

**OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE
PREVENTION OF CORRUPTION**

ARTICLE 7 UNCAC

**MEASURES RELATED TO POLITICAL PARTIES AND ELECTION
CANDIDATES**

SIERRA LEONE (FIFTH SESSION)

II – Information requested from States parties in relation to public sector legislative and administrative measures, including measures to enhance transparency in the funding of candidatures for elected public office and, where applicable the funding of political parties (arts. 5 and 7).

1. Please describe the legislative and administrative measures you have taken to prevent corruption in public sector. In particular, please provide information on measures you have taken to enhance in the funding of candidatures for elected public office and the funding of political parties.

Political Party Registration Commission (PPRC)

The Political Party Registration Commission (PPRC) is the regulatory body for political parties in the country. Created by the Political Parties Act of 2002, the PPRC was established not just to register political parties, but also to oversee their operations by way of supervising, monitoring and offering mediation during moments of disputes between or among the leadership of same.

The PPRC in collaboration with the International Foundation for Electoral Systems (IFES) and USAID developed a Financial Reporting guide for the 2012 elections. This Reporting guide essentially describes the financial report that each political party registered in Sierra Leone is required to submit to the Commission within a specified timeframe.

The legal basis for the development of the financial reporting guide is found in the 1991 constitution, the Political Parties Act and the statutory instrument No. 3 of 2008.

Pursuant to the Financial Reporting guide to the 2012 elections, a total of eight (8) forms were introduced by the PPRC to assist Political Parties and their Candidates to meet their financial reporting requirements. The forms are represented as follows:

Form P1; asset and liabilities

Form P2; itemized contributions

Form P3; itemized expenditure

**OPEN-ENDED INTERGOVERNMENTAL WORKING GROU ON THE
PREVENTION OF CORRUPTION**

ARTICLE 7 UNCAC

**MEASURES RELATED TO POLITICAL PARTIES AND ELECTION
CANDIDATES**

Form P4; membership fee income
Form P5; financial summary
Form CI; assets and liabilities
Form C2; itemized contributions
Form C3; itemized expenditure

It should be noted that forms P1 to P5 represent all the forms to be submitted by political parties; whereas, forms C1 to C3 represent those that are to be submitted by political parties on behalf of their candidates.

It should further be noted that forms P2 and C2 have been designed and formatted in such a way that the identity of the individual or corporate donor is revealed. The form which is designed in a matrix format provides for name and address columns.

The submitted forms are subsequently gathered analyzed, gazette and publicized. This is a crucial step in ensuring transparency in the funding of Candidates for elective public office and Political Parties.

There is, however, no provision in the 2002 Act placing ceiling or limits on donations can be made to candidates of Political Parties; neither is there any provision in the Act prohibiting foreign donors or legal entities wholly or partly owned by the State from funding Political Parties or prospective candidates for public office. In this regard, the misuse of State's resources for campaign purposes by the ruling party in both the 2007 and 2012 elections seem to be a popular view.

In accordance with section 19 (1) of the political parties Act, 2002, the Commission frowns at foreign donations, especially from non-Sierra Leoneans resident overseas. In practice, support from foreign donors to political parties is permissible but, leave is granted to them only when donations are made indirectly through the PPRC.

It must be added that Campaign Finance Forms were issued by the PPRC in the 2012 multi-tier elections, which were then filled out and submitted by candidates running for various elective public offices; while at the same time political parties were required to submit annual audited financial reports which were then gazetted for public viewing.

Further, credible sanctions for the violation of relevant laws, rules and regulations have been enforced against political candidates or political parties. A glaring example of a case in point was the successful application to the Supreme Court of Judicature in Sierra Leone for the deregistration of a total number of 24 political parties because of non-compliance with

OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE PREVENTION OF CORRUPTION

ARTICLE 7 UNCAC

MEASURES RELATED TO POLITICAL PARTIES AND ELECTION CANDIDATES

various laws and rules contained in the Electoral Laws Act of 2000, Political Parties Act, 2002 and the implementing regulations thereof.

The main conclusions drawn from a country-wide stakeholders' engagement by the PPRC following the 2012 elections are as follows:

A significant member of political parties identified in adequate financial and material resources as the major factor that inhibited their success at the polls.

The misuse of states resources for campaign purposes by the ruling party in both the 2007 and 2012 elections seems to be a widely held view amongst the Sierra Leone electorate. Some of the key recommendations from this consultative report are as follows:

Code of Conduct

**The PPRC should reinforce the political parties' code of conduct by having it enshrined in the Political Parties Act.
Stronger mandate for PPRC**

It was recommended that the PPRC Bill be speedily passed into law for the Commission to be effective in its works. All participants call on government to be committed to the passage of this Bill into law.

Independence of Public Institutions

The independence of Public Institutions, including the Judiciary and the Security Sector should be guaranteed. It was recommended further that the independence of the PPRC be upheld by government and provided with required resources for the enhancement of its performance and effectiveness.

Awareness Raising

The need to create more awareness among the electorates of Sierra Leone about the existence and functions of the PPRC and political parties in Sierra Leone.

Right of Access to Information

OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE PREVENTION OF CORRUPTION

ARTICLE 7 UNCAC

MEASURES RELATED TO POLITICAL PARTIES AND ELECTION CANDIDATES

The right of Access to information Act provides for the disclosure of information held by public authorities or by persons providing services for them and to provide for other related matters.

The Act excludes or does not have legal dominion over the private sector, unless information held by it is voluntarily offered. This limitation has far-reaching ramifications. A considerable amount of government business is transacted between the public sector and private sector. Some public authorities, knowing this loophole in the law, could destroy information that has the potential to incriminate them.

Although this would constitute an offence, the punitive measure stipulated in the Public Archives Act 1965 is simply a slap on the wrist.

Open Government Partnership (OGP)

This is a multilateral effective and accountable governance among member nations. It is an international organization that seeks initiative by the U.S to secure concrete commitments from governments to promote transparency, strong commitments from participating nations to provide an international platform for domestic reformers committed the Principles which are Accountability, Citizens Participation and Transparency. The Government of Sierra Leone submitted its letter of intent to join the Open Government Partnership (OGP) following the passing of right of access to information Act and is currently part of the fourth cohort awaiting full membership after submitting its OGP Action Plan in April of 2014. Sierra Leone currently has 12 points out of 16 and is therefore eligible to be a member of the OGP with a ranking of 5th in the world for access to information.

Other Related Measures in the Fight against Corruption

The ACC in its determination to work closely with other integrity institutions has signed Memorandum of understanding (MOUs) with the parliamentary committee on transparency and accountability, the Audit service Sierra Leone. Sierra Leone investment and export promotion agency (SLIEPA), and the Sierra Leone association of journalists (SLAJ). These partnerships are crucial in driving the collaborative fight against corruption.

**OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON THE
PREVENTION OF CORRUPTION**

ARTICLE 7 UNCAC

**MEASURES RELATED TO POLITICAL PARTIES AND ELECTION
CANDIDATES**

The ACC has also established partnerships with the commonwealth association of ACC agencies and the network of anti corruption institutions of West Africa (NACIWA) where it is a member of the executive boards and sits as administrative secretary. The ACC also has working relationships with countries like Egypt, Britain, Malawi and Liberia. In 2011 Sierra Leone was host to NACIWA regional conference.