has never implemented diaspora voting. However, it attributes this inability to administrative impediments rather than legal prohibitions. In fact, Section 18 of the Public Elections Act, 2012 is explicit in providing a basis in law for DV: “18. Notwithstanding anything to the contrary in this Act, the [National] Electoral Commission may make provision for the registration outside Sierra Leone of non-resident citizens of Sierra Leone who may wish to be registered as voters.” (pg. 12).

4. Diaspora Voting Implementation

Some practical considerations and pragmatism will be required in effecting DV. It will be impractical and too costly to avail every Sierra Leonean everywhere in the world the opportunity to exercise their democratic franchise. Rather, the priority will be to focus on

countries where the largest numbers of Sierra Leoneans abroad live and where the government of Sierra Leone (GoSL) has the necessary presence with an embassy and/or consular services.

This section addresses locating Sierra Leoneans abroad; location of DV polling stations; formation of the Electoral Supervision Committee (ESC); ESC member recruitment and selection; and ESC member induction and training.

4.1 Locating Sierra Leoneans Abroad

The website www.countryeconomy.com¹ provides a distribution of Sierra Leonean emigrants. Figures 1 and 2 below indicate the largest concentrations of Sierra Leoneans abroad by country. GoSL will need to make a policy decision as to how far to extend DV. Determining factors may extend beyond pure numbers to consider accessibility of Sierra Leoneans in specific countries, GoSL logistical capacity in-country, accessibility of DV for Sierra Leoneans in nearby countries, etc.

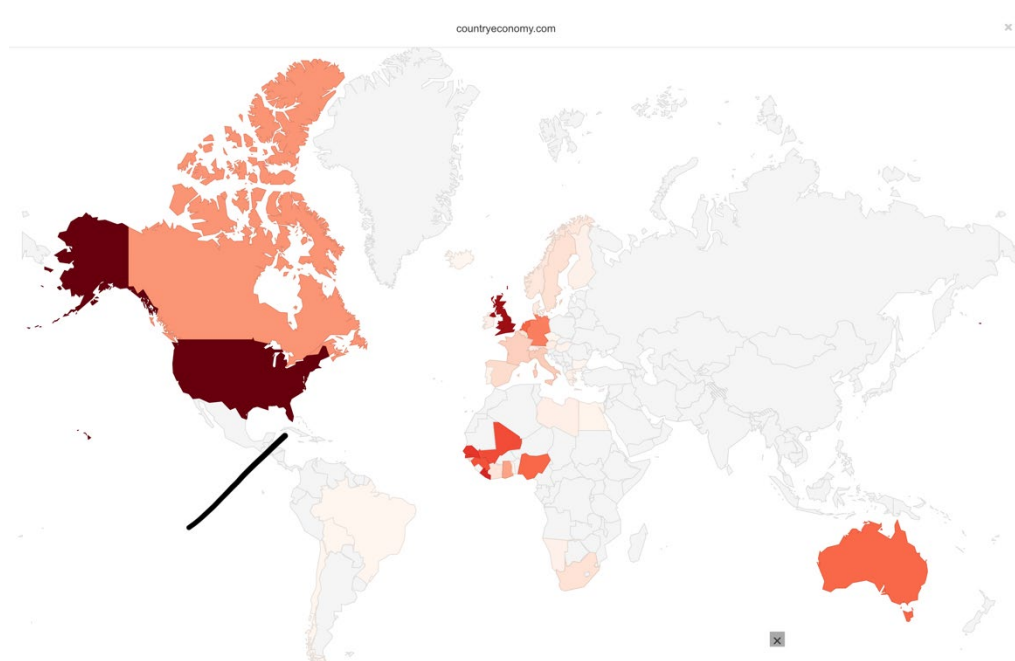


Figure 1: Heat map of Sierra Leonean emigrants (source: www.countryeconomy.com)

4.2 Locating Diaspora Polling Stations

Once DV countries are chosen, GoSL will need to select polling stations in each country. A similar set of considerations will determine where to locate polling stations and how many. GoSL will need to strike a balance between cost/complexity/logistics and voters' convenience. Some voters may be highly motivated, but they are likely to be constrained by time, resources, and work/childcare obligations. The latter can easily suppress voter turnout.

¹ <https://countryeconomy.com/demography/migration/emigration/sierra-leone>

Figure 2: Sierra Leonean emigrants by destination/host country

<< 2015 Migrants from Sierra Leone according to destination country (2017)	
Countries	Emigrant stock
United States	41,028 
United Kingdom	32,613 
Liberia	18,900 
Senegal	14,527 
Mali	9,608 
Guinea	8,436 
Nigeria	4,195 
Netherlands	4,161 
Australia	4,092 
Germany	3,266 
Canada	2,784 
The Gambia	2,481 
Ghana	2,402 
Italy	1,401 
France	1,320 
Spain	1,034 
Guinea-Bissau	850 
Sweden	846 
South Africa	817 
Belgium	737 
Ivory Coast	665 
Norway	556 
Denmark	404 
Switzerland	352 
Austria	294 
Libya	242 
Ireland	210 
Greece	171 
Finland	161 
Namibia	150 

Some consultation with Sierra Leoneans in these respective countries before decisions are made will be important to understand their perspectives and how best to strike the right balance. Treating Sierra Leoneans abroad as partners in this process will likely pay dividends in terms of high voter engagement and participation. It will, of course, be essential to consult closely with political parties, most of which have vibrant diaspora chapters in the territories with the highest concentration of Sierra Leoneans abroad. Full cooperation of overseas missions and of other MDAs, such as the Ministry of Foreign Affairs and International Cooperation, will also be essential.

With regard to the above, it is encouraging to note that a senior government official of one of Sierra Leone's most strategic overseas missions, the ambassador of Sierra Leone to the United States of America, H.E. Ambassador Sidique Abou-Bakarr Wai, recently underscored the vital consultative role of diaspora as partners of the government in planning future policies. In a speech to the 2020 African Model Union delivered at Howard University on Thursday, February 20, 2020, Ambassador Wai noted:

“Upon assumption of office, about two years ago, the Administration of His Excellency President Julius Maada Bio conducted a Management and Functional Review (MFR) of the Office of Diaspora Affairs as part of Government's commitment to strengthen and improve on service delivery. Our Sierra Leone Embassy to the United States have a full-time Diaspora Officer. Similarly, I have embarked upon engaging my compatriots in the United States and other countries of my accreditation to get Sierra Leonean professionals return and to fill the critical capacity gaps in our Ministries, Departments and Agencies (MDAs). The Embassy has also stepped-up efforts to create a database for Sierra Leoneans in the diaspora through effective designing and implementation of policies relating to the African Diaspora. We conduct Diaspora town hall meetings across the United States in order to encourage our diaspora to help their country.” (pg. 5)

4.3 Formation of Electoral Supervision Committee

Countries like Senegal boast an impressive track record of DV, implemented largely an electoral supervision committee. An ESC comprising suitable persons among Sierra Leoneans in the diaspora is an essential pillar of DV. Thus, it is highly recommended to the National Electoral Commission (NEC). Terms of reference (ToR) for the ESC will set out its precise role. The size of the ESC will be in proportion to the country in question and the number of polling stations (which ESC members will simultaneously supervise). It will be important to get appropriate sign-off on the ESC ToR at various levels of GoSL and with political parties, mostly working through NEC, National Civil Registration Authority (NCRA) and Political Parties Registration Commission (PPRA).

Even though ESC members are more likely to be motivated by civic responsibility and will be respected nonpartisan pillars in their communities, it is important to place their role in DV on a formal footing with a contract that clearly sets out expectations, roles and responsibilities. Making these contracts public also helps to embed public confidence in the democratic process and enhance accountability of the ESC members. Contracts will have to be compatible with the laws in the respective countries in which DV takes place.

4.4 ESC Member Recruitment and Selection

In keeping with developing a transparent, fair democratic process in which all stakeholders have confidence, it will be important to design a consistent but straightforward ESC member recruitment and selection process. Political parties may be tempted to overplay their hands and try to get their loyalist activists appointed, but this will undermine overall trust in the process and confirm the deep cynicism in the minds of the general public. To build confidence, it will be important to secure appropriate sign-off by relevant stakeholders on the recruitment and selection process.

The actual recruitment of ESC members in each DV country must be well-publicized and conducted in strict accordance with agreed procedure. Transparency will help to build trust not just in DV but in governance at large, the government, and the country. All this helps to bind diasporas to their country of origin and contributes indirectly to greater diaspora investment in and engagement with the country of origin, in this case, Sierra Leone.

4.5 ESC Member Induction and Training

Induction of newly recruited ESC members is an important part of building the team so vital to the long-term sustenance of DV. It is therefore advisable to neither overlook nor underplay this step. It is the opportunity to reinforce norms and values of transparency, fair play, and a level playing field for all in the DV process.

Similarly, just as electoral officers across Sierra Leone are trained by the National Electoral Commission (NEC) in the specifics of the conduct of the election, it will be essential for ESC members to receive appropriate training for their roles. NEC can consider long-distance training using online tools to deliver this training to participants across the various DV countries.

5. Diaspora Voting

In this section we look at diaspora voter registration; diaspora voter education; and diaspora voting itself. All the previous steps should contribute to a smooth process of diaspora voting with a reasonable turnout (which might build over time), with no hitches that cannot be quickly resolved, and no lingering doubts or disputes about due process.

5.1 Diaspora Voter Registration

Communications and outreach are important parts of the diaspora voter registration process. Typically, diasporas face far more restrictions on their time than do most counterparts in Sierra Leone. This is because in addition to whatever work or study commitments they have, they will often have to juggle childcare responsibilities. Therefore, they need as much information to enable them to plan well ahead and as much as possible. The registration process should be designed with them and their convenience in mind, and not restricted to official opening hours of the embassy. There should be consultation with community members to identify suitable locations and times for diaspora voter registration. For example, in addition to normal business hours, many people have more flexibility during weekends. Community centers close to the largest concentrations of Sierra Leoneans are viable options.

A good communications strategy will help address all the questions diasporas need answers to. These would include; why bother voting? Who's eligible to vote? What forms of identification are required to prove eligibility? Where can I go to find out relevant information? Where do I go if I have a concern or complaint?

It is important that diaspora voter registration takes place where and when it has been promoted to take place. Experience from poor rollout of consular services teaches that letting people down or inconveniencing them can generate a backlash far in excess in severity than the apparent oversight. Serious consideration must be given to how to

distribute diaspora voter registration cards. For instance, it might be appropriate for diaspora voters to provide a stamped addressed envelope that embassy officials can use to send out cards. However, for this to work, there must be a robust system in place to eliminate errors.

5.2 Diaspora Voter Education

Diaspora voter education should consider the legal requirements as set out in the 2012 Public Elections Act as well as educational/informational needs that diaspora voters in particular will have. Thus, the design of the voter education program must benefit from some prior consultation and engagement with a cross-section of potential diaspora voters and perhaps even a survey to assess their understanding and needs.

Once designed and tested, almost certainly, the diaspora voter education program should be delivered online through appropriate channels and heavily promoted. In order to improve for the future, it would be advisable to evaluate the voter education program after delivery and probably after DV has taken place under a process of continuous assessment.

5.3 Diaspora Voting

A carefully thought-through logistics plan is required to determine when and how diaspora voting materials will be dispatched from Sierra Leone to the respective diaspora polling stations in each DV country. There should be enough lead time built into activities to ensure that glitches do not disrupt polling day. At the same time, temporary storage of materials near diaspora polling stations may incur costs, so it is important the cost implications of these lead times are considered.

Full involvement of diaspora chapters of political parties and of Sierra Leone diaspora media outlets is critical to maintain the trust and awareness that will hopefully have built up from earlier stages in the process. Prior to polling day, ESC members will have accredited political agents and observers as part of the rollout of their duties. Political parties will have taken responsibility for training their polling agents and letting them know where they need to be on polling day and when.

Diaspora voting will as closely as possible mirror voting in Sierra Leone. This includes opening polling stations, inspecting materials to ensure there has been no tampering, breaking seals in the presence of party agents on voting day, conduct of polling, closing of polling, and counting of votes, posting votes, tallying, return or disposal of voting materials, etc. Some consideration must be given to the precise timing of polling in DV countries on very different time zones (e.g. Australia) where simultaneous voting may be impractical.

As stated earlier, a mark of success of this DV effort will be good diaspora awareness, interest, engagement, and participation; a polling process that proceeds with no major flaws, glitches, or complaints, and results accepted and unchallenged by all.

6. Case Studies

The number of countries that grant DV is on the rise. More countries are drafting legislation to that effect. Eligibility is restricted to passport-holders of country of origin. Of those who actively implement DV, most do so at embassies or consulates overseas. Elections are administered by an official government employee, often without significant independent

electoral supervision. The following case-study countries provide more information to the normal characteristics described above.

6.1 Senegal

Elections are conducted only in countries with official diplomatic representation, with at least 500 registered emigrants, and which officially grant permissions for the elections to be held. Election is conducted by an electoral supervision committee, which is comprised of official diplomatic representatives, official party representatives and a broad cross-section of the community. Elections are held in several polling stations, including but not limited to the embassies and consulates. There have been reported significant number of voter turnouts outside of France (former colonizing country), namely the USA and in West Africa.

6.2 Cape Verde

Cape Verde is one of few countries that provide several restrictions to eligible voters, perhaps due to its historically and significantly large number of diasporas in proportion to homebased residents. Citizens are only eligible to vote if “(a) they emigrated from Cape Verde not more than five years prior to the date of the beginning of voter registration; or (b) they have and are providing for a child or children under 18 years of age or handicapped, or a spouse or older relative habitually residing in the national territory, at the date of the beginning of voter registration; or (c) they are serving in a state mission or a public service position recognized as such by the competent authority, or residing outside the national territory as the spouse of a person in that position; or (d) if they have been resident abroad for more than five years, they have visited Cape Verde within the past three years.” (International IDEA Handbook 2007, p. 200).

6.3 South Africa

In contrast to Cape Verde, South Africa provides the lowest barrier to eligibility. All that is required is official notification of intent to vote to the diplomatic mission a few months ahead of the election, and any valid proof of citizenship, which may include refugee papers or any document from a recognized state or international institution.

7. Conclusion and Next Steps

Effective execution of DV will require collaboration between different state and non-state entities; careful consultation and planning; and adequate and timely budgetary provision. By way of recap and to underscore how inadequate provision of resources can scupper the process, below we list the main budget headings (precise amounts will be subject to further consultation and research).

Main budget headings

- ESC recruitment process
- ESC recruitment communications
- ESC member induction and training
- Diaspora voter education
- ESC member stipend

- Diaspora voting registration communications
- Diaspora voter registration
- Dissemination of diaspora voter registration cards to diaspora voters
- Diaspora voting transportation from Sierra Leone to DV countries and within each DV country to polling stations
- DV polling day
- Transportation of polling materials back to embassies and storage
- Monitoring and evaluation.

The last item above is monitoring and evaluation (M&E), which is recommended especially at the early stages of DV to capture lessons that can improve the process, increase voter participation, reduce costs, etc.

Consultation and dialog will be key to the successful design and implementation of DV. To that end, the next step is to engage all the relevant state and non-state actors in a process of dialog around the proposed approach to DV. This includes, but is not limited to, IOM, NCRA, NEC, MFAIC, MIC, MPPA, PPRC, ONS, SLP, APPA, NEW, EU, AU, USA Embassy, UK High Commission, etc.

8. Recommended Sources (APA Style)

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