

*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

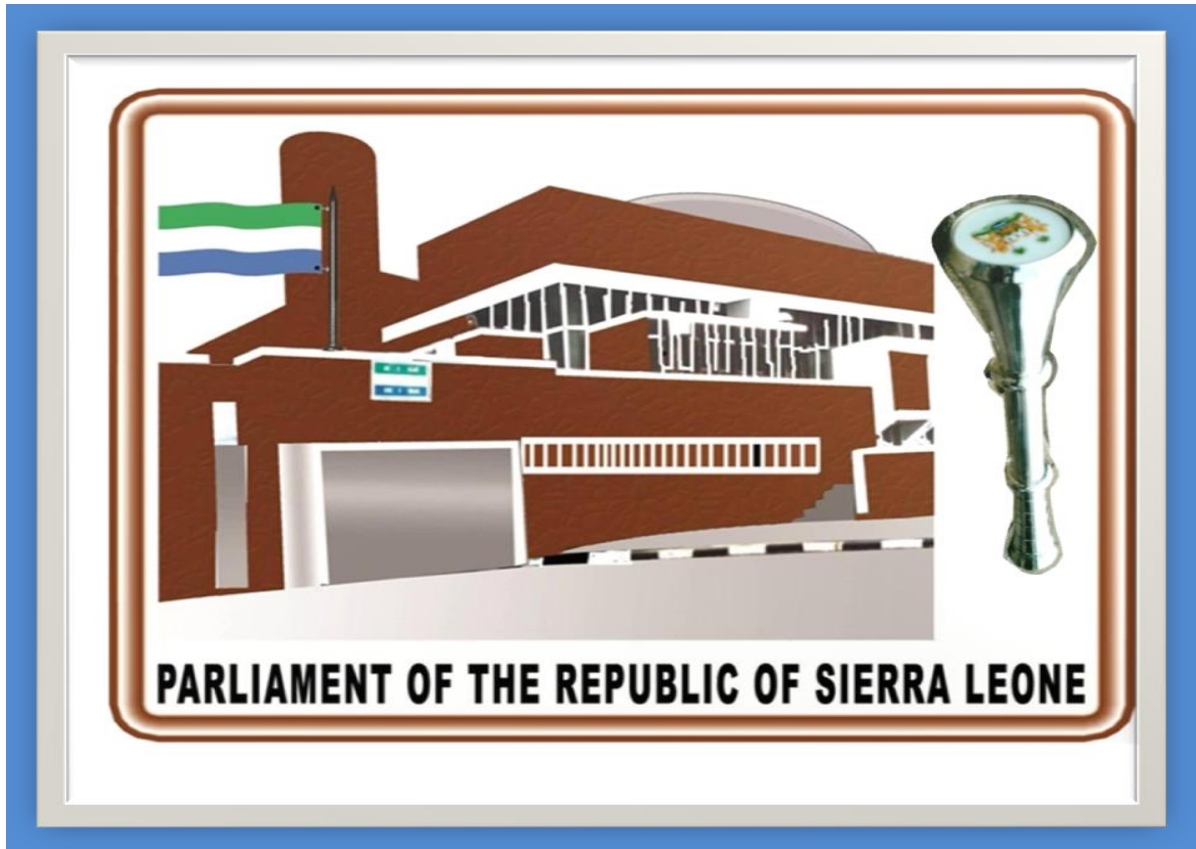
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**OFFICIAL HANSARD REPORT**

**FIFTH SESSION - FIRST MEETING**

**WEDNESDAY, 5<sup>TH</sup> APRIL, 2017**

*SESSION – 2016/2017*



*OAU DRIVE, TOWER HILL, FREETOWN*

# **PARLIAMENTARY DEBATES**

**[HANSARD]**

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**OFFICIAL HANSARD REPORT**

**VOLUME: I**

**NUMBER: 18**

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First Meeting of the Fifth Session of the Fourth Parliament  
of the Second Republic of Sierra Leone.

Proceedings of the Sitting of the House  
Held Wednesday, 5<sup>th</sup> April, 2017.

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PROPOSER: HON. SUALIHO M. KOROMA

SECONDER: HON. DICKSON ROGERS

BE IT RESOLVED THAT:

THE STATUTORY INSTRUMENTS AS LISTED BELOW WHICH WERE LAID ON THE TABLE OF THIS HONOURABLE HOUSE ON THURSDAY, 16<sup>TH</sup> MARCH, 2017 AT 10:00A.M., BY THE ATTORNEY-GENERAL AND MINISTER OF JUSTICE BE DEBATED CONSISTENT WITH STANDING ORDER 25[2].

[i] CONSTITUTIONAL INSTRUMENT NO.43 OF 2017 DATED 15<sup>TH</sup> MARCH, 2017

[ii] STATUTORY INSTRUMENT NO.44 OF 2017 DATED 15<sup>TH</sup> MARCH, 2017

[iii] STATUTORY INSTRUMENT NO.45 OF 2017 DATED 15<sup>TH</sup> MARCH, 2017

[iv] STATUTORY INSTRUMENT NO.46 OF 2017 DATED 15<sup>TH</sup> MARCH, 2017

[CONTINUED DEBATE]



*THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE*

**Official Hansard Report of the Proceedings of the House**

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**FIFTH SESSION – FIRST MEETING  
OF THE FOURTH PARLIAMENT  
OF THE SECOND REPUBLIC**

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**Wednesday, 5<sup>th</sup> April, 2017.**

**I. PRAYERS**

*[The Clerk of Parliament, Mr Ibrahim Sulaiman Sesay, Read the Prayers].*

*[The House met at 10:32 a.m. in Parliament Building, Tower Hill, Freetown].*

*[The Speaker, Hon. Sheku Badara Basiru Dumbuya, in the Chair].*

The House was called to Order

*Suspension of S. O. 5[2]*

COMMUNICATION FROM THE CHAIR

**HON. LEONARD S. FOFANAH:** Mr Speaker, I want to apologise to you and the entire House that the Votes and Proceedings is not readily available at the moment.

**THE SPEAKER:** Honourable Ansumana J. Kaikai that is the statement from the Majority Leader. Are you in agreement with what he has said?

**HON. ANSUMANA J. KAIKAI:** I am in agreement with him, Mr Speaker.

**II. PRIVATE MEMBER'S MOTION**

PROPOSER: HON. SUALIHO M. KOROMA

SECONDER: HON. DICKSON ROGERS

Be it resolved that the Statutory Instruments, as listed below, which were laid on the Table of this Honourable House on Thursday, 16<sup>th</sup> March, 2017 by the Attorney-General and Minister of Justice be debated consistent with Standing Order 25[2].

[i] Constitutional Instrument No.43 of 2017, dated 15<sup>th</sup> March, 2017;

[ii] Statutory Instrument No.44 of 2017, dated 15<sup>th</sup> March, 2017;

[iii] Statutory Instrument No.45 of 2017, dated 15<sup>th</sup> March, 2017; and

[iv] Statutory Instrument No.46 of 2017, dated 15<sup>th</sup> March, 2017.

[CONTINUED DEBATE]

**THE SPEAKER:** At this juncture, I would like to invite the Attorney-General and Minister of Justice to occupy the chair. Mr Attorney-General, we asked you to go and have consultations with officials of the National Electoral Commission [NEC]. The Officials from the NEC are here and we want to know the conclusion you have reached.

**MR JOSEPH FITZGERALD KAMARA [Attorney-General and Minister of Justice]:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, we had extensive discussions yesterday with the NEC officials in my office and we had a simple proposal. The first proposal is in agreement with what Honourable Sualiho M.

Koroma made yesterday that the process be validated and the opportunity be given to NEC to do the redistricting, so that we can come again by way of amendment, pursuant to the constitutional and statutory instrument Acts. The second option, which will be dead-end option, is also in tandem with Section 2 of the 1999 Constitutional and Instrument Acts, which states that the Statutory Instrument laid before Parliament shall come into force at the end of the twenty-one days from the date of being so laid, unless before then it has been annulled by Parliament by two-thirds of Members present.

Mr Speaker, Honourable Members, we are in your hands regarding the exercise of that provision. The first option is to validate the Instrument as it is and give the opportunity to NEC and we have received assurances from NEC that they would be able to conduct this exercise within the next four weeks and come back with a resubmission that will include the new districts and other Chiefdoms that may have been missing in the earlier document submitted to this House.

Mr Speaker, Honourable Members, we also noted that the Instrument for the Ward and Constituency delimitation was submitted before the De-amalgamation Act was passed. But as it is, we remain in your hands with regards to Section 2, as stated earlier. The NEC is going to come back within the next four weeks with a revised submission for the consideration of this Honourable House.

**THE SPEAKER:** Honourable Members, The Attorney-General and Minister of Justice has said that they 'are in your hands' because you are the lawmakers. By your knowledge, you should know what is right and what is wrong; and if you know what is right and what is wrong, am sure you have the capacity to distinguish right from wrong. That is what he has said; but my problem as Speaker of this House is that how do we validate something that has already been invalidated by the admission of the Chairman of the NEC that procedurally, they have done the wrong thing.

**HON LEONARD S. FOFANAH [Majority Leader of the House and Leader of Government Business]:** Mr Speaker, Honourable Members, the Attorney-General and Minister of Justice said that they 'are in our hands.' If indeed they are in our hands, this House has taken a decision. For the past three days, we have been meeting in this Well and we have also gone to Room 1 for deliberations and

consultations. I am speaking here for Parliament. Mr Speaker, what has come out very clearly is the fact that whilst Parliament is willing to accept the other two documents, the other two documents should be withdrawn. This means that this House will have no other option but to throw them out of Parliament or expunge them totally from our books. If we are to do that, it will appear as if those documents were never laid on this Table. That is the message I have got from my colleagues and I am speaking on their behalf and that is the message I want to relay to you, Mr Speaker [*Applause across the House*]. We do not want this particular Parliament to be treated with levity because we are dealing with the law of the state. I am greatly disturbed by some of the mere insinuations against this Parliament and the Government. And in this country when they talk about Government they are referring to only one person, i.e., the President, who is not even involved in this matter absolutely. When this motion was moved in this House, it was moved in good faith and that is the position of this House.

**HON. ANSUMANA J. KAIKAI** [*Acting Minority Leader of the House*]: Mr Speaker, Honourable Members, we are sending the same message from this side of the House that the two documents be taken out of this House. We have heard the Attorney-General and Minister of Justice. We need not step in anybody's mouth when he is down. You only need to be accommodative and show respect to each other. In that light, Mr Speaker, we have to stay within the confines of the Constitution and the laws of this country. I will go with the concessions that have been offered by Attorney-General. However, he should take cognizance of the fact that four weeks is a very long time. He should expeditiously have that in mind, so that they work within a reasonable period of time.

On that note, Mr Speaker, Honourable Members, I want to agree with the Majority Leader of the House that the two documents should be revisited and make sure that they are within the confines of the laws of this country.

**THE SPEAKER:** Honourable Ansumana J. Kaikai, you have to be explicit.

**HON. ANSUMANA J. KAIKAI:** Explicitly, Mr Speaker, I am in agreement with the Majority Leader of this House, but at the same time the Attorney-General should go and work expeditiously because time is of the essence. I thank you, Mr Speaker.

**THE SPEAKER:** Honourable Members, what the Majority Leader of this House has said, supported by the Acting Minority Leader is pursuant to what has been agreed on, i.e., the two documents in question are not properly before this House, therefore, we have no business with them. This is the position of the House *[Applause]*. The NEC Commissioner, Mr Alie N’fah Conteh has admitted that they are wrong and that Parliament is right, the documents are not properly before the House and should be withdrawn.

*[Question Proposed, Put and Agreed to]*

*[The two documents; i.e., Constitutional Instrument No.43 and Statutory Instrument No.46, dated 15<sup>th</sup> March, 2017 respectively, have been thrown out of Parliament]*

**THE SPEAKER:** As was said yesterday, this is now a question of consoling the damage and I want to congratulate Members of Parliament for being magnanimous and more importantly, for allowing the registration process to continue. I once again congratulate them for their forbearance. Mr Attorney-General and Minister of Justice, that is the message from Members of Parliament.

**MR JOSEPH FITZGERALD KAMARA:** Thank you very much, Mr Speaker and Members of Parliament. I accept the suggestions and the concurrence from both sides of isles to withdraw the two documents. My position has been that we comply with the Statutory Instrument Act, which will suggest the process of withdrawal; i.e., I will have to withdraw the documents we submitted against leaving it for a vote. I still want to believe that I stand to my conscience of my profession that the documents submitted remain as they are.

**THE SPEAKER:** Mr Attorney-General, I do not want to entertain any other explanation because a decision has been taken by Parliament and it is binding.

**MR JOSEPH FITZGERALD KAMARA:** Thank you very much, Mr Speaker. I am not offering an explanation. I said that Parliament has taken a decision, as advised by the Rt Honourable Speaker. I was only stating that my professional conviction remains the same and that the House has decided that the two Instruments be withdrawn. The documents in question will soon be withdrawn. However, as long as it is on record that my professional position is maintained and recorded for purposes of history. I thank you very much.



**HON. BASHIRU SILIKIE:** Mr Speaker, I have been listening attentively to this debate for the past one week. I want to make my own position on this issue  
*[Laughter]*.

**HON. CLAUDE D.M. KAMANDA:** Mr Speaker, I stand on S.O. 32[7]. With the leave of Mr Speaker, it reads: **"It shall be out of order to attempt to reconsider any specific question upon which the House has come to conclusion during the current session except upon a substantive motion for decision."**

**THE SPEAKER:** Honourable Bashiru Silikie, you should know better. In addition to that, you ought to know also that where the Speaker has ruled on any question deliberated by the House, the decision is final. Mr N'fah Alie Conteh, you need to go and consult with your colleagues. What has been done is somehow messy and we are only trying to manage the situation. However, it is unacceptable and I am personally disappointed. Perhaps, there could be some form of amendments. Go and tidy up the documents. I thank you very much.

**HON. MOIWAI MOMOH:** Thank you very much, Mr Speaker. I stand on S.O. 23. I want to commend the House for this brilliant move. We have been on this debate for the past four days. We have done so well and we have sent a very good message to the public that we are not here to serve individual interest, but the public interest. I want to crave the indulgence of the leadership of this House to advise the NEC to organise national consultative conference to educate the public on the decision we have taken. They have to invite the Civil Society Organisations, political parties, and other important institutions. Again, our PR Department in this House should also be involved in this issue. Thank you very much, Mr Speaker.

**HON. ALHASSAN KAMARA:** Thank you, Mr Speaker. Mr Speaker, Honourable Members, this House has been debating constitutional illegality for about a week. As I am speaking to you, our people are queuing to register. Some are leaving their houses around 12:00 midnight to the registration centres to register. Mr Speaker, because of the incompetence displayed by the Electoral Commission, I called for the resignation of the National Chief Electoral Commissioner.

**HON. ANSUMANA J. KAIKAI:** Mr Speaker, I rise on S.O. 32[7]. Mr Speaker, the House has concluded this matter. On the issue of the Chief Electoral Commissioner resigning, if the Honourable Member so wishes, he should come up with a Private Member motion. It should not be a rejoinder to what we have concluded on.

**THE SPEAKER:** Honourable Member, I agree with you.

**HON MUSTAPHA M. BRIMAH:** Mr Speaker, Honourable Members, like my colleague said, there are certain moments in once life when you listen carefully, you will understand what others are saying. We have arrived at a consensus; and as the saying goes, S. O. 2; 'if you draw rope, you draw bush. We have to be very careful with some of the mistakes we are making. We have learnt our lessons over the years. As we were coming to Parliament to resolve this issue, I wanted to remove my vehicle number plate. This Parliament was seriously bashed at by members of the public. I want to join Honourable Moiwai Momoh that the relevant stakeholders are invited to a one day workshop, so that they could be educated on the decision we have taken as a Parliament. This is not about party politics because the credibility of this House is under siege. This is a very serious issue and if we do not take our time, posterity will judge us negatively. This situation has been misinterpreted and misconceived by the public. With your experience in diplomacy and your long standing studies in Latin, you know how human beings behave and what they are capable of doing. I can simply refer you as Marcus Tullius Cicero. You have managed this situation to this level and it is being handled professionally. We have to take caution not to derail due process.

On that note, Mr Speaker, honourable Members, I want to restate here that if 'you draw rope, you will draw bush and it will be disastrous for us as Members of Parliament. I thank you very much.

**HON. PC JOSEPH ALI-KAVURA KONGOMOH II:** Thank you, Mr Speaker. Perhaps, I did not put my case properly. However, Mr Speaker, when the debate was going on, I felt very sick, but now that it has been concluded, I am very fit and strong again. Some of us have been encouraging our constituents to go out and register in our Chiefdoms. If this process was nullified, it would have been a slap on the faces of Paramount Chiefs. I want to take this opportunity to thank Parliament

for taking this good decision. I also want to thank the Speaker for his magnanimity. The decision we have reached at is very good and I am very happy. Thank you very much, Mr Speaker.

**THE SPEAKER:** Honourable Members, you could recall that about two weeks ago, a Steering Committee of Members of Parliamentary Action Group [PAG] on Sustainable Development Goals [SDGs] was formed. But because certain things were considered as being out of place, I rejected the list. The list has been rewritten and the Committee, thus reconstituted. I now read the names of Members comprising that Committee.

1. Hon. Dauda J. B. Kallon, Chairman;
2. Hon. Shekuba Sannoh;
3. Hon. Rose Marie Bangura;
4. Hon. Suahilo M. Koroma;
5. Hon. Alhassan Kamara;
6. Hon. Komba E.S. Boyah;
7. Hon. Edward Style Jengo;
8. Hon. Saidu Babah Kamara;
9. Hon. Francis E. Kowa;
10. Hon. Francis A. Konuwa;
11. Hon. Lahai Marah;
12. Hon. Frederick Sandy Sourie;
13. Hon. Gladys Gbappi-Gbamoh Brima;
14. Hon. Henneh Raddar;
15. Hon. Aaron A. Koroma;
16. Hon. Jusufu B. Mansaray;
17. Hon. Francis B. Kaisamba;
18. Hon. Osman K. Conteh; and
19. Hon. PC Bai Kurr Kanagbaro Sanka III.

**HON. FODAY RADO YOKIE:** Mr Speaker, Honourable Members, with all respect to you, you did well initially. When that list came to you, you realised that certain

names were omitted. Equally, Mr Speaker, it is also not satisfactory on our own side because we have two factions on our own side *[Laughter across the Floor]*.

**THE SPEAKER:** I rejected the first list because consistent with the relevant provision in our Standing Orders, I thought that the Sierra Leone People's Party [SLPP] was not sufficiently represented on that list. However, there has now been a reflection of that on this list. Honourable Foday Rado Yokie, SLPP is SLPP.

*[Question Proposed, Put and Agreed to]*

*[The list has been adopted as presented]*

### **ADJOURNMENT**

*[The House rose at 11:10 p.m. and was adjourned to Tuesday, 11<sup>th</sup> April, 2017]*