

February 2018

To: Members of the Peacebuilding Commission, Sierra Leone Configuration

Subject: **Chair's visit to Sierra Leone, 11-13 December 2017**

Excellency,
Dear Colleagues,

From 11 – 13 of December 2017, I undertook my second visit to Sierra Leone as Chair of the Sierra Leone Configuration of the UN Peacebuilding Commission (PBC). The objective of the visit was to receive an update on preparations for the presidential, legislative, and local elections scheduled for 7 March 2018, to take stock of the progress made in building and sustaining peace, and to explore the political accompaniment and advocacy role the PBC can play in supporting Sierra Leone to hold free, fair, credible and peaceful elections.

Sierra Leone has held three peaceful general elections since the end of the civil war. The elections planned for March 2018 will be the first held in absence of a United Nations peace operation. Since the drawdown of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) in 2014 and the transition off the Security Council's agenda, Sierra Leone has experienced several additional challenges, including the traumatic Ebola crisis, an economic crisis caused by commodity price shocks, last year's devastating mudslide in the outskirts of Freetown and repeated floods in various parts of the country, which have further exacerbated food insecurity. In this context of continued fragility, the holding of free, fair and credible elections is crucial to boost the determination of the people of Sierra Leone to make further strides towards sustaining peace and sustainable development.

Our delegation, which also included the Permanent Representative of Sierra Leone to the United Nations Ambassador Adikalie Foday Sumah, met with representatives of the Government of Sierra Leone, including the Minister of State for Foreign Affairs, the Inspector-General of Police, the Chief of Defence Staff, and representatives of the Ministries of Defence, Internal Affairs, Finance and Economic Development, and the Office of National Security. The delegation also met with the Chair and Commissioners of the National Electoral Commission, the Chair and Deputy Chair of the National Human Rights Commission, the Chair of the National Commission for Democracy, and the Chair of the Independent Media Commission. Other consultations included political parties and the Political Parties Registration Commission, the Inter-Religious Council of Sierra Leone, representatives of civil society, the United Nations Country Team (UNCT), members of the diplomatic corps and development partners in Sierra Leone and representatives of the media and private sector.

Main Points of Discussion

The level of preparedness for the elections on behalf of the government and key institutions is on track and I was impressed by the commitment to peaceful elections by all actors. On the other hand, I also witnessed some suspicion, both among political parties and civil society, towards the various institutions involved in the organization and conduct of the elections, and heard reports of incidents of violence, including localized incidents during recent by-elections in several constituencies, and clashes between the youth wings of various political parties. During the discussions, I emphasized that all actions taken by the government, institutions, political parties, and other stakeholders would be perceived through the prism of the elections, and stressed the importance of open and clear communication and continuous dialogue with all stakeholders throughout the electoral process, in particular between political parties and electoral management bodies.

Election preparedness

Our overall impression was that there was a strong commitment for peace, and the importance of holding free, fair and credible elections towards that end was well understood. While the overall preparedness among all political actors was reassuring, our counterparts agreed that the management of election results could become a critical issue, as experienced recently in Kenya and Liberia. The stakes in the 2018 elections are perceived as high, particularly as President Koroma is stepping down from the Presidency after serving the constitutional maximum of two terms and the electoral result could be standard-setting for the decade to come.

I met with the National Electoral Commission (NEC), the National Human Rights Commission (NHRC), the National Commission for Democracy, as well as the police and security Forces. The meeting with the NEC included the Chair and its Executive Secretary, as well as the Commissioners responsible for two of the four regions of Sierra Leone. They commended the support of the international community to the NEC through UNDP. Acknowledging the various pressures to which NEC is exposed, the NEC Chair stated that the NEC was fully focused on meeting all milestones towards the polling date of 7 March. The Chair emphasized the extensive experience of the Commission's staff and Commissioners, noting that it was normal that other electoral stakeholders would test NEC's independence, but that he had full confidence in the NEC's ability to prepare the elections. NEC expressed relief that a reliable electoral timeline had been established, and underscored its close communication with political parties, including by convening fortnightly, issue-based meetings with them. However, NEC expressed concern at the sense of entitlement of political parties, who seemed not inclined to prepare themselves for the possibility of electoral defeat. The NEC further underscored the logistical challenges of organizing the elections, especially in remote areas, and stated their target was ensuring that at least 90 per cent of polling stations would open on time on Election Day. NEC further emphasized the vital role of the security sector in the electoral process, and the imperative for the police to remain independent.

NEC, as well as many other of the actors with which we met, expressed concern regarding the recent suspension of the weekly transfer of funds from the Ministry of Finance and Economic Development to NEC, worrying that the suspension was an infringement on NEC's independence at this critical point. However, NEC expressed confidence that the transfers of funds would resume in time to prevent a funding gap, and noted that it was responding pragmatically to the current situation. It should be noted that payments resumed following our visit.

Discussions with the Ministry of Finance and Economic Development underscored that the elections take place in an unfavorable economic climate marked by austerity measures. While conversations with IMF are still ongoing, IMF has withheld budgetary support on the basis of the government's failure to implement additional austerity measures. We expressed our hopes that further discussion with the IMF would lead to a positive outcome.

The security institutions, with the police as the lead agency, provided a comprehensive briefing on their election preparedness. At the technical level, an operational plan for the electoral process has been prepared, which prioritizes providing security to all political parties, engaging with youth, and increasingly cooperating with the media in regard to ensuring accurate information is shared with the public. UNDP, through funding from the Peacebuilding Support Fund (PBF) has worked with the Police to improve their level of preparedness to respond to threats to electoral security, by supporting the establishment and equipment of police command and control centers at national and sub-national levels. Other actors highlighted the need for the police to further enhance crowd control capacities, with some acknowledging the improvements accomplished in recent years. During other meetings, some interlocutors had raised questions regarding the impartiality of the security sector, in light of a major reshuffle of the security institutions earlier this month by President Koroma, which saw new arrivals at the helm of the Ministries of Defence and Interior, as well as on the positions of Inspector General and Deputy Inspector General of the Sierra Leone Police. We have been ~~explained~~ assured in our meeting with the Chief of Defence Staff that the military would remain neutral and confined in specific locations, and members of the military would wear civilian clothes to vote.

The National Human Rights Commission reaffirmed that the police had significantly improved their human rights practices. They noted that the support from UNDP had enabled them to carry out a nation-wide outreach to 132 constituencies, with a bulk of their work focusing on civic education. The major gaps identified included the Commission's inadequate access to resources, and Sierra Leone's polarized and regional voting pattern, for the most part along ethnic lines.

Political Parties & Participation

We held a meeting with political parties under the auspices of the Political Parties Registration Commission (PPRC), which was attended by representatives of nearly all of the 14 registered political parties. Party members expressed their concerns regarding the

government's perceived collusion with the agenda of the ruling All People's Congress (APC), which they claimed had not been attending PPRC meetings (and which, regrettably, did not participate in the meeting). The parties also expressed concerns about the independence of NEC following the pause in transfer of funding, as well as the recent reshuffling of the security sector. The meeting reaffirmed the sense from previous visits of a strong "winner takes all" mentality regarding the election, as well as relatively low capacity of parties. We discussed the need to strengthen the role of political parties and particularly the opposition, regardless of which party wins, and encouraged all parties to build a sustainable political movement for future elections. It was brought to my attention that there is little or no dedicated support by international partners to political parties, which is a missed opportunity to support peacebuilding. However, the PDA has maintained a proactive relationship with political parties and frequently helped them to seek peaceful solutions to different issues of their concern. I was, also, encouraged by the level of preparedness by the political parties, which I perceive as having further developed since my last visit. Along these lines, UNDP, through the PBF funded project, has worked with PPRC to review and validate a Code of Conducts for political parties, a measure that the parties themselves expressed as important to strengthen the commitment to peaceful resolution of conflicts in the electoral cycle.

In discussions with both the government and political parties, I emphasized the importance of the participation of women in the elections and in the political process. There is a negative trend in women's participation in parliament, today at 12%, which is significantly below the aspired 30%, and there are only two female presidential candidates. In local councils, women's participation is at 18%. The high fees associated with running costs (three times above the region's average) were raised as an impediment to women's participation, as was culture and traditional values. I raised this issue with all actors, and took note that the specific issue of high nomination fees has been solved by President Koroma's partial waiver of the fees for the upcoming polls. Other issues included intimidation of female candidates, including through using secret societies as a threat. Some politicians are also accused of paying for Rites of Passage ceremonies of girls in exchange for votes. International partners brought to my attention that the government has developed a very good policy on FGM, but that it is yet to be implemented, an issue that I raised in a bilateral meeting with the newly-appointed Minister of Social Welfare, Gender and Children's Affairs. Furthermore, I emphasized that where women do compete, it is important to ensure they do so in constituencies where the party can win.

To ensure successful and peaceful participation on election day, several actors stressed the need to ensure that there is no intimidation by security personnel, that last minute changes to voting venues are avoided, and that pregnant and breastfeeding women are enabled to vote. To this point NEC noted that it was trying to recruit a high number of female and disabled electoral staff, and explained their plan to create gender-segregated waiting lines at polling stations, to ensure that women would not be discouraged from voting by facing overly long waiting times.

The role of youth

The role of youth, and how they are engaged in the elections, is of tremendous importance for a peaceful election outcome, and concerns were raised over a number of violent incidents that had already taken place. Representatives across meetings highlighted the need for the political leadership to act responsibly in its engagement with youth, and to refrain from instigating violence. Several representatives raised concerns that political parties were using youth (including children), including through providing them with drugs and alcohol at rallies. The rallies were a source of concern, where anyone wearing a particular color could be misinterpreted as a supporter of a particular political party, risking abuse from members of other parties. Several suggestions were made as to how youth could be engaged positively around the elections, for example by engaging them in the election monitoring.

Post-elections and conflict prevention

Electoral results management, especially if the election results are tight, will be key for a peaceful election aftermath. It is crucial that all actors have faith in the process and accept the results. International partners highlighted the need for parties to agree to the result management. NEC expressed its confidence that any electoral disputes that may arise could be managed by the judiciary, noting that they had already successfully settled various electoral disputes with both the APC and SLPP in the recent past. To this end, the PBF-funded Conflict Prevention Project has supported the appointment of ten High Court Judges (8 men and 2 women) by the Chief Justice to lead special electoral courts to ensure speedy adjudication and resolution of any election-related disputes through the legal system. NEC also pointed to the close involvement of political parties in monitoring the polling, including the tallying of votes, as well as the use of alternative dispute settlement mechanisms to avoid court litigation.

Sierra Leone enjoys a strong tradition of religious tolerance, of which Sierra Leoneans are justifiably proud, and has a strong interreligious community. Several actors, including the faith leaders themselves, expressed hopes that they could use their role as neutral brokers throughout the election process to promote dialogue and prevent conflict. The Inter-religious Council of Sierra Leone, in particular, has a long tradition of dialogue and conflict prevention, including as the ‘moral guarantor’ of the peace process, and this experience should be tapped. I believe there should be continuous engagement of the faith-based communities throughout the process, and I was encouraged to hear that they have developed and distributed a code of conduct, as one example of their active participation.

The role of the media is crucial during election times. Media representatives expressed in our meeting that the quality of reporting is poor. They attributed this not to a lack of training, but mostly to a lack of financial resources for independent journalism. They also pointed to deficiencies in the freedom of the press. They expressed disappointment that the President had failed to live up to his 2007 election promise to repeal legislation contained in the criminal libel law of 1965, which criminalizes as “seditious libel” any

attempt “by individual(s) in meetings, speeches or by publications to disturb the tranquility of the state by way of bringing hatred, contempt, or excite disaffection against the government or public authority”. The law has been criticized since the 1960s for putting journalists at risk of being persecuted for their reporting, thus constituting a major infringement on the freedom of speech. The meeting with media also raised concerns about the use of social media to spread rumors and misinformation, and I stressed the importance of a free press in ensuring that the public was accurately informed about the political process.

My meeting with the private sector highlighted the challenges Sierra Leone faces in diversifying its economy, particularly in access to capital and lack of infrastructure. Investors perceive Sierra Leone as risky, and the recent IMF review could have a further negative impact on the confidence on outside investors. There are many opportunities, most obviously in fishing, agriculture and mining sectors – for example, Sierra Leone imports most of its rice from China, leaving valuable arable unused, despite the ability to produce excellent locally-grown rice. However there are significant challenges in building value chains, ranging from infrastructure, reliable and affordable access to energy, the regulatory environment, and complex land tenure laws. I expressed the view that the PBC could do more to support Sierra Leone’s efforts in engaging with the private sector.

Next steps

I intend to remain in regular contact with all partners as the elections approach, including the Government of Sierra Leone through its mission in New York, the Resident Coordinator and Peace and Development Advisor in Freetown, SRSG Chambas and the UN Office for West Africa and the Sahel, and other counterparts. Several partners are deploying electoral observers, including AU, ECOWAS, the European Union, and the Carter Center, and we commend the efforts by international partners resident in Sierra Leone to closely coordinate on messaging and priorities in their interactions with the government, political parties, and electoral management bodies.

We have full confidence in the ability of Sierra Leone’s institutions to deliver free, fair, transparent, peaceful, and credible elections. The PBC provides a valuable platform to convene partners should the need arise, and we will keep members updated on developments on the ground as the polling date approaches. Following the announcement of results, we look forward to a peaceful transition and will welcome the opportunity to work with the new government to ensure that the PBC continues to support Sierra Leone in its efforts to sustain peace and development.