



SIERRA LEONE NOVEMBER 2012 ELECTIONS BRIEFING TO MONITORS AND OBSERVERS

In the run-up to the Presidential, Parliamentary and local elections in Sierra Leone on 17 November 2012, Amnesty International calls upon election monitors and observers to give human rights monitoring a central place in their mandates.

It is essential that election monitoring, in addition to observing the election process itself, takes full account of contextual human rights factors, before, during and after the elections. Assessing election conditions without reference to any associated human rights violations and abuses undermines the credibility of the monitoring process, just as human rights violations and abuses undermine the credibility of the electoral process itself.

Monitoring bodies should call on the authorities immediately to stop any human rights violations observed by or reported to monitors, and a human rights assessment should form an integral part of the overall public report on the elections.

In this briefing, Amnesty International makes a number of recommendations for integrating human rights into election monitoring.

WHY HUMAN RIGHTS MONITORING IS NECESSARY FOR SIERRA LEONE 2012 ELECTION

During the 2007 elections, a high level of violence reportedly took place in the course of clashes between the two dominant political parties, and excessive force was reportedly used by the police. There was no mechanism to monitor and report human rights violations and abuses which took place in that context. Few of the perpetrators have been brought to justice or held accountable in any way.

In the period preceding the current elections, there have been further incidents of political violence. For example, there have

been attacks on the secretariat of the main opposition party reportedly by supporters of the ruling party in 2007, 2008 and 2011. There was a clash in Bo in September 2011 between supporters of two main political parties, during which police intervened to disperse the crowd using tear gas and firearms, raising concerns about the use of excessive force. One person died and 23 were injured. There have also been several instances of violence against and intimidation of journalists. In March 2012 members of a major political party reportedly threatened to kill journalists whom they perceived as opposing their party. In July an independent community radio station in Tonkolili District was vandalized by supporters of a local politician.

Amnesty International is concerned that the pattern of violence and human rights abuses may continue or intensify during this election and this is why it is calling for the mandate of the election monitors and observers to include monitoring of and reporting on human rights violations and abuses as part of their overall monitoring of the election process. Amnesty International hopes that this will help to discourage such abuses from recurring, and by documenting them when they do occur, help to ensure that those who commit human rights violations and abuses are held accountable.

RECOMMENDATIONS ON THE INTEGRATION OF HUMAN RIGHTS AND ELECTION MONITORING

WHAT TO MONITOR

In order for citizens to participate in elections freely and without intimidation, the authorities must ensure that all rights pivotal to such participation can be enjoyed by all without discrimination on the basis of ethnicity, religion, political affiliation or opinion or other status. Monitors and observers must be trained and equipped to monitor human rights within the context of the elections so that

they can document and report any abuses. In particular, they should monitor the following:

- The rights to freedom of expression, association and movement of candidates and their supporters, voters, journalists and human rights defenders, as well as of the population generally, must be ensured.
- The right to peaceful assembly, including taking part in peaceful political demonstrations, must be ensured without discrimination.
- No one – whether candidates, their supporters, journalists, human rights defenders or voters – must be subjected to harassment, intimidation or physical attacks.

Monitors and observers should be provided with and familiarize themselves with the texts of relevant human rights standards, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, as well as international standards on law enforcement, notably the UN Code of Conduct for Law Enforcement Officials, in particular Article 3, and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. They should also be provided and familiarize themselves with appropriate manuals, including the UN *Human rights and elections – A handbook on legal, technical and human rights aspects for elections*, Professional Training Series (No. 2), Centre for Human Rights (Geneva, 1994).

MONITORING AND DOCUMENTING HUMAN RIGHTS VIOLATIONS AND ABUSES

Amnesty International recommends that monitors and observers:

- Record any human rights violations and abuses which they observe or which are reported to them that occur before, during or after the actual dates of polling and report them promptly to the relevant authorities as noted below. This should include monitoring human rights conditions in the general environment, and in particular ensuring that their monitoring extends beyond polling stations and their immediate vicinity. Serious human rights violations very often happen away from these locations.
- Assess whether voters may have been intimidated or pressured to vote or not to vote for any particular candidate or party. In this connection, they should note any discrimination in the exercise of

human rights, or other disadvantages, faced by anyone on account of their actual or perceived political opinions.

- Record what action local authorities take, or any failure to take prompt action, in response to incidents of human rights abuses or allegations of such incidents reported to them.
- Monitor the actions of the security forces, in particular the Sierra Leone Police, the armed forces and special task forces, in the policing of political rallies, campaign meetings and at polling stations, and methods of crowd control during any disturbances or at other times. In particular, note whether any action taken by the security forces in response to political violence is prompt, and whether such action or other action in the context of political rallies, campaign meetings or crowd control is appropriate and proportionate in terms of international standards on the use of force in law enforcement.

REPORTING HUMAN RIGHTS VIOLATIONS AND ABUSES IN THE CONTEXT OF THE ELECTIONS

Amnesty International recommends that monitors and observers:

- Report to the relevant authorities, including the Sierra Leone Police and the National Human Rights Commission, through explicit and proper channels, any human rights abuses or violations they witness, or allegations of human rights abuses or violations they receive, accurately and impartially, and with sensitivity as to gender-related aspects of the case.
- Ensure that all their reporting, whether to the authorities or in their overall public report of the election process, complies with ethical requirements, including ensuring that they do not report incidents in a way which will enable identification of the victims unless the victims have given their informed consent.
- Subject to the above, report to the authorities with sufficient detail and accuracy to enable the authorities to take prompt action to prevent continuation or recurrence of the abuse and to apprehend the perpetrators and/or identify the authorities responsible.
- Include information about such abuses in their overall public report of the election process, together with information about whether the authorities took prompt and effective action in response to abuses reported to them in accordance with international human rights standards.

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Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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