

Introduction

In November 1994 the then Head of State of Sierra Leone, Captain Valentine Strasser, announced a programme for transition to civilian and democratic rule. It was subsequently decided that Presidential and Parliamentary Elections would be held on Monday 26 February 1996. In the event the elections were not completed on 26 February and continued into Tuesday 27 February 1996.

Captain Strasser and his successor, Brigadier-General Julius Maada Bio, invited the Commonwealth Secretary-General to send observers for these elections. In his response to Brigadier-General Bio's letter of 19 January 1996 the Secretary-General welcomed the invitation and agreed to send a Planning Mission to Sierra Leone to consult with all the major political parties 'in order to ascertain their support for the presence of a Commonwealth observer mission at the elections' and to make an initial assessment of the practical arrangements that would need to be made to facilitate the work of the observers.

The context for the Secretary-General's positive response was set by:

- Commonwealth commitment to the promotion of fundamental political values set out in the 1991 Harare Commonwealth Declaration and reinforced by Commonwealth Heads of Government in their Millbrook Commonwealth Action Programme on the Harare Declaration adopted in New Zealand in 1995, including 'democracy, democratic processes and institutions which reflect national circumstances, fundamental human rights, the rule of law and just and honest government';
- long-term involvement by the Commonwealth in encouraging and assisting the transition from military to civilian and democratic rule following Captain Strasser's announcement of November 1994.

The Planning Mission, consisting of three officials of the Commonwealth Secretariat, visited Sierra Leone at the end of January 1996. All the political parties contesting the elections confirmed that they would welcome the presence of Commonwealth observers. The Mission also held discussions with the Interim National Electoral Commission (INEC), Brigadier-General Bio and others.

Composition and Terms of Reference of the Observer Group

It was against this background that the Secretary-General invited our Group of 12 Observers, supported by six staff from the Secretariat, to observe the elections on behalf of the Commonwealth. The composition of the Group is set out at *Annex I*.

The terms of reference of the Group as set out by the Secretary-General in his letter to us were as follows:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Sierra Leone and supported by the political parties. It is to observe relevant aspects of the organisation and conduct of the elections in accordance with the law of Sierra Leone. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the results of the elections reflect the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of elections.

The Group will submit its report to the Commonwealth Secretary-General, who will forward it to the Government of Sierra Leone, to the leadership of the political parties taking part in the elections and thereafter to Commonwealth governments.

Within these terms of reference the Group was asked to form an independent judgment which would in no way represent either the views of any government or of the office of the Secretary-General.

A press release announcing our mission was issued in London and Freetown, the capital of Sierra Leone, on 16 February 1996 (*Annex II*).

Method of Work

We assembled in London on 16 February 1996 and were briefed by the Commonwealth Deputy Secretary-General (Political), Mr K Srinivasan, arrived in Freetown on 17 February and issued an Arrival Statement on 18 February (*Annex III*). Three support staff had preceded us to put in place logistical arrangements and to make appointments for our meetings. We were briefed by representatives of INEC, the political parties, non-governmental organisations, religious bodies, members of the diplomatic corps and representatives of the Joint International Observer Group co-ordinated by the United Nations. In addition, the Chairman of the Group met the Head of State. A full list of appointments is at *Annex IV*.

On 22 February 1996, the Group was divided into nine teams of two, which were deployed to seven centres around the country. Details of deployment are provided in *Annex V*. Two teams were kept in Freetown (to cover the Western Area of Sierra Leone, which includes the capital city). Two went to the Southern Province and were based in Bo, Sierra Leone's second city. Two more went to the Eastern Province (one based in Kenema and the other in Sefadu). Three were sent to the Northern Province (one each in Kabala, Port Loko and the provincial capital Makeni).

On deployment, these teams familiarised themselves with local conditions, contacted local INEC officials, consulted representatives of the political parties and religious and other community representatives and observed both the final days of the campaign and INEC's preparations for the elections. Particular attention was paid to the issues highlighted in the course of our earlier discussions in Freetown. In view of the security situation we also consulted with both police and military commanders. Despite communications problems a number of teams were able to send daily reports to our office in Freetown, using the guidelines reproduced in *Annex VI*.

We worked in close co-operation both with other international observers, who operated under the umbrella of the Joint International Observer Group, and with domestic election observers, some 300 of whom were deployed by the Council of Churches of Sierra Leone.

On Monday 26 February 1996 our nine teams witnessed the opening of polling stations (scheduled for 7.00 a.m.) and their closure (scheduled for 6.00 p.m., but extended to 8.00 p.m. on election day itself). We also observed the counting of votes at some polling stations that evening. During the day we visited polling stations at random, as security conditions allowed, inspecting polling arrangements and consulting with Presiding Officers, polling assistants, party agents and the voters themselves, using the Check List reproduced in *Annex VI*. Wherever feasible, reports were telephoned to our office in Freetown.

The elections were extended to 4.00 p.m. on Tuesday 27 February and members of our Group observed voting (which took place in centres where voting kits had not been available the day before) and further counting of votes prior to their return to Freetown.

An Interim Statement was issued on Wednesday 28 February 1996 (*Annex VII*), after the closure of the polls but before the results were known, and a press conference was held the following day. Before leaving Freetown, having finalised the text of this Report, we issued a Departure Statement to the Press on Saturday 2 March 1996 (*Annex VIII*).