MEDIATING ELECTION CONFLICT IN A BRUISED SOCIETY: CODE OF CONDUCT MONITORING COMMITTEES IN POSTWAR SIERRA LEONE, 2006 – 2012

SYNOPSIS

Sierra Leone’s contentious 2007 presidential and parliamentary elections threatened to spark violent conflicts across a country just recovering from brutal civil war. To promote peace, the Political Parties Registration Commission (PPRC)—which had a constitutional mandate to regulate and monitor political parties to ensure their compliance with electoral laws—used national and district code-monitoring committees to encourage adherence to the electoral code of conduct and to mediate conflicts. The committees served as a dispute resolution mechanism and as an important early warning system to identify electoral violence. Partly because of those measures, the 2007 national elections and the 2008 local council elections were largely peaceful despite pessimistic early warning reports. As the 2012 elections approached, the PPRC restructured the committees to include traditional leaders in order to strengthen the committees’ capacity to mediate local conflicts. The restructuring enabled the committees to address electoral conflicts more effectively across Sierra Leone.

Rachel Jackson drafted this case study based on interviews conducted in Sierra Leone, in February 2013. Case published July 2013.

INTRODUCTION

In late 2005, Clever Nyathi and Sierra Leone’s top election officials began to plan for the country’s next ballot—the second since the end of the civil war but the first to take place after the drawdown of the United Nations peacekeeping mission. Nyathi was poised to take up his post as United Nations Development Programme (UNDP) technical adviser to the Political Parties Registration Commission (PPRC), which would work alongside Sierra Leone’s National Electoral Commission (NEC) beginning in 2006. “It was clear to us in the UN system that unless
that situation was managed properly over a period of time to sensitize people to how to approach the elections with minimal levels of violence, chances were that there was going to be violence and the country could very easily go back into a war,” Nyathi said. The PPRC’s main challenge would be to keep the campaign period peaceful and prevent a return to the violence that had wracked the country during a decade-long civil war.

Sierra Leone had suffered significant casualties during the conflict between the government and the Revolutionary United Front, a rebel faction that sought to control the country’s lucrative diamond resources. (Charles Taylor, the Liberian warlord turned president, had sponsored the rebels and inflamed the conflict.) Of Sierra Leone’s nearly 5 million inhabitants, the war had killed an estimated 50,000, displaced roughly 2 million, and maimed many more. Both sides’ brutal tactics had destroyed much of the citizenry’s faith in the country’s leaders as well as the government’s ability to function.

The conflict officially ended in 2002, when elections inaugurated a new era. International observers attributed the remarkably peaceful 2002 campaign to the deployment of 17,500 peacekeepers from the United Nations Mission in Sierra Leone (UNAMSIL). As the Sierra Leone government worked to rebuild the country, it relied heavily on UNAMSIL for technical expertise and financial resources.¹

In July 2005, the United Nations announced its intention to withdraw its peacekeeping forces at the end of the year and transition to a smaller mission in light of Sierra Leone’s nascent recovery. The presidential and parliamentary elections, scheduled for August 2007, presented a chance to solidify the peace process; however, the elections also created potential for renewed conflict incited by candidates and their followers.

The largely untested NEC and its partner electoral management body, the PPRC, would have full responsibility for managing the election process, and the Sierra Leone Police would handle security. Sierra Leone’s unique constitutional arrangement, written in 1991, meant the two bodies would work side by side: the NEC to carry out the technical and logistical arrangements of the elections and the PPRC to monitor the conduct of political parties—in terms of the parties’ legal obligations and their accountability to their own membership. Though the PPRC was written into the 1991 constitution and its mandate further defined in 2002 legislation—which gave the PPRC the power to mediate conflicts or disputes among the leadership of a single political party or between political parties—the electoral management body had never been established, and it existed in name only.

Four circumstances increased the risk of violence: First, the outcome of the 2007 elections was far from certain. Constitutionally enshrined term limits meant that President Ahmad Tejan Kabbah, who had been elected in 1996 in the midst of the war, could not run for a third term. The Sierra Leone People’s Party (SLPP) chose Kabbah’s then vice president, Solomon Berewa, as its candidate; the main opposition
party, the All People’s Congress (APC), fielded Ernest Koroma. Koroma had run against Kabbah in 2002 and had lost by a wide margin. But the APC had been Sierra Leone’s ruling party for 26 years until the beginning of the civil war in 1992—and had even, in 1968, declared the country a one-party state. As the country prepared for the 2007 elections, the APC was itching to reclaim power after two terms out of office. In late 2005, the SLPP suffered a blow to its standing when prominent politician and political scion Charles Margai lost his bid for party leadership and broke off to form the People’s Movement for Democratic Change (PMDC). The entrance of a significant third party added further uncertainty to the election outcome and meant the SLPP would have to work hard to maintain its majority.

Second, party support in Sierra Leone closely mirrored regional and cultural differences. The two main parties were associated with the country’s largest ethnic groups—the Temne and the Mende—35% and 31% of the population, respectively. The APC controlled the northern and western regions and commanded the majority of Temne support. The SLPP’s stronghold was in the southern and eastern regions and among the Mende ethnic population. The country had little problem with overtly ethnic conflict, but that cultural peace could easily fray.

Third, on both sides, party supporters were mainly young: more than 50% of the population was under the age of 25 years. The political parties relied heavily on unemployed youth supporters, who were easily incited to violence. The Sierra Leone Truth and Reconciliation Committee concluded in its analysis of the 2004 local government elections that “the two parties shared a brand of politics that was all about power and the benefits it conferred” rather than about the long-term peace and health of the country.²

And fourth, adding to the war’s legacy of distrust and uncertainty, the new election commission had to preempt possible confusion and discord caused by a change in electoral system. The UN-supervised 2002 elections had used proportional representation on an interim basis to mitigate potential conflicts from a winner-take-all system. In 2007, however, the country would return to its constitutionally mandated, constituency-based, first-past-the-post system.

Within that context of tension and apprehension, the two election bodies—the NEC and the PPRC—began to prepare for the 2007 elections. The Sierra Leone Political Parties Act of 2002 stated that the PPRC had the responsibility to “mediate any conflicts or disputes between or among the leadership of any political party or between or among political parties.” The question was how to carry out that mandate to mediate.

THE CHALLENGE

In early 2006, Nyathi and the PPRC commissioners faced a variety of challenges that shaped their response to the upcoming election. The United Nations Development Programme (UNDP) had tapped Nyathi, a Zimbabwean, as special adviser to the PPRC.
Nyathi had served in a number of African countries as a technical adviser on conflict resolution and on the building of negotiation skills. He brought experience from Zimbabwe, Kenya, Namibia, and Lesotho.

The first challenge the PPRC faced in carrying out its role stemmed from its own structure. By law, the committee consisted of four members: a chairman, the chair of the National Electoral Commission, a representative of the Sierra Leone Bar Association, and a member of the Sierra Leone Labor Congress. The law specified that the chair be a former high-level judge, a requirement that led to high rates of turnover and leadership instability due to the advanced ages of qualified candidates. As stated in the constitution, Christiana Thorpe, chair and chief electoral officer of the NEC, became a commissioner with the formal establishment of the PPRC. The president nominated retired chief justice Abdulai Timbo as PPRC chair in early 2006. Timbo would resign six months later because of poor health. Commissioner and Sierra Leone Bar Association leader Roland Ade Caesar replaced Timbo as acting chairman until the parliament confirmed a new chair in early 2007, but the PPRC bylaws required an official chair to set policy. The constitutional requirement that the chair be a retired member of the judiciary created problems of leadership instability, sustainability, and institutional memory for the commission; two subsequent chairs would later die in office.

In mid-2006, with a little over a year left before the election, the commissioners—Thorpe, Timbo, Caesar, and Muctarr Williams of the Sierra Leone Labor Congress—sat down with Nyathi to review their legislative and constitutional mandate and define a course of action for the new institution. The constitution, written in 1991, gave the PPRC the responsibility of registering political parties and collecting reports on their finances. The PPRC would deny a registration if the party were based on representation of a single ethnic or religious group or geographic area. Legislation passed in 2002 further defined the PPRC’s mandate, adding that the PPRC should supervise political parties’ conduct, monitor parties’ accountability to their memberships, promote political pluralism, and mediate conflicts within or among political parties when asked. The legislation did not specify how such mediation would work in practice. The PPRC did not have sanctioning powers to apply if political parties did not meet its standards for conduct—other than to deny parties registration. Once registered, the PPRC could appeal to the Supreme Court to deregister the party, a drastic measure.

When the commissioners and Nyathi met in mid-2006, several of the commissioners were initially skeptical of the PPRC’s ability to use mediation to regulate political parties and resolve conflicts. Instead, they wanted to push parliament for legal sanctions and the right to take political parties to court for penalties other than deregistration. But beyond the constitutional restrictions on the powers of the commission, Sierra Leone’s legal system was so compromised by the civil war that it would
be hard to make legal sanctions effective. The UN’s 2005 Peace Consolidation Strategy had identified the “dysfunctional justice system” as “one of the greatest potential sources of future instability.”

The commissioners’ skepticism of the potential effectiveness of mediation to resolve conflicts between political parties was warranted. The UN Peace Consolidation Strategy noted: “Sierra Leone suffers from a profound lack of capacity for mediation at all levels of government and society. Basic skills or institutional mechanisms for constructive negotiation and mediation are lacking in practically all public institutions, and in political and civil organizations . . . In the absence of these capacities, even modest disputes can spiral into significant tensions or violence.”

The PPRC also seriously lacked physical infrastructure. The PPRC staff had no places from which it could work in Freetown (the capital city) or anywhere else in the country. “The first day I went to the PPRC office, I was shown an office and that was it. There was no desk, no chair, there was absolutely nothing,” Nyathi said, describing the beginning of his term as technical adviser. “We were basically starting from scratch.” The lack of regional offices would also make it difficult for the PPRC to monitor political party activities outside Freetown.

Staffing itself posed significant problems. Apart from the commissioners, every member of the staff, from the registrar to the last driver, was a civil servant seconded from other government ministries and paid, often infrequently, through a home agency. Many staff members came without backgrounds in election administration, conflict mediation, or even basic management. “The war devastated any form of administrative capability in Sierra Leone, so in almost every institution, you were starting afresh,” Nyathi said. “Management skills within the PPRC were virtually nonexistent.” Nyathi and the commissioners spent several crucial early months training their small staff and establishing basic infrastructure.

To build its physical and human infrastructure, the PPRC leadership had to find outside funding, because financing from the government was limited. The commission ultimately relied heavily on the UNDP’s Elections Basket Fund and the International Foundation for Electoral Systems (IFES), an international organization that provides technical expertise to promote free and fair elections.

Nyathi and the commissioners had decided the PPRC first had to have the political parties agree and affirm standards of behavior before the commission could begin to address misconduct and mediate disputes. In October 2006, following more than three months of informal negotiations, the PPRC brought together representatives of the eight registered political parties—along with representatives of civil society, the police, and the media—to hammer out a code of conduct. Before arriving at a consensus, the more than 100 participants debated questions of appropriate behavior not only for political parties but also for the security services, the media, civil society, and the election commissions.
The provisions on party behavior were fairly uncontroversial. During negotiations, the parties quickly agreed in principle to refrain from disrupting opponents’ rallies or defacing campaign materials. The biggest sticking point in the fall 2006 code negotiations was how to handle violations of the code of conduct.

To address that issue, political party negotiators, civil society representatives, and delegates from the Sierra Leone Police agreed to create a monitoring body, the National Code Monitoring Committee (NMC), which would have the responsibility of publicly identifying violators of the code of conduct and mediating disputes arising from alleged violations. “We took a very firm decision that where people broke the law, there were sufficient laws for [the courts] to deal with [offenders], but where political parties simply misbehaved, naming and shaming at the location where this happened would be the most appropriate,” Nyathi explained. “In a bruised society, that is very important. Sierra Leone is very bruised.” Written into the final code of conduct, signed in November 2006, the NMC would be chaired by the PPRC commissioners and would include a high-level representative of each of the political parties, a representative of the NEC, a representative of the Sierra Leone Police, two representatives from civil society organizations, one representative of the National Commission for Democracy and Human Rights, and one from the Inter-Religious Council. (Sierra Leone was religiously heterogeneous, with a roughly 60% Muslim and 20 to 30% Christian population, and the two religious groups had a long history of amity.)

The framers of the code of conduct intended the NMC to handle high-level transgressions or disputes from its operating base in Freetown, and the PPRC staff to monitor conduct elsewhere in the country and handle smaller-scale issues. The political parties agreed that beyond the cases handled by the NMC, the PPRC commissioners and senior staff would be responsible for publicly identifying transgressors, though the code did not explicitly define the limits to those two scopes of activity. Furthermore, the PPRC’s limited infrastructure and staff presence outside the capital city made this mandate a difficult task for PPRC staff.

FRAMING A RESPONSE

The PPRC and the NMC first set out to determine how the committee could fulfill its challenging mandate. In January 2007, committee members began meeting with Nyathi, the PPRC leadership, and IFES advisers to design a way forward. They had to make decisions about structure and function as well as how to monitor campaign activity around the country.

The group quickly decided that one, national-level committee was insufficient to meet the challenge of monitoring campaign and election activities across the country because of both the group’s physical base in Freetown and the limited availability of its members. The group decided to replicate the NMC structure into district code-monitoring committees (DMCs) to deal with local issues in each of Sierra Leone’s 14 administrative...
districts. Like the national-level committee, the DMCs would be responsible for monitoring party adherence to the code of conduct and resolving disputes concerning violations and interpretation of the code provisions in their respective districts. (See Appendix 1 for the committee structure.)

The PPRC also expanded the mandate of the DMCs to include larger functions outside those assigned to the national-level committee in the code of conduct. They were to serve as an early warning system so the PPRC could identify potential conflicts in the districts; to work to prevent those conflicts; to foster goodwill between the political parties by providing the only district forum wherein parties could regularly interact with each other and the other organizations represented; and to share information across the district offices of election agencies, political parties, security services, and other participants.

“There was a need to duplicate these committees on the ground not only to oversee the code of conduct but also to show the people in the districts that the parties can actually work together, that they’re not mortal enemies,” said then IFES country director Magnus Ohman, who worked on Sierra Leone’s elections from 2004 through the 2008 local council elections. The national committee members agreed to work with their respective organizations to identify district-level representatives for each committee.

Before the PPRC leadership began setting up the DMCs, they tried to define principles of operation and design. The districts varied in the degree of difficulty they presented, such as the political will of the competing parties to avoid violence or the ability and willingness of the security forces, chiefs, and civil society organizations to treat political parties and voters neutrally and apolitically. But the PPRC aimed to build an effective conflict reduction system that could work under tough conditions. For example, the PPRC leaders said that to fulfill their mandate effectively, the committees had to remain evenhanded in their treatment of every player, which would require the development of high levels of trust among the political party representatives on the committees; accordingly, the PPRC indicated that district committee chairs could not be political party representatives.

The district committees needed a clear structure and clear procedures for reporting conflicts and code violations—but also enough operational flexibility to respond quickly to changing situations. The committees needed to keep the public constantly informed about their work and the specific issues they handled, which they would do through radio broadcasts because of high illiteracy rates. The broadcasts would also be key in combating rumor and misinformation. Finally, the committee members needed financial and technical support from the PPRC staff and UN experts, because the PPRC did not have vehicles in each district and did not have space in the commission budget for transportation allowances.

The PPRC leaders, advised by Nyathi
Rachel Jackson

Innovations for Successful Societies

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and Ohman, debated a number of other issues when they formulated the structure of the district committee. First, they considered whether the districts would be better served by extending an NEC structure—the national political party liaison committee—down to the district level rather than NMC. The national political party liaison committee provided a forum for political party leadership to meet with top NEC officials to discuss electoral policy changes and explain technical procedures. In the end, the NEC did not have a strong interest in taking on the responsibility for conflict mitigation, Ohman said, and the PPRC moved forward with the district committees.

Second, the PPRC leaders, Nyathi, and Ohman debated whether to include traditional chiefs on the district-level committees. Ultimately, the PPRC leadership decided to keep to the original groups defined by the code-of-conduct negotiators for the national monitoring committee, which did not include chieftaincy representatives. “The decision then was not to include them partly because they did not have any connection to the code of conduct [and] partly because the paramount chief structure isn’t arranged by district in the same way as the local government works,” Ohman said. The lack of a chieftaincy representative would later cause problems for the district-level committees.

GETTING DOWN TO WORK

Seven months before the election, the national code-monitoring-committee members came together with the PPRC commissioners and secretariat for training on conflict management and mediation techniques. Nyathi ran the curriculum, aimed at preparing participants to resolve high-level conflicts within and between political parties.

Though the PPRC anticipated that many of the conflicts would be in the districts, the PPRC leadership and national committee needed mediation skills as well. The national code-monitoring committee did not have the mandate to deal with issues outside the code of conduct, particularly intraparty conflicts; only the PPRC could handle such cases. In the lead-up to the campaign period, Sierra Leone’s ruling party and strongest opposition party each experienced internal divisions with the potential to divide the parties and create tensions throughout the country. In an important early victory that established legitimacy for the PPRC, the APC came to the PPRC commissioners to deal with its internal divisions, which the commissioners then resolved through mediation.

In the months before the elections, it became clear to Nyathi and the PPRC leadership that the national code-monitoring committee would not be an effective tool to prevent election conflict. The seniority of the participants in their respective organizations made scheduling meetings difficult. The NEC’s national-level political party liaison committee and the PPRC commissioners temporarily filled the committee’s role, but as the two commissions prepared for elections, it was clear a district-level structure was more necessary than ever.
Setting up the district code-monitoring committees

A few weeks after the initial training sessions, the PPRC leadership brought together civil society organizers, scholars, and civil servants to prepare them as trainers of trainers. The curriculum focused on identifying early warning signs and mediating electoral conflicts. The plan was for the trainers to go out afterward into each district to prepare members of the district code-monitoring committees for their roles. During that period, the PPRC also worked with the national committee representatives to identify their local counterparts.

Nyathi and the commissioners realized that for the district committees to be successful, their local communities needed to know about and respect them. In late April, to demonstrate the importance of the district committees, members of the national committee, the commissioners, and Nyathi all traveled to each of the four main regional centers of the country—the capital, Freetown, in the west; Kenema in the east; Bo in the south; and Makeni in the north—to inaugurate the committees alongside regional government and traditional leaders. A smaller group of the national committee members then traveled with one of the commissioners or a high-level member of the secretariat to each of the remaining districts to hold similar ceremonies. The mediation trainers followed those teams to conduct workshops for each district committee.

During that period, the PPRC relied heavily on international organizations to fund national and district operations. Much of that financial support came from the UNDP’s Elections Basket Fund and the United States Agency for International Development through IFES and the National Democratic Institute. One benefit of the code-monitoring-committee system was that its members were volunteers, and thus the PPRC needed funding only for transportation reimbursements and other small expenses.

Mediating conflicts before voting day

The months leading up to the official start of campaigning were tense. Although political parties were supposed to campaign only in the month preceding the August 11 voting day, few obeyed the rule; instead, they held rallies throughout June. The PPRC commissioners appealed to the leadership of the transgressing political parties but made little progress.

Political parties also sparked conflicts by attempting to block rivals from campaigning in areas they controlled. Sierra Leone’s regional politics shaped many of those issues. In the north and the west, the APC dominated, often attempting to block the ruling SLPP from campaigning. In the traditional SLPP strongholds in the south and east, the situation was reversed, but it was also complicated by the splinter PMDC, which had fractured the SLPP’s power base in those areas.

The DMCs held formal meetings every two weeks in their respective districts, with informal meetings as needed in order to resolve specific issues. For the most part, the DMCs operated autonomously from PPRC headquarters. At each meeting, the
representatives would report to the group about their organizations’ activities and discuss potential conflicts they had observed or that were reported to them. “The committees’ operations are based largely on updates that are coming in at their bimonthly meetings,” PPRC eastern region officer Victor Kamara said. “Based on the updates, action plans are developed, and then they can develop activities out of that.”

Based on the experiences of the members’ respective organizations, as well as conflicts referred to the committees, the DMCs worked furiously to identify hot spots vulnerable to outbreaks of violence in their districts, which they reported to the regional PPRC and NEC staff. The two commissions then coordinated with security forces to focus on those areas, and the district committees also reached out to chiefs and other community leaders in an attempt to head off issues before they turned violent. Because of the centralized nature of the PPRC and the NEC in Freetown, both institutions relied heavily on the reports from these committees. “At the district level, the code-monitoring committee became a sounding board—not just to resolve but just to get a feel of what the situation was,” Nyathi said. “It was an excellent early warning mechanism.”

After each meeting, the committee chair and several members would conduct a public radio broadcast, discussing potential problems, calling out parties that had committed infractions, and encouraging citizens to help keep the elections peaceful. Alex Nallo, a civil society representative on the Bo district committee, described the broadcasts: “[We would say,] ‘There was this problem between these parties, and the matter was resolved.’ Key political party members would go to radio; the affected victims would also go to radio to say: ‘We have closed the gap. We will continue to work to move forward peacefully.’”

The short amount of time before the official beginning of the campaign period, however, meant that the PPRC was often unable to allocate resources efficiently based on those predictions. “What we had no chance of doing in 2007 was to look at regional and local variations, so we basically implemented the same strategy everywhere,” Ohman said. “It worked, but it did mean we were unable to deal with some of the conflicts that would come up in places.”

The DMCs received support and information from security structures set up by the Sierra Leonean government in response to concerns about potential election violence. The district security committees comprised representatives from major law enforcement agencies, including the Sierra Leone Police and the Office of National Security. The security committees not only monitored their own agencies’ conduct but also furnished to the DMCs certain intelligence reports covering potential conflicts in each district.

The PPRC guidelines required the DMCs to wait to intervene in a specific conflict until an involved party formally reported it to either the commission or a district committee, so the district committees tread uncertain ground when they tried to deal with potential conflicts based on intelligence
reports or their own observations. “That is the protocol—to wait [for a written letter]—but we had instances of volatility where we thought issues were coming up that needed quick action,” Nallo said. In those instances, “the idea of DMC is not left absolutely in the hands of DMC meetings,” he said, describing how civil society or Inter-Religious Council members would often turn to their own organizations to engage volatile communities. “These components will do different work at different times to pacify the situation. But when the issues become very serious, then we will galvanize, come together as a DMC, with all this background information, to fast-track resolution of the matter. Here the political parties themselves will take the onus to look at their own issues.” He added that the committees would sometimes reach out to parties to encourage them to write a formal complaint.

In addition to heading off anticipated conflicts, the district committees also handled issues brought directly to them either by political parties or through referral from the NEC. In the two months before the election, the committees dealt with a range of complaints: parties—namely, the APC and SLPP—blocking one another, either physically or through intimidation, from campaigning in areas under one party’s control; disruption of campaign events; physical attacks on supporters; and destruction of campaign materials. Once the official campaign period began on July 10, the NEC instituted a rotating schedule of designated campaign days to prevent large groups of party supporters from meeting each other in the streets. Parties frequently violated that schedule, campaigning openly on each other’s assigned days. In SLPP-dominated districts, additional conflicts arose when prominent party supporters publicly defected from the ruling party to the PMDC.

Committee chairs received from political parties, security forces, civil society organizations, and their memberships various reports of code violations and conflicts. Committee members then had two days to investigate before bringing the two sides of each conflict together for mediation sessions. The sessions could stretch for hours or days before the mediators found a solution. “As the middleman, you have to have patience,” Jenneh Smith, PPRC officer for the southern region, said. “Sometimes we come here and we spend hours talking and designing what we should do, and then people do the opposite, and we have to call them again.”

Mediating conflict in Kambia district

Each newly chosen DMC chair faced hurdles in getting the committee members to work together and mediate conflict effectively. When NEC district officer Mahoney Ansue became chair of the Kambia district code-monitoring committee in 2007, for example, he faced a number of initial challenges. “Codifying unity amongst the membership is the first challenge to the chair,” Ansue said, explaining it was initially difficult to get the representatives of competing political parties to work together. “When you have party representatives who are not forthright and who will not separate
their party ties from the official job they are doing as DMCs, it becomes a problem. . . . They will not cooperate, and if the team is not cooperating, then of course it is always a war. That is the first challenge you have to overcome: membership itself.”

Ansue dealt with the issues through workshops, hoping problematic party representatives would see reason. If that strategy failed, he appealed to the regional political party leadership, advising them that an uncooperative representative would work against long-term party interests. Ansue also set a policy of rotating the twice-monthly meetings through each political party’s local office to publicly show them working together. “When the camaraderie is there, amongst the party membership on DMCs and even amongst the other party executives, it becomes easy to solve problems,” he said.

Ansue focused many of the district committee’s initial efforts on early warning signs, working with local security services and asking each political party representative to provide a monthly report of local problems. “The early warning signs are the key,” Ansue said, adding that he would try to mobilize committee members quickly to visit potential problem areas and speak to local leaders and residents if the DMC received reports of brewing conflicts.

The Kambia committee was usually able to respond quickly because of Ansue’s logistical resources as NEC district electoral officer, including access to an official vehicle and mobile airtime, but even those resources were limited. Though the committee members were supposed to receive transportation allowances for each meeting, reimbursements often arrived late, and committee members received and mediated complaints over the phone instead, Ansue said. Such logistical challenges severely affected the committee’s ability to respond to rapidly developing situations, especially in more-remote corners of the district. “When you know that things are about to happen, you don’t want to wait [to] go there and engage the people,” he said. “If the [logistical] provisions are adequate, you will be able to address 80 to 90% of those issues before they come up. But when the logistical challenges are there, all we can do is call.”

According to Ansue, there was only so much committee members could do over the phone to resolve issues, especially issues involving party supporters rather than the leadership. “Face-to-face communication has an advantage. It demands greater engagement from the citizenry at the grassroots level because many of them have never seen a copy of the code of conduct. In this country, the bulk of the citizenry is illiterate, cannot read and write, and doesn’t have the time to go through this document. It demands that the DMCs have to move out to them and get them to know about this document, get them to understand the code of conduct.”

In addition to community conversations, the Kambia district committee also hosted interparty youth events, such as soccer matches, to promote nonviolence and tolerance. “We spread the message to [the youth], and they take the message home because the issues start from them,” he said.
“They are the ones who the party stalwarts use.”

Voting day and the runoff

Despite those mediation efforts, election observers reported isolated cases of violence during the campaign period. A month before the elections, the Economic Community of West African States Early Warning and Early Response Network (ECOWARN, also known as WARN) sounded a note of alarm. “Tension, acrimony and violence that have characterized the ongoing electoral campaigns in Sierra Leone remain a major cause for concern,” ECOWARN said in its July 2007 report, citing a violent clash in July between SLPP and PMDC supporters in Kenema.6

Voting day on August 10, 2007, was largely calm, however. The government declared a public holiday, and the NEC and PPRC forbade political parties from campaigning in the 24 hours before the election. The police were out in force to respond quickly to any issues, and international observers reported no violent incidents. The DMCs were on call that day if incidents were to arise, but they were largely not needed. Two weeks later, on August 25, just within the statutory deadline, the NEC proclaimed that the APC had secured 44.3% of the vote; the SLPP, 38.3%; and the PMDC, 13.9%, sending the APC and SLPP to a runoff.

The announcement broke the tentative peace, and ruling party and APC supporters clashed violently in Freetown and the eastern and southern regions of the country, especially after the PMDC controversially backed the APC in the runoff. Both APC and SLPP supporters allegedly set fire to local party offices belonging to their rivals, and both parties disrupted each other’s campaigns through the next voting day. Just ahead of the vote, Kabbah, the president, facilitated a peace conference between the two candidates, and both Koroma and Berewa signed a public pledge to maintain the peace.8 In the September 8 runoff, the APC secured 54.6% of the vote—and therefore, the presidency. APC candidate Koroma became Sierra Leone’s new head of state on September 17, ending 11 years of SLPP rule.

The PPRC and the national and district code-monitoring committees struggled to get a handle on the postelection violence in late August and early September. “It took several weeks for them to get people to calm down,” Nyathi said. “There was too much exuberance on the part of the winning party, but also perhaps violent disbelief on the part of the former ruling party, having lost the election.” Nyathi said the biggest challenge involved dealing with violence in crowded urban centers, where it was difficult to contain once it started. “The PPRC in many respects did the right thing by referring to the police because certain situations certainly require police presence rather than a negotiated or mediated settlement,” he said. “I think it was the right thing to defer to the security services at that time.”

The incidents of violence did not mean the DMCs had failed, Ohman said. “They were first of all reducing the conflicts that
actually happened, so there were a number of cases where we felt that a conflict could have happened but then didn’t. The DMCs were generally going to the particular hot spots and having a dialogue at an early stage,” he said. “Their main role was in the early stages to prevent conflict, stop conflicts from escalating, rather than dealing with the comparatively few cases where we actually saw violence . . . When it comes to direct violence in these cases, it’s difficult to do much without having the police involved.”

The nature of conflicts during the runoff was different from that of conflicts during the campaign period; campaign incidents typically stemmed from misunderstandings rather than the deliberate use of violent tactics, Ohman added. “I think that the larger-scale problems between the main parties, especially in urban areas, were particularly difficult to deal with because they’re not due to misunderstandings; they’re due to people pushing the conflict,” he said.

The 2008 local council elections

Following the runoff, the NEC, the PPRC, and the district committees had little time to evaluate or adjust their strategies. They moved directly into preparations for the local council elections to be held in July 2008. “The transition from 2007 to the 2008 local council elections was very tough because it was like: election, politics, politics. [There was] no breathing space,” Nallo said.

This time, the committees had the added responsibility of monitoring the NEC’s Code of Campaign Ethics, which had been signed by individual candidates rather than political parties and therefore covered those running independently. IFES ran brief retraining sessions for the DMCs, but the committee members often relied on the skills they had built in 2007.

The PPRC leadership was concerned that national politics would negatively affect the local elections. “The 2008 elections were very tense,” Ohman said. “The elections were incredibly important because the SLPP needed to show that it still had a strong power base, and the APC needed to build on its success in 2007. The PMDC needed to show that it was still a party that anyone should care about.” The PPRC relied heavily on the reported conflicts from the 2007 campaign to predict hot spots and decide where to focus resources.

The 2008 local council races were largely peaceful, though the DMCs received similar complaints as they had in 2007 around code violations such as campaigning on another party’s day. International election observers reported no incidents of political violence, though observer teams did note political intimidation in some regions. Unlike in the national elections, however, the primary source of conflict was intimidation of female candidates (17% of contestants) and of independent candidates. Observers reported serious threats of death and rape to female candidates, who often ran as independents and did not have the protection of a party structure. “We therefore feel distinctly that peace in the country is still fragile,” the Commonwealth observer team reported.9

OVERCOMING OBSTACLES
In the 2007 presidential and parliamentary elections and 2008 local council elections, the DMCs repeatedly struggled to handle conflicts connected to Sierra Leone’s traditional leaders.

Sierra Leone’s administrative districts were subdivided into chiefdoms: 7 to 15 in each district. The country had 149 chiefdoms in total, each overseen by a paramount chief. Established in 1896, the chieftaincy structures consolidated power in the hands of a few families. The leaders of those families elected their own chiefs from among themselves; these were lifetime appointments. Until the 2004 local council elections, the chieftaincies represented the only system of local government in the country.\textsuperscript{10}

The law required that chiefs remain neutral during elections and refrain from publicly supporting any political party. Before the beginning of the campaign period, the PPRC regional officers and leadership had met with chiefs across the country to emphasize the importance of their neutrality and evenhandedness toward all political parties, as well as their ability to help defuse tensions.

In some cases, the chiefs aided the DMCs’ mediation efforts. Ansue said some chiefs were invaluable in determining the root causes of many conflicts. “You have some conflicts that are not actually election related,” he said. “There will be a land dispute, a long-standing feud between two families and the families belong to different parties. They are going to use the elections to reach at each other, to settle old scores. [Without the traditional leaders], you will just talk on the political issue . . . and they will still clash.”

But far more often, chiefs were the sources of new tensions. Despite their required neutrality, traditional leaders often supported the ruling party at the expense of the opposition, thereby fueling numerous conflicts across the country. Sometimes those actions were rooted in personal preference. “We have paramount chiefs who will tell their people, ‘Where I belong is where you should belong; the party I support is the party you should support,’” PPRC southern region officer Smith said. Some chiefs succumbed to other pressures. “[The chiefs] are not paid on a monthly basis, and they are easily lured into accepting favors from political leaders,” PPRC registrar Abraham John said. “If you want chiefs to be independent, then provide them with what is required so that they can maintain their independence. If they are not paid, they have to take care of themselves. They can easily be corrupted.”

Chiefs frequently refused certain parties access to the court barrie—a communal meeting space in the chiefdom—or painted the barrie the color of one of the political parties to signal how people ought to vote. National laws required that the chiefs be notified before any major gathering in their chiefdom, and some chiefs used that regulation to block certain party activities. The DMCs underscored the need for neutrality, but their pleas often went unheeded. Some chiefs were resistant to DMC mediation because they saw the committees as an encroachment on their
authority. Because the chiefs had not participated in the code-of-conduct negotiations, the PPRC staff and the DMC members had little ground to stand on when asking the chiefs to comply. “It was not in our mandate to supervise their conduct, so whatever they did, we could only cajole them,” Smith said.

Some chiefs and other traditional leaders also engaged in the intimidation of female and independent candidates in local elections. Power sharing between chiefs and local government councils had been a source of tension in Sierra Leone beginning with first local council elections in 2004. In some chiefdoms, the chiefs sought to control the outcomes of the elections. In Kambia district, the district code-monitoring committee dealt with one such issue. In one of the district’s chiefdoms, a female candidate was running as an independent after losing her party primary, and she secured the majority of local youth support. She and her supporters repeatedly faced intimidation and were blocked from campaigning by the local male secret society. “En route to [campaign], she would encounter the secret society, so [she and her supporters] would have to run back,” Ansue said. “The youth became agitated, and they wanted to use force. We had to go to the traditional leaders and talk to them and get them to see reason.” When negotiations with the local chief ultimately failed, the district committee went to the Kambia District Security and Intelligence Committee, which declared a moratorium on secret society operations until the end of the elections. Sierra Leone had both men’s and women’s secret societies, which regulated the spiritual and social practices of local communities but also served as shadow judicial systems and dispute resolution mechanisms.

Prior to the next election, scheduled for mid 2012, the PPRC had a breakthrough that enabled it to deal with issues related to traditional leadership and secret societies. In April 2011, the NEC, the PPRC, and the UNDP facilitated a high-profile conference of the National Council of Paramount Chiefs, which collectively represented the chieftaincy at the national level. During those meetings, the chiefs publicly affirmed their commitment to remain politically neutral, and they developed their own code of conduct for elections. That step finally gave the PPRC the authority to mediate conflicts involving chiefs. The council also agreed to appoint a chief to each of the district code-monitoring committees to help the local chiefdoms keep to the code.

The inclusion of one chief from each district on the committees proved a huge advantage in dealing with conflicts involving members of the chieftaincy. The committees again mediated a large number of conflicts caused by chiefs’ support of specific parties (primarily the ruling APC in 2012). Unlike in 2007 or 2008, the chief who sat on each DMC could speak on an equal footing with his counterparts from other chieftaincies within that district and remind them of the chiefs’ responsibilities and commitments. “Anything that happened concerning a paramount chief, his colleague would be there to tell him, ‘Look, this is what they’ve said about you;
please stop,” Smith said of operations in the southern region.

In one notable incident, the Moyamba district committee in the southern region received warning that one of the district’s chiefs was planning to use a traditional secret society to intimidate a female candidate in the local council race. The Moyamba DMC conducted an investigation on the allegations and reached out to the leadership of the National Council of Paramount Chiefs for help. “After a day or two, [the council chairman] was on the national radio banning paramount chiefs from granting any clearance for any secret society,” Smith said. The DMC members were then able to monitor the ban, reminding local chiefs of their responsibilities.

Such experiences were largely consistent across the country. “[The chiefs] are persons of great significance and very meaningful to the group,” said Ansue, who represented the NEC on the Freetown district committee in 2012. Victor Kamara, eastern region officer for the PPRC in 2012, said the citizenry saw the National Council of Paramount Chiefs as an “institution to be reckoned with . . . [Its inclusion] was all the more reason why the composition of the committees would not fail.”

**Resource and operational challenges**

In 2007 and 2008, resource and logistical constraints kept many district committees from responding quickly to escalating situations and made it difficult for them to monitor an entire district. Funding issues and limited staff at PPRC headquarters meant many district committees operated without much support and were frequently unaware of their counterparts’ activities around the country. Limited access to vehicles made it difficult for DMC members to get to remote areas of their districts. Even though the PPRC reimbursed volunteers for transportation to bimonthly meetings, committee members initially did not have travel allowances to deal with conflicts themselves. Additionally, they often paid out of pocket for mobile airtime to gather information or resolve issues over the phone. In response to those issues, IFES worked with the PPRC to fund and administer a rapid response program. DMCs could contact IFES directly for funds to travel to conflicts that were quickly escalating. The money for that was not part of the PPRC’s budget.

Delivering adequate training in conflict mediation to each member of the DMCs also proved challenging. DMC chairs asked for more-extensive training for their existing members and for formal training materials so the committees themselves could train new recruits.

The DMCs struggled to reach a large percentage of the population in the 2007 and 2008 elections, particularly unemployed youth party supporters, who were often the perpetrators of violence. Radio broadcasts were not always effective in reaching certain communities where people either didn’t speak English or didn’t listen to the radio.

The PPRC learned from those obstacles. Before the 2012 elections, the PPRC created formal identification cards for DMC members and gave them t-shirts to wear while
conducting outreach programs. The commission hosted public events in the districts to introduce DMC members formally to the local communities, whereas before they had simply introduced the committee concept. “Let them see these people—the paramount chief is here, the police, and the interreligious council—the pastor, the imam; these are people who are respected within their denomination,” said Robert Paine, PPRC mediation and program manager. “[The public events] gave the committee that sort of credence, that sort of respect, and ensured that it dispensed its duties and its responsibilities with uncompromising objectivity.”

With more time before the 2012 elections, the PPRC was able to focus on “a community approach” through the DMCs, John said. The DMCs focused more on in-person outreach in 2012 than they had in the previous elections—due in large part to the perceived ineffectiveness of radio campaigns in reaching youth party supporters. In addition to community-wide events, the PPRC and the DMCs worked specifically with national and local youth groups to promote nonviolent campaigns. “We brought them together, again based on the flashpoints we had identified, to engage those groups in regular discussion programs and sensitize them not to be allowed to be used by politicians,” John said.

Ahead of the 2012 campaign period, the DMCs again worked with their regional PPRC offices and local district security committees to identify hot spots and potential problem issues, an effort that had been compromised in earlier elections by time constraints. “Political issues, tensions around land issues, and political interference: those were the three major factors we knew would cause political violence in any community,” Nallo said, describing the conflict-mapping process in Bo district. “The four districts [in the southern region] came together, and we looked at the common issues in the districts, the major issues that take priority that we should deal with before elections.”

In contrast to 2007, however, the 2012 postelection period was free from violence. The APC again secured a parliamentary majority, and Koroma won a second term, with 58.7% of the vote.

ASSESSING RESULTS

The district code-monitoring committees were ultimately able to monitor and mediate potentially violent conflicts during Sierra Leone’s 2007, 2008, and 2012 elections. They were particularly effective in (1) dealing with conflicts that might have escalated because of misunderstanding or misinformation and (2) brokering reconciliation after someone had been wronged. They were less well equipped to combat the deliberate use of violence and usually left such matters to the police.

The DMCs operated in each of Sierra Leone’s 14 administrative districts, resolving during the campaign period any local conflicts that might have otherwise derailed the elections. International observers praised Sierra Leone in 2007, 2008, and 2012 for largely peaceful electoral campaigns. Though neither the PPRC nor the DMCs were solely responsible for promoting nonviolence, they
played important roles in flagging communities with the potential for conflict and in resolving issues once conflicts occurred. “To a large extent, the success of 2007 in the problem districts was largely because of [identification of] the early warning signs but also the early actions that accompanied them,” Nyathi said of the DMCs.

“The [DMCs] proved themselves to be an effective forum for addressing contentious issues,” the 2007 European Union Election Observation Mission reported. “Their regular meetings acted as an efficient conflict mediation tool during the campaign period and successfully promoted reconciliation among political parties after clashes between their supporters.”

The Carter Center report in 2012 echoed this assessment. “The Center’s observers noted that District Code Monitoring Committees were operational in most districts and well respected by the majority of political parties as an effective conflict resolution forum.”

Election observers also noted the committee’s important role in providing a preelection avenue for complaints.

John noted that the DMCs operated in parallel with other initiatives in 2012. “Although the code-of-conduct committees were part of those interventions, there were a huge number of sensitizations during [the 2012] election, from civil society, from NEC, from PPRC, from the police. All of that helped to ease the work of the code-of-conduct committees,” he said. “They played a very important, crucial role in it, but I would not give the credit to the code-of-conduct monitoring committee alone.”

The DMCs, for example, worked closely with district security and intelligence committees to identify and respond to early warnings of potential conflicts.

“We should think of them as mainly limiting the amount of violence that we saw,” Ohman said. “I think we would have seen more violence had it not been for the DMCs. When it comes to the cases where violence actually did escalate, it was basically at a point where it was a matter for the police to deal with.” He added that it was difficult to say what would have happened were the committees not there.

Improvements in resources, such as an IFES-funded rapid response program, enabled the DMCs to respond more quickly and more effectively to anticipated conflicts. In one instance in 2008, a party destroyed a number of ballot boxes in Kenema district chiefdom in an attempt to control the local council election. The perpetrators were arrested, but the local magistrate bowed to political pressure and dropped the case. In 2012, the Kenema DMC received word shortly before voting day that the other party was planning to destroy ballot boxes in retaliation. Previously, committee members would have had to pay out of pocket to respond to such a report. In 2012, however, the Kenema DMC used the rapid-response program to handle the situation. The DMC received funding to hold a community-wide meeting, at which it pointed to legal consequences for ballot destruction. “We told the [party supporters] very directly, ‘We will not have this vicious cycle continue.’”
Kamara said. The party supporters who had planned to cause trouble eventually agreed to stand down.

Even though the rapid-response program ameliorated funding shortfalls, the committees continued to face logistical and resource problems. The PPRC received more funds from the government of Sierra Leone in 2012 but saw its international grants drop, limiting money for committee members’ mobile airtime and transportation.

And even though there was not enough data to assess regional variations, interviewees reported that all of the DMCs generally operated well. According to Kamara, however, committees in some districts in the eastern region struggled to physically access and therefore handle conflicts far from their central towns. In those districts, international election observer reports called the committees nonoperational, though Kamara disputed that claim. According to Ansue, the Freetown DMC similarly struggled to cover the populous capital city, estimated in 2010 to have 1.2 million residents, causing prolonged response time to conflicts. “In the provinces, you can address issues with great speed,” Ansue said, comparing his experiences in Kambia and Freetown. “By the time it gets out of hand, you are already there and you can solve it there and then without going to the police or any party’s going to court. But here [in Freetown], by the time you know about it, [the incident] has already taken place; it has already gone to the police or the court. The only thing you can do is go to [the parties] to pacify them.”

Some districts also faced a new problem. Because of internal divisions within the local and regional structures of political parties, party representatives on the committees sometimes did not have the information or the authority necessary to predict or control party supporters’ behavior. The European Union Election Observation Mission noted, “One of the major obstacles to the effectiveness of the [DMCs] was the extremely weak level of intra-party coordination, and often agreements reached at the [DMC]’s meetings were not communicated by party representatives to other party members and candidates.”13 The national committee, which could have played a coordinating and information-sharing role, failed to meet regularly.

REFLECTIONS

Because of the effects of Sierra Leone’s civil war, a mediation strategy was the only avenue for dealing with election conflicts in 2007, according to peace adviser Clever Nyathi. “[D]isciplinary coercion of political participants would have been risky and potentially counterproductive because the state lacked legitimacy and resources,” Nyathi wrote in a 2010 analysis. “The only viable alternative was to negotiate a new social compact to use collective monitoring, and to adopt a problem-solving approach to deal with disputes.”14 Political Parties Registration Commission (PPRC) staff echoed that conclusion. “When you have people dressed in army uniforms, or police mediate political parties’ conflict, it becomes intimidating,” PPRC eastern region officer
Victor Kamara said. “But . . . the civil society—for example, the paramount chief representatives—they interact with the political party operatives on a daily basis, so they see themselves as contemporaries or as people who live in the same backyard. If the political parties know that these are the people responsible for the code of conduct of political parties, they interact with them just as if they will be interacting in their backyards.” By 2012, however, the prevailing view at the PPRC had shifted and the committee’s leaders were pushing parliament for sanctioning powers against political parties that violated the code of conduct or other electoral regulations.

PPRC staff members also said in interviews they would like to see changes to the district committee structure—particularly to include specific representatives for youth and women, who often had unique roles in conflicts. Nyathi, in hindsight, said he regretted the missed opportunity to specify women as formal members of the district committees: “I didn’t get a sense it was going to be an issue,” he said, adding he believed women would be included through the civil society representation. “But clearly, I was wrong, and we should have articulated [woman members] specifically.” By 2012, the majority of the district code-monitoring committees (DMCs) were entirely male.

Despite challenges, the DMC members and PPRC staff said they believed the committee structure enabled committee members to play key roles in preventing violence in Sierra Leone’s postwar elections. “The DMC is a watchdog for PPRC; it is always working—24 hours a day,” Alex Nallo, a civil society representative on the Bo district committee, said. “District monitoring committees were vibrant, productive, and respected by all political parties because of the nature of the [committee] composition. Whatever we were dealing with, there was a representative there who could be the leader.”

In particular, Nallo credited the DMC’s initiative and persistence with the DMC’s success. “When they were calling the [2012] results, I knew we had done our homework, because we had researched the causes of electoral violence, we had mapped out the early warning signs, we had mapped out the key critical issues in each district, we had done our engagement, we got feedback,” he said. “We had continuous engagement in areas where we thought it was volatile, and we never waited for a minute for government intervention, for policy intervention.”

The committees benefited from a countrywide desire to avoid postwar violence. IFES country director Magnus Ohman said the committee system might not work well in a more polarized environment. “Sierra Leone in 2007 was only about six years out from the war, so there was a sense that it was very important to avoid violence,” he said. “And that led to the success of the DMCs in 2007, in the 2008 elections, and to some extent in 2012. But not the code of conduct itself. The DMCs gave life to the sentiments in the code, meaning that the notion of parties’ working together was not only empty words on a piece of paper.”
she often appealed to that desire to heal as a community. “We had clashes and we were able to come in between [the parties] instead of their going to the police,” she said. “We told them, ‘If you take me to the police, you are my enemy for life,’ because at the end of it, after all the conflicts, you always go back to the same community again to live together.”

References


3 The 1991 constitution provided its structure, but the legislature had never passed a budget or confirmed its head, and it existed only on paper. In December 2005 and early 2006, the parliament finally took those steps.


Appendix 1: Structure of the National Election Commission (NEC) and the Political Parties Registration Committee (PPRC)
National Election Commission (NEC)

Political Party Liaison Committee

high-level representatives from each registered political party

Political Parties Registration Committee (PPRC)

National Code Monitoring Committee

14 District Code Monitoring Committees

(1) representative from each registered political party
(1) representative from NEC
(1) representative from Sierra Leone Police
(2) representatives from civil society organizations
(1) representative from National Commission for Democracy and Human Rights
(1) representative from Inter-Religious Council
(1) Chief chosen by the National Council of Paramount Chiefs (added to the committees before the 2012 election)
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