



**EUROPEAN UNION  
ELECTION FOLLOW-UP MISSION  
SIERRA LEONE 2021**

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***Starts***

The purpose of EU Election Follow-up Mission is to undertake a technical assessment of the state of implementation of the 29 recommendations made by the EU Election Observation Mission back in 2018. The implementation of these recommendations would enhance the credibility, inclusiveness and transparency of Sierra Leone's 2023 elections.

Out of 29 recommendations put forward in 2018, 9 entail constitutional amendments though none of them would need a referendum for entrenched provisions. 21 require legal reform, whereas the remaining could be addressed through administrative policies.

The need to reactivate the Constitutional review process remains. Timely disclosure of the White Paper is a precondition for an effective, transparent and accountable process and for re-engaging all stakeholders. There is a clear consensus on many issues – including that there should be a fixed date for future elections. Now the task is to turn the discussion into law in time for the elections in 2023.

The Mission has been told that there is a significant decrease in trust in the essential bodies which play integral roles in the forthcoming elections. These include the judiciary, NEC, PPRC and the police. The Mission findings are that these institutions' reputations are less trusted than is needed. But further, our assessment is that there are real grounds for concern in the ways in which these bodies have administered recent bye-elections.

There are surely some lessons to be learned from the management of the last bye-election, which can be trialed in future bye-elections. The Election Follow-up Mission encourages the National Electoral Commission to engage with all electoral stakeholders to address those issues to restore confidence in the Electoral Management Bodies and strengthen both, the transparency and integrity of the electoral process.

In our assessment, the government has a role in providing both sufficient and timely funding – but equally importantly the political space – for these institutions to demonstrate their neutrality and independence which are absolutely essential for elections being recognised as credible by citizens and observers. The government has committed to the creation of a National Election Sustainable Trust fund account – which if fully implemented would address one of the recommendations. So far, the details of this have not been communicated to the NEC and other bodies.

If an election is declared void, according to section 146.4 of the Public Election Act, another election shall be held. The 2019 High Court decisions to declare the runner up elected in 10 constituencies, eroded confidence in the neutrality Judiciary. Unequivocal respect for the rule of law in election petitions is needed to ensure confidence in the electoral process. In addition,

the delivery of timely effective resolution of electoral cases, in line with the deadlinesJustice delayed is justice denied; the same applies to democracy.

The Mid-Term Census is unprecedented; the stated reason for it is highly contested. The use of an optional census to provide data which might be used to change electoral boundaries shortly before an election is not conducive to the political atmosphere or good electoral practice. The Mission repeats its recommendation that the voter register should be automatically produced from the civil register, which would save money and time. The Mission has not seen evidence that sufficient progress has been made on this important issue.

The Mission welcomes that a Bill was formally introduced in Parliament this month that has the stated aim of increasing women's participation in public and political life. However, the consultation process in preparing the draft was lacking. The Mission shares the hopes of many in Sierra Leone that a meaningful consultation process and clear re-drafting of the Bill will, in combination with political parties own internal policies result in at least 30% of MPs being women in 2023.

There have also been improvements regarding the Independent Media Commission. By modifying the appointment procedures for board members, who are no longer appointed by the President, another EU recommendation has been partially implemented.

We furthermore acknowledge the achievement of decriminalising libel as a vital step ensuring and strengthening freedom of expression in Sierra Leone. This amendment of the Public Order Act addresses fully a recommendation made in 2018.

While there remain several issues of concern; there is still time remaining to address many of these issues. The Mission recommends that the powers in the Constitution be exercised with restraint and in the spirit of democratic compromise, not winner takes all.

Further information available at:

[https://eeas.europa.eu/delegations/sierra-leone\\_en](https://eeas.europa.eu/delegations/sierra-leone_en)

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