

Sierra Leone Advocacy Movement (SLAM-Global)

Motto: Trust, Unity and Social Justice

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June 26, 2024

Mr Mohamed K Konneh
Chairman
Electoral Commission for Sierra Leone (ECSL)
OAU Drive, Tower Hill
Freetown, Sierra Leone
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Mobile: +23230209674

Dear Mr Konneh

RE: PRINCIPLES OF TRANSPARENCY AND ACCOUNTABILITY IN ELECTION RESULTS PUBLICATION

We write with reference to the above subject, and to your refusal to adhere to a legitimate request by the people of Sierra Leone, International Community, Development Partners and Friends of Sierra Leone, especially those who were involved in the **June 24, 2023** multitier elections, for the Electoral Commission for Sierra Leone (ECSL), through you as its Chairman, to produce the disaggregated data, based on which you declared **Mr Julius Maada Bio** as winner.

What is more annoying is your lack of respect for the people of our beloved nation, whom you were "**specifically appointed**" to serve and whose fundamental human right to vote and elect candidates of their choice, expressed at the said elections, your Commission is determined to deny with impunity.

You are on record, with great dismay, that either out of arrogance or lack of the ability to show remorse and accept responsibility for the divisiveness, irreparable loss and national disaster that your Commission has caused our nation following the outcome of the multitier **June 24, 2023** elections, your personnel and yourself are erroneously asserting that there is no law in Sierra Leone that mandates you to publish disaggregated election results or data on the website of the ECSL. Such assertion undermines the fundamental principles of democracy and transparency. It was therefore no surprise that both the National and International Bodies that observed the elections widely described them as "**lacking transparency and accountability**".

For the sake of clarity, we are referring your Commission to "**Chapter 11, Section 2(2)** of the **1991** constitution that stipulates that: "**sovereignty belongs to the people of Sierra Leone from whom Government, through this Constitution derives all its powers, authority and legitimacy.**" You would therefore agree with us that such sovereignty could only be exercised through unhindered participation in the electoral process, guaranteeing accountable and transparent results.

Furthermore, **Chapter 111** of the same Constitution guarantees the protection of fundamental human rights and freedoms, including the right to freedom of expression and access to

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information. This, in no little way, places the ECSL under moral obligation to ensure that election results are transparent and publicly accessible. The refusal to publish disaggregated election results or data therefore raises questions about the transparency and accountability of your Commission.

The importance of producing the disaggregated data, thereby facilitating the verification of the electoral process in order to ensure that every vote is counted accurately and the outcome reflects the true will of the people could not be overemphasised. Be reminded also that transparency in the publication of election results would foster public trust and confidence in the electoral system, an essential element for the legitimacy of any democratic Government that emerges. By withholding such important information, your Commission is deliberately promoting a culture of unwarranted secrecy, which is unethical to democratic governance. Such lack of transparency has today led to the suspicion and legitimate accusation that the results that were announced by ECSL did not reflect the actual votes of the electorate of our beloved nation.

Moreover, your claim that no law mandates your Commission to publish disaggregated results is baseless and unfounded. It is imperative for you to realise that the spirit of the law, as reflected in our national Constitution and democratic processes, calls for maximum transparency. Your Commission should therefore proactively embrace these principles rather than hiding behind perceived legal loophole.

You would agree with us that transparency is not merely a procedural formality but a cornerstone of true democratic governance. It is therefore crucial that your Commission demonstrates its commitment to upholding the democratic values that are enshrined in our Constitution by making sure that election results are fully transparent and accessible to all citizens. Failure to do so does not only violate the principles of democracy, but also erodes the trust and confidence of our compatriots in their electoral system.

It would also be necessary for you to note that **Section 51** of the **Public Elections Act** states, amongst others, as follows:

- **(1)** "A Presiding Officer shall, after the expiration of the time fixed for polling, count the votes polling station by polling station, certify the result of the counting, stating the number of valid votes cast in favour of each Presidential Candidate to the District Returning Officer, who shall in turn certify the result to the Regional Returning Officer and the Regional Returning Officer shall in turn certify the result to the National Returning Officer".
- **(2)** "As soon as possible after receipt of the result of the counting of votes under **Subsection (1)**, the Returning Officer shall tally and compute the results certified to him by the various Presiding Officers and shall thereafter declare the result of the election".

Section **52b** of the Public Elections Act of **2022** also states that:

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- "The National Returning Officer shall after declaring the result of a Presidential election, as soon as possible, cause the result of the election to be published by notice in the Gazette and in any other manner that he may think fit"

Sadly however, you and your Commissioners at the ECSL flouted all the above mentioned constitutional provisions. What is more worrying, as stated earlier, is your provocative statement at the Press Conference hosted by your Commission on **June 24, 2024**, where you publicly boasted about your disregard for constitutional provisions and International Best Practice and standards.

We would not end this letter without bringing out another disrespectful behavior of the ECSL's Director of Media and Communications, **Raymond A. N. George**, to our citizenry at a live broadcast television programme hosted by Liberty Online TV on **Tuesday, June 24, 2024**. In that programme, he nonchalantly misinformed listeners and viewers that the ECSL had published the results on its website. He also unhesitatingly revealed the details of the website for verification, only for the producers of the programme and the public to discover that the information was false as there were no published results. That again was a clear display of your Commission and its senior personnel's lack of respect for the people of Sierra Leone. It also portrayed the inconsistencies in your messaging and stance on the thorny issue of producing the disaggregated data.

In view of the above, we urge you once again to reveal the disaggregated data as requested by members of the Tripartite Committee, if you have not already done so. Failure to do so will lead to necessary action that would ensure forceful compliance taken against you and your Commissioners.

You have been once again **WARNED!**

For and on behalf of SLAM-Global:

SIGNED

Dr. Alfred A Veenod Fullah
CHAIRMAN

CC:

- The Rt Hon Patricia Scotland, Commonwealth Secretary-General
- Richard YOUNG, Chief de Division, Afrique de l'Ouest
- Ms Ursula Von Der Lyen, European Commissioner
- H.E Mohamed Ould Ghazouani, President of Mauritania & Head of AU
- H.E Bola Ahmed Adegunle, President of Nigeria & Chairman of ECOWAS

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- H.E Moussa Faki Mahamat, Chairperson of the AU Commission
- H.E Dr Oumar Alieu Touray, President of ECOWAS Commission
- Madam Fatoumata Jallow-Tambajang, former VP of The Gambia
- The Rt Hon. Lord David W D Cameron, Secretary of State, Foreign, Commonwealth & Dev. Affairs
- The Rt Hon Andrew Mitchell, British Minister Responsible for Africa
- Lynn Brown, Shadow Minister responsible for Africa
- The United Nations Resident Representative in Sierra Leone
- Head of European Union Delegation in Sierra Leone
- Ambassador of the USA to Sierra Leone
- British High Commissioner to Sierra Leone
- Nigeria High Commissioner in Sierra Leone
- Chairman, Independent Commission for Peace and National Cohesion ICPNC - SL
- Executive Secretary, Political Parties Registration Commission (PPRC), Sierra Leone
- Chairman of the APC Party
- Chairman of the SLPP Party
- National Secretary-General, APC Party
- National Secretary-General, SLPP Party
- Co-Chair Representing the APC Party on the Tripartite Committee
- Co-Chair Representing the SLPP on the Tripartite Committee