

Minutes of the 6th meeting of the Project Board

The Support to the Sierra Leone Constitutional Review Project

UNDP Conference Room, 27th August 2015

Summary

The 6th Project Board meeting for *the Support to the Sierra Leone Constitutional Review Project* was held on 27th August 2015 at 10.30 am in the Conference Room UNDP's office, 55 Wilkinson Road, Freetown. The meeting was chaired by the Country Director of the United Nations Development Programme (UNDP) Mr. Sudipto Mukerjee and was attended by the Constitutional Review Committee (CRC), National Electoral Commission (NEC), European Union (EU), British High Commission (BHC), Campaign for Good Governance (CGG), and the United Nations Development Programme (UNDP).

Updates of progress on the Constitutional Review Project and the conduct of the Referendum, were the main items on the agenda.

1. Opening remarks

The Chair, UNDP Country Director, Mr. Sudipto Mukerjee welcomed all to the meeting which he said is held once in a quarter. The Chair welcomed particularly the new Executive Secretary CRC to his 1st Project Board meeting. The Project Board meeting he said was not meant only to take stock but also to take decisions to guide the process.

Members present briefly introduced themselves.

The Chairman CRC, Justice Edmund Cowan in his brief opening remarks mentioned that the CRC had set itself a very tight target but nonetheless it was plodding along. He said over the past few months the CRC had meetings with two donor partners. He informed that the CRC is expected to present the draft constitution to H E the President by March 2016

Mr. Macksood Sesay, Commissioner NEC, in his opening remarks firstly apologized for the absence of the Chief Electoral Commissioner. He informed that the second draft of the referendum Bill had been done and waiting to be presented to stakeholders for their input before taking it to Parliament. The Executive Secretary he said would elaborate on the state of preparedness for the Referendum. Commissioner Sesay stated that NEC budgeted for the Referendum in its strategic plan, but looking at the timelines, it seems NEC would only be able to hold the referendum in 2017, as boundary delimitation would have to be done first, followed by voter registration, then the Referendum.

Mr. William Davies, Executive Secretary NEC explained that the referendum depended heavily on voter registration and that NEC needed to update its voter register to ensure all eligible voters were registered.

2. CR Project and Progress Report

The Chief Technical Adviser (CTA), Mr. Sanaullah Baloch welcomed members again. He stated that there were only seven months remaining to the end of the programme and it was essential to bring on board other stakeholders who would continue with the process. He appreciated the presence of NEC officials who were at the meeting to present a budget and proposal for the Referendum. The CTA informed that the process so far has been all inclusive and transparent with no major hiccups.

Giving his progress report through a power point presentation, the CTA informed that

- The civic education component was ongoing and almost complete, likewise the public consultation undertaken by both the CRC and the Civil Society Organizations (CSOs).
- The nationwide consultation concluded in 12 districts and the western area.
- Stakeholder consultations were held with All Political Parties Women Association (APPWA), National Council of Paramount Chiefs, Market Women Association, Students, CSOs etc.
- Several groups manifested interest and enthusiasm in the process, as such more than 100 position papers have so far been presented to CRC
- 13 sessions were held with Parliamentarians during the Ebola period
- The Referendum Act drafted by NEC with support from UNDP
- Various sub-committees currently drafting their respective reports: drafts to be presented in CRC plenary 1st week September
- Another round of public consultations to be held on the 2nd draft of the constitution to enable the people ascertain whether their views were/not reflected
- Ebola posed constraints for public consultations: nonetheless, millions of people were reached through printed materials, flash disks, social media, submission forms, newsletters etc.
- The CRC website contains a host of varied reports on the process viz thematic reports, district reports, consultation reports and progress reports
- Emerging ideas very common in the submission reports are a) the separation of powers among the three arms of government, b) need for an autonomous judiciary and c) an effective Parliament
- 15,000 submission forms have been inputted by Researchers
- With support from American Bar Association, 46 lawyers from all over the world reviewed the 1991 Constitution and sent their reports

2.1 Financial delivery: The CTA reported that 55% of the project's budget for 2015 has already been spent.

2.2 Challenges and Opportunities: The main challenge highlighted by the CTA is the need for more resources to focus on post draft civic education component, whilst the Post Draft Nationwide Consultation Plan and the Referendum, are viewed as opportunities.

Note: For detailed presentation, please see Annex A

2.3 Mr. Saa Kpulun, Executive Secretary CRC thanked the CTA for a comprehensive progress report which also captured CRC's work, and reiterated the fact that CRC was working on a tight target. Mr. Kpulun

added that the CRC was planning to have inputs from Sierra Leoneans in the diaspora. The CRC he said was also planning to embark on study tours to Ghana and Kenya.

2.4 Mr. William Davies, Executive Secretary, NEC, briefed members on NEC's plan for the Referendum and informed that NEC had prepared its Strategic Plan 2015 – 2019. He explained that all elections depended on the conduct of boundary delimitation and the update of the voters' register. NEC had therefore slated April to December 2015 to conduct boundary delimitation. He opined that there would be complications if voter registration is carried out before boundary delimitation. NEC was therefore looking at the 2nd half of 2017 to hold the Referendum in the hope that the constitutional review process would have finished in 2016. Mr. Davies stated that NEC was working with the National Registration Secretariat, (NRS)/National Civil Registration Authority (NCRA). NEC is anticipating voter registration will be carried out from November 2015 to April 2016.

Mr. Davies intimated that NEC produced a draft budget for the referendum totalling Le78 billion. However, a revised draft of approximately Le75 billion is to be submitted to the Ministry of Finance and Economic Development by 11 September. He informed also that NEC was planning to process results at district level which would entail recruitment of data matrix staff at field level. After recruitment there will be training which will be cascaded.

Note: For explanatory notes on Referendum budget, please see Annex B

3. Questions, comments and answers

UNDP Country Director, Mr. Sudipto Mukerjee expressed concern over the time gap between the end of the constitutional review process and the Referendum: he expected the Referendum to be held soon after the constitutional review process when it would all be fresh in people's minds. He noted that each process on the electoral calendar was so expensive and wondered whether NEC could consider merging elections.

Mr. Davies, Executive Secretary NEC, replied that NEC was working on combining some elections which might reduce the need of doing two rounds of voter registration

Mr. Annup Vyas, BHC, also commented on the proposed gap between the end of the CR process and the Referendum. The good news he said though, was the proposed combining of the elections. He buttressed the point of maintaining the momentum and bringing the date for the Referendum forward.

Mr. Davies, Executive Secretary, NEC was sceptical as to whether the voter register would be ready in time for elections to be held in 2016.

Mr. Sana Baloch, CTA suggested that stakeholders like the Attorney General's Office, CRC and NEC come together to acknowledge roles in the process and endeavour to establish a timeframe for the Referendum.

Ms. Valnora Edwin, CGG, commented that NEC's work depended on so many other factors, and expressed concern about how feasible the timelines on the CTA's presentation were. She noted that people in the diaspora were not well captured in the process, and opined that the CRC consultations were limited to district headquarter towns only. She was looking forward to the other chiefdoms being consulted during

the validation stage. She mentioned that the CRC consultation with journalists in Bo did not take place because of logistics. She advised that in future, logistics and other information must be made clear to participants beforehand.

CTA clarified that the Bo meeting with All Political Parties Youth Association (APPYA) was a sensitive one but ended up being highly successful. The only problem was that there were rumours that PPRC had collected the funds from UNDP, and offering less amounts to the participants.

Justice Edmund Cowan, CRC Chair in his contribution stated that CRC was not able to go to the chiefdoms, but that NEC, PPRC and NCD that have offices in the districts and with whom CRC collaborates, were able to hold consultations in the chiefdoms. He mentioned that UNDP supported NCD to translate the constitution into five different languages and to produce a documentary.

Mr. Julius Foday, EU, remarked that the CTA did not capture the sustainability aspects in his presentation. He suggested that Output 5 of the Annual Work Plan (CRC led consultations/civic education) be revisited.

CTA confirmed civic education was on going.

Ms. Illuminate Maerere, UNDP, advised that funding partners be informed in good time about the referendum budget.

It was agreed that UNDP would facilitate the collaboration of the funding partners.

With no other business, the meeting ended at 12.40pm.

Justice Edmund Cowan

Mr. Sudipto Mukerjee

Mr. Sanaullah Baloch

Attendance list

1. Mr. Sudipto Mukerjee, UNDP Country Director, Chair
2. Justice Edmond K Cowan, Chair, Constitutional Review Committee (CRC)
3. Mr. Saa Kpulun, Executive Secretary, CRC
4. Mr. Macksood Gibril Sesay, Commissioner, National Electoral Commission, (NEC)
5. Mr. William Davies, Executive Secretary, NEC
6. Mr. Clarence Adusei, Legal Retainer, NEC
7. Mrs. Gladys N John, Acting Director, Legal Affairs, NEC
8. Mr. Isaac Curtis-Hooke, Acting Director of Operations, NEC
9. Mr. Aiah Quiwa, Regional Chief, North, NEC
10. Mr. Julius I K Foday, EU
11. Mr. Anup Vyas, British High Commission (BHC)
12. Ms. Valnora Edwin, Campaign for Good Governance, (CGG)
13. Mr. Sanaullah Baloch, Chief Technical Adviser, CRC, UNDP
14. Ms. Illuminate Maerere, Head, PMSU, UNDP
15. Ms. Manjia Kobba, UNDP
16. Mr. Helal Uddin, UNDP
17. Ms. Gloria Thomas, UNDP

ANNEXES

ANNEX A – Progress report

ANNEX B – Explanatory notes on the draft Referendum budget