



OAU DRIVE, TOWER HILL, FREETOWN

PARLIAMENTARY DEBATES

[HANSARD]

OFFICIAL HANSARD REPORT

FIRST SESSION - THIRD MEETING

FRIDAY, 22ND FEBRUARY, 2019

SESSION – 2018/2019



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PARLIAMETARY DEBATES

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

Proceedings of the Sitting of the House
Held Friday, 22nd February, 2019.

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PURSUANT TO SECTION 29:3 OF THE CONSTITUTION OF SIERRA LEONE, ACT NO. 6, OF 1991 I MOVE THAT THIS HONOURABLE HOUSE APPROVE THE DECLARATION OF STATE OF EMERGENCY REGARDING RAPE AND SEXUAL VIOLENCE MADE BY HIS EXCELLENCY THE PRESIDENT AND PUBLISHED IN THE SIERRA LEONE GAZETTE EXTRAORDINARY, VOL. CXLX, NO.24 DATED 19TH FEBRUARY, 2019.



THE CHAMBER OF PARLIAMENT OF THE REPUBLIC OF SIERRA LEONE

Official Hansard Report of the Proceedings of the House

FIRST SESSION – THIRD MEETING OF THE FIFTH PARLIAMENT OF THE SECOND REPUBLIC

Friday, 22nd February, 2019.

I. PRAYERS

[The Table Clerk, Mrs Bintu Weston, Read the Prayers]

[The House met at 10:50a.m. in Parliament Building, Tower Hill, Freetown]

[The Speaker, Hon. Chernor Abass Bundu, in the Chair]

The House was called to Order

Suspension of S. O. 5[2]

COMMUNICATION FROM THE CHAIR

HON. SIDIE M. TUNIS*[Leader of Government Business]*: Mr Speaker, Honourable Members, I want to Amend the Order by inserting the word 'Approve' instead of 'Ratify'. 'I Move that the Honourable House Ratify'. So, instead of 'Ratify' please put 'Approve' not 'Ratify'. Thank you.

THE SPEAKER: Acting Leader of Opposition, if you say that, then you are the exception to the general rule.

HON. IBRAHIM B. KARGBO: Against this side?

THE SPEAKER: No against you alone, not your side.

HON. IBRAHIM B. KARGBO: Mr Speaker, do not speak for us Sir.

THE SPEAKER: Well, I observed that the other Members seem to have..... I know you will rise. I expected you to rise instead of the Acting Leader of the Opposition.

HON. DANIEL B. KOROMA: I thank you very much Mr Speaker.

THE SPEAKER: You do have one now.

HON. DANIEL B. KOROMA: Yes Sir.

THE SPEAKER: Thank you.

HON. DANIEL B. KOROMA: No, let me just make a point.

THE SPEAKER: I have a Motion on the Floor.

HON. DANIEL B. KOROMA: It is in respect of the Motion Mr Speaker. It is just a concern in which you can make a ruling; it is for the attention of the Public. Well, I have some problems; some strange particles entered my eyes when I was crossing Congo Cross. *[Undertone]*

Mr Speaker, Honourable Members, just for the attention of the Public, our concern on which you can make a ruling is about the Proclamation done by no less a person but His

Excellency the President, Retired Brigadier Julius Maada Bio. This Proclamation made reference to a Declaration dated 7th February, 2019 and it is totally in agreement with the work and the content of that Declaration of the said date. So, the question now is, if this Proclamation is making reference to a Declaration dated 7th February, in which the content of that document of the said date is the workable instrument in respect of this Proclamation, do Members or are Members supposed to have copies of that Declaration so that we could have informed Debaters?

Secondly, for the records, is there a need for that Declaration referenced in this Proclamation ought to have been laid on the Table of this House? For the records, these are just our concerns and those are the questions. Should it be laid on the Table of this House? Because it is the workable document of this Proclamation, the content and everything and that is what this Country will go by. Should it be laid on the Table of this House? And for the purposes of informed Debate, should we as Members of Parliament be furnished with copies? In the absence of the copies of that Declaration, this Proclamation is now making reference to that Declaration which we do not have copies of. How do we Debate from an uninformed position? It is just for the attention of the General Public *[Applause]*.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I started by amending the Order Paper and the Honourable Member did not even wait for me to finish amending it. The Honourable Member did not wait and he should have waited.

Honourable Members, the first amendment as I said is 'Approve' instead of 'Ratify.' Now the second amendment is, Mr Speaker, Roman III should now be Laying of Paper, before the Proclamation. We will lay it and then we do the Proclamation and allow Mr Speaker to rule on the amendments please!

HON. DANIEL B. KOROMA: Mr Speaker cannot rule until he listens to us.

HON. SIDIE M. TUNIS: I just made proposed amendments, so it is up to the Honourable Speaker to accept those amendments or not and then we move forward.

HON. DANIEL B. KOROMA: That is not the practice.

THE SPEAKER: Honourable Members, what we have before us is a Proclamation and we are going by the wording of the Proclamation under Section 29.

HON. DANIEL B. KOROMA: Mr Speaker may I be heard?

THE SPEAKER: You are calling for a Laying of the Proclamation?

HON. DANIEL B. KOROMA: Not only the Laying of it. May I be heard Sir?

THE SPEAKER: By all means.

HON. DANIEL B. KOROMA: Thank you very much. What I said is that, this is a Proclamation, so we have no problem with it. There is no Constitutional Provision which says that you must lay a Proclamation on the Table, there is none. What we are saying is that, this Proclamation is making reference to a workable document entitled: Declaration dated 7th February, 2019 in the Proclamation. So, we are saying, for today, we cannot debate these few Paragraphs. The Debate would have to be the workable document and the contents. So, I am not saying this Proclamation ought to be laid, there is no Provisions for that. What we are saying is that the document being referred to by this Proclamation ought to be laid on the Table of the House and Members ought to have copies for informed debate, otherwise we are debating from an open air. That is my point Mr Speaker.

HON. SIDIE M. TUNIS: Mr Speaker, you know my colleagues on the other side always amaze me. In one minute they will say we will support this, but they will go around again and oppose. This is the second time Honourable Members on the other side are doing this.

THE SPEAKER: Honourable Members, Order! Allow the Leader of Government Business to land. I have not given the Floor to no one but him.

HON. IBRAHIM B. KARGBO: Mr Speaker...*[interruption]*

THE SPEAKER: With respect to you Acting Leader of the Opposition, allow the Leader of Government Business to land.

HON. IBRAHIM B. KARGBO: I am the Leader of the Opposition.

HON. SIDIE M. TUNIS: He is the Leader of Opposition and I am the Leader of Government Business.

HON. IBRAHIM B. KARGBO: Okay Mr Speaker, we accept that, but it seems you are the Opposition now.

HON. SIDIE M. TUNIS: No, you are the Opposition; I supposed it is just a slip of tongue.

THE SPEAKER: The Leader of Government Business was in mid-flight when you stood, so allow him to land.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, what is happening here this morning is a replay of the debate on the Commission of Inquiry. Honourable Members on the other side were saying that they support the Commission of Inquiry, yet went opposing it. They voted against it and this morning again, Mr Speaker, Honourable Members, even though our Honourable Members on the other side already know the dangers of rape and sexual violence, yet still they want to oppose the Proclamation. Mr Speaker, please give your ruling so that we can proceed.

THE SPEAKER: Honourable Members, please take your Seats. Order! Order! Take your Seat Honourable Member. I really see no need for any Member to filibuster here.

Honourable Members, I have before this House an amendment to the Order Paper by way of a Motion. Now, let me just say this for the satisfaction of the Honourable Daniel Koroma. You made mention of the Declaration and that you believe it would have served you better, if you had the Declaration copies also. The Declaration was a Declaration of Government Policy that is neatly captured by the Proclamation that is now before this House. So let us focus attention on the Proclamation that is before us and I have before the House an amendment that is proposed by the Leader of Government Business. In place of the word 'Ratify', he is substituting the word 'Approve' in consonance with the language of Section 29 of the Constitution. Ordinarily, we would have just proceeded, but since I could see emotions arising, I would put that matter for consideration as well. Did you Move Mr Leader?

HON. SIDIE M. TUNIS: I just presented an Amendment on the Order Paper.

THE SPEAKER: You effected an Amendment to the Order Paper?

HON. SIDIE M. TUNIS: Yes exactly!

HON. DANIEL B. KOROMA: Mr Speaker, that is the normal practice, we are not against any amendment. In fact, it is prudent that that word is constitutional. Honourable Member, you are not the Speaker [*Undertone*]

THE SPEAKER: I have not given you the Floor Honourable Koroma. I am sure you have no objection to the amendment moved, because it is quite consistent with the language of Section 29 of the Constitution.

HON. DANIEL B. KOROMA: We have no problem with the Amendment.

THE SPEAKER: Fine!

HON. DANIEL B. KOROMA: Mr Speaker, our problem is when you said, for the benefit of you in this case, 'you' could mean Parliament and Sierra Leoneans. We are saying that the Declaration cannot be divorced from the Proclamation.

THE SPEAKER: My ruling is that the Declaration is sufficiently captured by the Proclamation before this House.

HON. DANIEL B. KOROMA: Sufficiently captured?

THE SPEAKER: It is sufficiently captured by the proclamation before this House.

HON. DANIEL B. KOROMA: Mr Speaker, without Members having any copy, you are saying it is sufficiently captured? We do not have any copy absolutely and we do not know the content.

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order. Mr Speaker, with all due respect to the Honourable Member, we are on a process, let him allow us to finish the Business. We are coming to his concerns later. He is talking about regulations and we are coming to that, but allow us to go with the agenda. We have the Amendment, let us put it to vote and vote on it, so allow us to go with that. Thank you Mr Speaker.

HON. SEGEPOH S. THOMAS [Deputy Speaker]: Mr Speaker, I am on my legs. Mr Leader, please allow me.

THE SPEAKER: Okay, let us allow the Deputy Speaker.

HON. SEGEPOH S. THOMAS: Mr Speaker, Honourable Members, I wish to draw the attention of this House to S O 42. Mr Speaker, I want to draw your attention to your ruling which according to Order 42 is final and cannot be challenged.

Mr Speaker, Honourable Members, I listened with keen attention to the submission made by my friend, Honourable Daniel Koroma. Honourable Member, I wish to state that this is a House of law and we make the laws of the land. So if you are insisting on your position then you must specifically submit to this House the relevant sections of the law that say that we cannot proceed the debate without the document before us. You must indicate that, especially the fact that we cannot proceed to debate the Proclamation without the Declaration. I am referring to the Proclamation specifically without whatever document you are referring to. This is the House of law refer us to that particular law *[Applause]*.

HON. DANIEL B. KOROMA: Mr Speaker, Honourable Members, for the fact that the Leader of Government Business deemed it fit to lay this document for the third time...*[interruption]*

THE SPEAKER: I will rule against laying that Paper and I will rule against him as far as the laying is concerned.

HON. DANIEL B. KOROMA: You will rule against him?

THE SPEAKER: Yes.

HON. DANIEL B. KOROMA: But that is what he said.

THE SPEAKER: We will proceed directly with the Proclamation and we are not laying.

HON. DANIEL B. KOROMA: Okay. In the absence of your ruling, whether you support his laying or not what we are saying here, for the attention of Sierra Leoneans is that, we are far from reaching that point where we say we agree or we do not agree

or we support or we do not support. This is not debatable yet, we are saying we want to inform Sierra Leoneans about the content of the Proclamation on Floor. We want to inform Sierra Leoneans about the content of this State of Emergency that is on the Floor. But in the absence of that Declaration, we cannot inform Sierra Leoneans regarding the true content of this Proclamation on the Floor that establishes the State of Emergency. So we are asking for copies for us to be able to inform Sierra Leoneans, then you can rule.

THE SPEAKER: Honourable Koroma!

HON. MATHEW S. NYUMA: Point of Order Mr Speaker.

THE SPEAKER: Hold on!

HON. MATHEW S. NYUMA: Okay sir.

THE SPEAKER: For the edification of this House and the General Public to which you have made reference so many times, I do not think there will be any misinformation or whatsoever. When you want to inform the General Public about the content of the Proclamation before you... - *[interruption]*.

HON. DANIEL B. KOROMA: I am not referring to a Proclamation sir. I am referring to a Declaration dated 7th February, 2019. We have no idea about that Declaration.

THE SPEAKER: No, Honourable Koroma.

HON. DANIEL B. KOROMA: As far as I am concerned, Members of Parliament ought to have it, so that it would be a level playing field during the debate. Why should we Debate in the absence of the document? I am not against the Declaration.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I believe the Honourable Member is wasting the time of this House.

HON. DANIEL B. KOROMA: No, I am not Sir.

HON. SIDIE M TUNIS: You are.

THE SPEAKER: I would give the Floor to the Acting Leader of the Opposition.

HON. IBRAHIM B. KARGBO: Mr Speaker, the Members of Parliament from this side of the House came here this morning in good faith with a clear indication to take part in a debate of national interest. But we are surprised that there is some confrontation from the other side even before the commencement of the debate. We will plead with you Mr Speaker, to protect our men on this side.

THE SPEAKER: Every Member of this House is fully protected by Mr Speaker.

HON. IBRAHIM B. KARGBO: I also would want that to be emphasised Mr Speaker, because I see a lot of confrontation even from the Leader on a matter that is merely a technical matter raised by Honourable Koroma and technical issues must be raised. That is what Honourable Koroma has done here. He has raised a technical issue and we need clarification.

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order!

HON. IBRAHIM B. KARGBO: Mr Speaker, I am going to emphasise that this debate should not be scuttled by unnecessary confrontation from the other side.

THE SPEAKER: Order!

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, as I said the Honourable Members are just wasting the time of this House. The Honourable Deputy Speaker simply posed a question, but the Honourable Member is continuously saying that the documents are not available. Show us the law that says that the documents are to be here before we debate. Tell us, and give us the Provisions in the Constitution or the Standing Order.

THE SPEAKER: I am afraid I will not allow the House to go back on that issue, I have already ruled that the Proclamation sufficiently captures the Declaration. Let us proceed on that basis *[Applause]*.

HON. IBRAHIM B. KARGBO: Mr Speaker, you have ruled on the amendment, but may I also suggest that all documents related to the Business of the day should be made available to us?

THE SPEAKER: Which ones? Please be specific.

HON. IBRAHIM B. KARGBO: Proclamation

THE SPEAKER: Which is before you?

HON. IBRAHIM B. KARGBO: Is it before us?

THE SPEAKER: It is before me and I presume it is before you too.

HON. IBRAHIM B. KARGBO: The working documents and all that have to do with the Business of the day must be made available to us. So this is why we are looking at S O 29 [3] now Mr Speaker. We are very satisfied that you are handling this matter very well Mr Speaker. So Mr Speaker, I stand on *S.O 83*.

THE SPEAKER: Honourable Members, the Leader of Government Business has proposed an amendment to the Order Paper. He has moved that the word 'Ratify' be substituted by the word 'Approve'. Any seconder?

HON. MATHEW S. NYUMA: Mr Speaker, I so second the Motion.

[Question Proposed, Put and Agreed to]

[The Motion to Amend the Order Paper has been carried]

II. CORRECTION OF VOTES AND PROCEEDINGS FOR THE PARLIAMENTARY SITTING HELD ON THURSDAY 14TH FEBRUARY, 2019

THE SPEAKER: Honourable Members, Order! I hope we are not here for a marathon sitting today! I presume both sides are prepared for it. It remains with me to determine whether it would be a marathon or not. Let us proceed with the record of Votes and Proceedings for Thursday 14th February, 2019.

HON. DANIEL B. KOROMA: Mr Speaker, sorry Sir. I think a second amendment was proposed by the Leader of Government Business. As you put the first amendment, I think you need to put the second amendment too.

THE SPEAKER: Which one.

HON. DANIEL B. KOROMA: A second amendment was proposed that a third item to be specific 'laying of papers', he said so.

THE SPEAKER: I already ruled against that.

HON. DANIEL B. KOROMA: No, you did not put the Question. How can you rule when you did not put the Question? You put the Question on the first amendment and the second, but not the third one. The normal practice is that as you put a Question on this one. We are expecting that you put the Question on the other.

HON. SIDIE M. TUNIS: Mr Speaker, I withdraw that particular amendment

HON. DANIEL B. KOROMA: So, how can you withdraw an item that has already been overruled by the Speaker? You said you have overruled and he is saying he is withdrawing. How can you withdraw a document that the Speaker has ruled on?

THE SPEAKER: Honourable Members take your Seat.

HON. DANIEL B. KOROMA: This is the wrong procedure. How can you withdraw a document that has been ruled by the Speaker?

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, I say again, the Honourable Members on the other side are very determined to waste the time of this Honourable House. They are determined to create confusion the same way they did during the debate of the Commission of Inquiry. I want to assure you that the Honourable Members on this side are ready for this debate and we are going to have the debate. We are going to Vote and win.

HON. IBRAHIM B. KARGBO: Mr Speaker, I am going to state the point again...'
[Interruption]

THE SPEAKER: I am not entertaining any Member of Parliament on this issue any longer.

HON. IBRAHIM B. KARGBO: Mr Speaker, there is a deliberate attempt....'
[Interruption]

THE SPEAKER: I am sorry Acting Leader, but I will not entertain any more comments on this matter. We are proceeding with the Votes and Proceedings.

HON. IBRAHIM B. KARGBO: Mr Speaker, if you are not accommodating us, then let us know.

HON. DICKSON M. ROGERS: Mr Speaker, Point of Order.

HON. IBRAHIM B.KARGBO: We want to be informed whether or not this House will accommodate the Opposition. If we are not accommodated, then let us know.

HON. DICKSON M. ROGERS: Mr Speaker, Point of Order. Mr Speaker, I am stand on Point of Order.

THE SPEAKER: What is your Point of Order?

HON. DICKSON M. ROGERS: *S.O 35 [5]*

THE SPEAKER: Yes. I have noted it.

HON. DICKSON M. ROGERS: Thank you. Let me make few statements Mr Speaker. Mr Speaker, when the Honourable Deputy Speaker was making his submission, the Honourable Kalokoh said *S.O 2 'e dae crase'*. Mr Speaker, that is not Undertone, because if he sits on that side and make statements and we on this side heard the undertone, then it is not an undertone Mr Speaker.

Secondly, Mr Speaker, you can bear us witness that when our Leader was speaking our colleagues on the other side were shouting above their voices. I do not want it to reach to a point that when their Leader will be speaking then we do not give him chance to speak. So, Mr Speaker, I want to crave your indulgence to make sure that the other side give us chance, whether or not they like it, this Bill is going to pass today and now.

[Applause]

HON. DANIEL B. KOROMA: Mr Speaker, Sierra Leoneans are listening and they are not fools about rules of procedure.

THE SPEAKER: Order! Take your sits all of you. I will not recognise anyone again. We are proceeding with the Votes and Proceedings. Honourable Members, we go through

the record of Votes and Proceedings for the parliamentary sitting held on Thursday, 14th February, 2019. Pages 1 to 4 as usual, we shall skip. Any comments? Page5? Page6? Page7? Page8? Page9? Page10? Page11? I see no Amendments, no comments, no observations. Can someone please move for the adoption of the record of Votes and Proceedings for the Parliamentary Sitting held on Thursday 14th February, 2019?

HON. DICKSON M. ROGERS: I so move Mr Speaker.

THE SPEAKER: Any seconder?

HON. ALUSINE KANNEH: I so second Mr Speaker

[Question Proposed, Put and Agreed To]

[Record of Votes and Proceedings for Parliamentary Sitting held on Thursday, 14th February, 2019 has been adopted]

III PROCLAMATION - LEADER OF GOVERNMENT BUSINESS

HON. SIDIE M. TUNIS: Public notice! Supplement to the Sierra Leone Gazette Extraordinary Vol. CXLX, No.24 dated 19th February, 2019. Public notice no.1 of 2019 published on 19th February, 2019. Proclamation by His Excellency Rtd. Brig. Julius Maada Bio, President of the Republic, Supreme Head of State, Grand Commander of the Order of the Republic, Commander-in-Chief of the Armed Forces, Fountain Head of Unity, Honour, Freedom, and Justice. Rtd Brig. Julius Maada Bio, President; whereas by Sub-Section 1 of Section 29 of the Constitution of Sierra Leone, 1991 [Act No.6 of 1991] it is provided that whenever in the opinion of the President a State of Public Emergency has commenced, the President may at any time, by Proclamation which shall be published in the Gazette, declare that a situation exists which, if allowed to continue, may lead to a state of emergency in any part or the whole of Sierra Leone.

Now, therefore, I Rtd. Brig. Julius Maada Bio, President of the Republic of Sierra Leone, Supreme Head of State, Grand Commander of the Order of the Republic and Commander-in-Chief of the Armed Forces of Sierra Leone having regard to the prevalence of crimes of sexual violence committed against women, girls and babies,

throughout Sierra Leone, Do HEREBY by this Proclamation declare that a State of Public Emergency exists regarding rape and sexual violence in the whole of the Republic of Sierra Leone with effect from the 7th day of February, 2019. Given under my hand and the Public Seal of the State of Sierra Leone at State House, Freetown, this 7th day of February, in the Year of Our Lord 2019. Long live the Republic of Sierra Leone!

Mr Speaker, Honourable Members, be it resolved: that pursuant to Section 29 [3] of the Constitution of Sierra Leone, Act No.6, of 1991, I move that this Honourable House approve the Declaration of the State of Emergency regarding rape and sexual violence made by His Excellency the President and published in the Sierra Leone Gazette Extraordinary, Vol. CXLX, No.24 dated 19th February, 2019.

THE SPEAKER: I have not yet put the Question. *[Undertone]* Honourable Members, you have just heard the motion moved by the Leader of Government Business. Any seconder?

HON MATHEW S. NYUMA: Mr Speaker, I so second the Motion.

[Question Proposed]

HON. MATHEW S. NYUMA: Mr Speaker, Honourable Members, I want to say thank you to His Excellency the President of the Republic. We on this side, we are in governance and we took oath here in Parliament and the President himself to defend and protect the people of Sierra Leone. We do not only need their votes, but we need to protect them. To rape babies, minors is not only a menace, but it is madness in society *[Applause]*. Because of that Mr Speaker, the President has taken the right direction at the right time to declare a State of Emergency on rape and sexual violence. We are here on behalf of the people of Sierra Leone, especially for our women. The last time, our Female Caucus Leader presented a lot of resolutions to us and I have read Resolution 1325- Protecting the Right of Women and this one is not only about women, it is about our babies as well. Mr Speaker, somebody who cannot differentiate between good and bad are raped and we are here wanting to politicise. Why is the politicisation of this issue that is of hazard to our society? Let us work for our people of Sierra Leone; they voted us to seek their interest *[Applause]*. Let us forget about party politics, this is

a bi-partisan approach. Mr Speaker, I call on my colleagues on the other side of the aisle to protect our babies and women and push this Proclamation. *[Applause]*

Mr Speaker, we are not going through the jungle justice. We have said it that the rule of law is the fundamental difference between us as human beings and chimpanzees in the jungle. I believe Honourable Ibrahim Ben Kargbo and his team will support us in this drive to combat this madness in our country *[Applause]*.

Mr Speaker, let me just allay the fears of my colleague on the other side I will not bother you to read, but I know he is well read in terms of law. Let him read Section 29 [5] and he would understand that you cannot have a regulation before a State of Emergency. It is instituted only during the existence of the State of Emergency that is when you would bring the regulations to Parliament and the Constitution is clear about that. So, it is not anything about the jungle law, this is clear.

Mr Speaker, Honourable Members, we know we are all in this together and there is adage which says, "he who feels it knows it." The other time, I admired colleagues on the other side supporting the resolutions for women. If we do not have anything to give to them, let us support them because we have them with us. Today, it can be Mr A and tomorrow it could be Mrs B. Therefore, I am of the belief that we should work in unionism despite our differences. I know we are different in terms of policies but when it comes to matters of Sierra Leone the climax of it is to protect Sierra Leoneans. The climax in this is for us to combat this menace; it is for all of us to contribute positively to this debate, the Proclamation. How do we do it? Let us vote for it because we very well know Section 29[3] the last paragraph tells you that, if you want to support it, you should secure 2/3 majority and if you want to supersede it, you should also secure 2/3 majority.

Mr Speaker, Honourable Members, the time has come for us to take a positive step and you are doing your job by bringing issues for us to do the right thing. I will always stand for the people of Sierra Leone and I will not stand for a Political Party in a situation where the majority of Sierra Leoneans are dying and suffering for the madness of few people. I will protect Sierra Leoneans. So, your views are taken into

consideration, but let us do it by the rule of law. What is the rule of law? I have referred you to sections 29 [5] and 29 [3] of the Constitution. So let us write that portion and realise that we are not outside the rudiments of the law, we are operating within the law.

Mr Speaker, Honourable Members, without much ado, I beg colleagues on the other side of the eile to speedily approve this Proclamation. Our Paramount Chiefs Members of Parliament are well affected with this because they live with the local people. They are dealing with 85 to 90 per cent of the population who are illiterates. We need them to support us because their subjects are the ones suffering from this rape issue. Minors are being raped and abuses are going on within their chiefdoms and one of the unique things we have in our Parliament is by having Paramount chiefs in Parliament. I salute you all, that is the beauty of Sierra Leone politics and that is the beauty of Sierra Leone Parliament. I talk to you all, especially our colleague females on the other side, you know it and you have been talking to us about this issue. Some of us are with you in spirit, in our body and with everything. This is one of the demonstrations we are going to show today that we are going to demonstrate our support for our women in this country. S let us vote positively for us to pass this Proclamation. I salute all in the name of oneness and in the name of Sierra Leone. So let us move on as a nation.

Mr Speaker, Honourable Members, we cannot do it better without them, so let us do it in unity. We can do it with all of you, but the Paramount Chiefs are at the top most level of this particular crisis, they are affected. Let us think about our women, because they are more affected. They have been showing this one to us for a very long time and we have been paying lip service to it. You are Honourable Members on the other side, so you are very good and I admired your contributions. You are talking for us to save Sierra Leone and for us to recognise your position save Sierra Leone.

Mr Speaker, I urge my colleagues to remember about those that loss their lives through rape with a minute of silence. Let us just bow our heads to remember them in our prayers. Mr Speaker, with your leave let us stand for a minute of silence. May the souls

of faithful departed rest in peace! And may those who are in sick beds get their healing. Thank you Mr Speaker, thank you all.

THE SPEAKER: I thank the Deputy Leader of Government Business for his contribution to this important debate and for calling attention to the grave issue before this House. I now recognise the Honourable Daniel Koroma.

HON. DANIEL B. KOROMA: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, we are here today to serve the people of this country in their best interests and in doing so I will take the queue from three fronts. The first one is, the Status Quo as we are now in the House. The second is the position of the Party; and the third is reasons for our positions.

Mr Speaker, Honourable Members, I will start with the Status Quo. We objected minutes ago of which you ruled against that as far as we are concerned we are supposed to have the Declaration which is a workable document being referred to in this Proclamation. You ruled in favour of the other side that as far as this Proclamation is concerned the Declaration is final and it has been done already. A Declaration which Members do not have copies, as a result we are all blank. We do not know what we are saying, but out of prudence and based on my own research efforts I was able to lay hands on one copy of the Declaration and I will show you a very good reason Parliament should have been copied in the first place and in the absence of that I will tell you one reason now which would have averted the issue of failing to copy Members of Parliament Mr Speaker.

Mr Speaker, Honourable Members, this is the Declaration [*Applause*]. On the face of the Declaration, I will read for your attention which would have averted a very serious problem. It says, with your leave, "statement for the declaration of rape and sexual violence as a national emergency by His Excellency the President Julius Maada Bio on Thursday, 7th December, 2019 at State House." This is the Declaration, for the attention of the Public. So you see some of the rationales why Members especially Parliament ought to have been consulted in the first place?

THE SPEAKER: Hold on! There is a Point of Order.

HON. HINDOLO M. GEVAO: Mr Speaker, I hold the view that my Honourable colleague is deceiving the Public by referring to a statement as a Declaration. What he is showing to the Public is a statement and not the Declaration and Mr Speaker this is against Parliamentary procedures, for you to deceive the House and the Public. What he holds is the statement and not the Declaration. Mr Speaker, by the very wordings that he read, it says, statement made on a particular day literally speaks volume. A 'Declaration' and the word 'Statement' are quite different in English. Therefore, I am saying what you hold is not a Declaration but a Statement. If you want me to refer you to the Declaration, I will show you a copy of it where it started and ended. it is not a voluminous document.

Mr Speaker, I beseech my colleague as a Sierra Leonean whom it is behoves not to deceive the nation to withdraw that statement because he is totally deceiving the Public. Let him withdraw it immediately, for him to bring a strange document to the House and give it a meaning that does not carry.

HON. DANIEL B. KOROMA: Mr Speaker, Honourable Members, Presidential Address, how do we usually call it? It is commonly called Presidential Address. Budget Presentation is simply called Budget Presentation. When you talk about statement, statement of what? *[Applause]* Statement cannot be a statement alone, but it can be a statement of a particular idea. Even the Budget Address or Presidential Address preceded by the word 'Statement' of the Nation's Address and it is referring to the Presidential Address *[Applause]*.

Mr Speaker, I want to get your attention and I will wait. Mr Speaker, in response to my colleague's assertion...*[interruption]*

THE SPEAKER: I can hear you.

HON. DANIEL B. KOROMA: I want to inform this House that for the attention of the Public, my submission is by no means misleading this House. It is a normal Government practice. My submission is the Declaration that is being made by no less a person but

His Excellency Rtd. Brig. Julius Maada Bio, a copy of which I have now is dated 7th December, 2019.

THE SPEAKER: What relevance has that got here?

HON. DANIEL B. KOROMA: Mr Speaker, in the first place, a document dated 2019 cannot be ratified now or approved now because it cannot be taken into effect.

THE SPEAKER: Honourable Member, I take your time to refer to *S.O 18[8]* in particular, the Proviso. If you do not mind, please read it aloud for the benefit of all Members.

HON. DANIEL B. KOROMA: Mr Speaker with your leave, it reads “provided that only Section 29 of the Constitution shall apply to the approval of any proclamation or other instrument made under that Section.” Mr Speaker, Honourable Members, I submit that under this second umbrella, this Declaration is being referenced in the Proclamation.

THE SPEAKER: It is not an instrument.

HON. DANIEL B. KOROMA: It is.

THE SPEAKER: It is not an instrument.

HON. DANIEL B. KOROMA: But it is being referenced.

THE SPEAKER: No, I rule you out of Order! it is not an instrument. Honourable Member, you are always quick and smart to draw attention to the need for the Public to be well informed, so let us inform the Public well on this particular occasion. Again, I draw attention to *S.O 18[8]* and the Proviso in particular.

HON. DANIEL B. KOROMA: Mr Speaker, for the attention of the Public, I submit that the proviso contained therein other documents or other instruments made under this section in this context clearly points to the Declaration made by His Excellency. In fact, for the attention of the Public, as far as this Proclamation is concerned the Declaration has already been made. I will refer you to the back page of this Declaration to substantiate my point that the Declaration has already been made.

THE SPEAKER: I am advising you to confine your contribution to *S.O 18[8]*.

HON. SEGEPOH S. THOMAS: Mr Speaker, Parliament can only concern with what is before it and nothing else.

HON. DANIEL B. KOROMA: I agree! Parliament should only be concerned about what is before it.

THE SPEAKER: What is before us?

HON. DANIEL B. KOROMA: Now allow me to tell you what is before us. I read verbatim the last paragraph on the first page going to the back page. With your leave, I read, "Now therefore, I Retired Brigadier Julius Maada Bio President of the Republic of Sierra Leone, Supreme Head of State, Grand Commander of the Order of the Republic, Commander in Chief of the Armed Forces of Sierra Leone having regard to the prevalence of crimes of sexual violence committed against women, girls and babies throughout Sierra Leone do hereby by this Proclamation declare a State of Public Emergency exists regarding rape and sexual violence in the whole of the Republic of Sierra Leone with effect from 7th day of February, 2019." As far as this one is concerned this day is referring to the Declaration dated 7th February, 2019. [Applause] it is referring to the said Declaration and the declaration is passed. The question would now be whether it was supposed to have been passed in the first place or to be passed after today. That would be our next question and that is where I am coming from now. But it has already been passed because of the date referenced.

HON. SEGEPOH S. THOMAS: Mr Speaker, Honourable Members, I submit that what is before us this morning is the Proclamation that is what is before Parliament. Whatever you are referring to is not before us, so please correct yourself.

HON. DANIEL B. KOROMA: I think I have made my point on that. Let me do not waste your time Sir, I have made my point on that. The date is referenced and it is clear.

Mr Speaker, Honourable Members, for your attention, permit me to read page 3 of the said Declaration.

THE SPEAKER: Page 3 of what?

HON. DANIEL B. KOROMA: Of this Declaration that I have. It says, "I have consulted with local NGOs such as Rainbow Centre, the Ministry of Social Welfare, Gender and Children's Affairs, the Ministry of Health and Sanitation, the Office of the Attorney General and Minister of Justice, the Honourable Chief Justice, the Police, and the other relevant Ministries and Agencies".

Suspension of S.O 5[2]

THE SPEAKER: Honourable Daniel Koroma, you have taken up a lot of time.

HON. DANIEL B. KOROMA: Mr Speaker, this is so serious if we are not allowed to inform the Public. Mark you, they are listening to us.

THE SPEAKER: I am usually very tolerant.

HON. DANIEL B. KOROMA: For which I thank you very much Mr Speaker, you have always been.

THE SPEAKER: But you are taxing my tolerance Honourable Member.

HON. DANIEL B. KOROMA: I will adjust Sir.

THE SPEAKER: I will allow two minutes more from you. You are not the only person requesting the Floor.

HON. DANIEL B. KOROMA: Mr Speaker, there is no debate. You have heard them.

THE SPEAKER: It is for me to decide whether I agree or not. They can all speak in unison and say you are representing them today. It is left with me to agree or not. I give you two minutes and not more.

HON. DANIEL B. KOROMA: Mr Speaker, Honourable Members, regarding the position of APC, we want to inform everybody that we are not against the fight to rape. In fact, based on the statistics provided here by no less a person but His Excellency, he told us clearly that out of three thousand cases only thirty nine has been successfully prosecuted. So as far as we are concerned, an offense of rape cannot be condoned. In fact for your information Mr Speaker, Honourable Members, let me refer you to shocking news in the Sexual Offenses Act of which will tell you people that we are

ready to support any fight against rape and sexual violence. In Section 6 of the Sexual Offences Act 2012, it talks about rape. I will just summarise quickly. Mr Speaker, the key issue is the Sexual Offences Act...*[interruption]*

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order.

THE SPEAKER: What is your Point of Order?

HON. MATHEW S. NYUMA: I decline Sir.

HON. DANIEL B. KOROMA: In this Sexual Offences Act, the most important issues are; you have rape of sane people, you have rape of people above eighteen years i e adult people and you also have rape of insane people. Furthermore, you have rape of family members called incest, and then you have rape of children below eighteen i e Statutory rape. For us to prove to you that we are in support of this motion, if you check these ones for rape of normal people, rape of insane people, rape of family members which is incest the penalty says if you are convicted you would be imprisoned for not more than fifteen years and not less than five years. Listen now to the fourth one which is in my opinion and in also the opinion of the President and the opinion of all of us here which is more serious than you would think. Do you know what it says Mr Speaker? In section 19 of the Sexual Offences Act, it says, if you are convicted of raping minors including babies, everybody below eighteen which is a statutory aid, upon conviction, you are liable to imprisonment not above fifteen years, that is all. So in my opinion, you tell us now between the two which one is more severe? The less heinous crimes are being given more severe penalties, whilst the most serious crime is being given a lesser penalty. By saying upon conviction you will be imprisoned for not more than fifteen years is very minor, because that gives the Magistrate or the Judge leverage to give one or two years sentence. Because the law says not more than fifteen years, so you can be imprisoned for one or two years. Husband and wife falls under Section 6 of the Sexual Offences Act, 2012. An individual can rape his wife or her husband. It says, upon conviction, you will be sentenced for a term of imprisonment not more than fifteen years and not less than five years. So, it means five years is

minimum. For a more serious one such as rape of minor, babies, it allows the Court to give three months imprisonment.

Mr Speaker, Honourable Members, in our opinion as a Party these are some of the issues we are ready to support His Excellency to amend and that besides by using a Proclamation, this is for the benefit of the public. They need to know the implications of a State of Emergency. Once a State of Emergency is passed these are some of the things that would occur:

Mr Speaker, Honourable Members, in the first place, the President in question of that State of Emergency will be empowered to detain or restrict the movement of anybody he deems fit. In the 1996 Constitution, the Drafters were not comfortable with this one. You know what they did? They further made a caveat saying, if someone is detained for over thirty days, he has the right to request for his release and as a result for that request to be heard you have to set up again a tribunal to be chaired by a practising Lawyer of not less than fifteen years appointed by the Chief Justice and two other members of not less than ten years appointed by the Sierra Leone Bar Association. All those are unnecessary burden because you have to pay them. But by amending the Act, there is no need for all of these. It shows that this detention Clause may be abused, that is why the provision was made. The Drafters anticipated that this detention power of the President is possible to be abused that is why the provision was made, so that someone can request for his/her release after being incarcerated for thirty days. So, why all those number of procedures and expenses?

THE SPEAKER: Honourable Member, although you have not congratulated me, but I have been extremely tolerant.

HON. DANIEL B. KOROMA: Mr Speaker, God knows my heart, I am extremely grateful for your tolerance.

THE SPEAKER: If you are, then why don't you heed to the advice I gave you that you have only two minutes?

HON. DANIEL B. KOROMA: Mr Speaker, I cannot force you, you have the final say. I can only plead that in the interest of the Public, let us tell them some of the issues. But you have the ruling, I am only pleading that you allow us to educate the Public.

THE SPEAKER: Quite frankly, you have already told the Public that you are not averse to the Proclamation.

HON. DANIEL B. KOROMA: We are not averse to the Declaration or the Proclamation.

THE SPEAKER: Then keep short if you are not averse.

HON. MATHEW S. NYUMA: Mr Speaker, Point of Order!

THE SPEAKER: What is your Order?

HON. MATHEW S. NYUMA: Mr Speaker, I stand on *S.O 38 [1]*. Mr Speaker time limit of speeches. Mr Speaker, the Honourable Member is not the mover of this Motion and he has contributed more than forty five minutes. So I hope we are abrogating our Standing Orders. Let us go to the last paragraph, if you do not mind Mr Speaker. Mr Speaker, we have not suspended the time limit of speakers yet, so he is eating into the time of our colleagues who want to contribute meaningfully to this debate.

THE SPEAKER: Honourable Member, you are out of Order! With respect Mr Acting Leader of the Opposition, I have not asked you to take the floor please. Honourable Daniel Koroma, you have had more than your fair share.

HON. DANIEL B. KOROMA: For which I am grateful Sir. Let me just round up.

THE SPEAKER: Just round up with two sentences and let us move on.

HON. DANIEL B. KOROMA: My first sentence is, since the Constitution provides that if this State of Emergency is passed by Parliament, it needs not come again on the issue for a period of twelve months and the rules emanating from the State of Emergency needs to come every three months.

On that note Mr Speaker, Honourable Members, I submit that, repeated coming after every three months will not stand the test of time and rape has been in existence since

Adam and Eve. So the best thing to attack rape of which we are in support is by amending the relevant laws that will stand the test of time. That does not need repetition after every three months. Once it has amended, it would be final pursuant to sub-section 2 of Section 29 of the Sexual Offences Act of 2012. It is abundantly clear that this country is neither in a state of war nor under any threat of invasion, nor is there any actual break down of law and order, nor is there any present danger of actual break down of Public Order.

THE SPEAKER: Honourable Member, I rule you out of Order. What is before this House clearly quotes 29[1] not 29[2]. You are either filibustering or you wasting our time. I do not think there is any need for your second sentence. If your second sentence is predicated on 29[2], there is no need for it. Take your seat in that case please!

HON. DANIEL B. KOROMA: You have given me the option by saying if.

THE SPEAKER: I did not say if.

HON. DANIEL B. KOROMA: You said if it is predicated on Section 29[2]

THE SPEAKER: That is what you started.

HON. DANIEL B. KOROMA: Mr Speaker, Honourable Members, 29[2] is by all means predicated on 29[1].

THE SPEAKER: Honourable Koroma, ordinarily, I am very accommodating, but I think you are taxing my patience.

HON. DANIEL B. KOROMA: On that note, I conclude by saying that on the side of All People's Congress Party [APC], we want everybody to know that we are for any form of fight against sexual assault or whatever kind of rape, but as far as we are concerned, the best procedure or the best way forward to this menace throughout the country is to come to the Parent Act and amend the relevant provisions, which will be permanent rather than coming after every three months. I thank you very much and God bless you *[Applause]*.

THE SPEAKER: I thank the Honourable Member. Honourable Gevao, you have the Floor.

HON. HINDOLO M. GEVAO: Thank you Mr Speaker. Mr Speaker, I will assure you and the entire House that once you rule when I am on my legs, I will take my seat, for that is what the Standing Orders says. This is a House of law and order. So we are perceived by the entire public to follow those laws stricto sensu.

Mr Speaker, Honourable Members, I want to pose few questions for the Sierra Leonean Public and I am sure as I speak the Public will answer those questions. Question One, is the Proclamation or Declaration of the President Constitutional? I will answer in the affirmative that Section 29[1] gives the President powers to declare a State of Public Emergency. And for the edification of the Public, I shall read that Section. I see my colleague was trying to misguide or deceive the Public when it comes to what should happen for a State of Public Emergency to be declared. Section 29[1] which is the Section on which the Declaration heavily relied on reads, "whenever in the opinion of the President a State of Public Emergency is eminent or has commenced, the President may at the time by Proclamation which shall be published in the Gazette declared that [a]: A State of Public Emergency exists either in any part or in the whole of Sierra Leone or [b]: A situation exists which if it is allowed to continue may lead to a State of Public Emergency in any part or the whole of Sierra Leone."

Mr Speaker, Honourable Members, I know for sure that Honourable Daniel B Koroma and all other Members of Parliament on the side of the APC are parents and I am sure 50% to 60% of those Members also have young girls. Mr Speaker, it is not any secret now in Sierra Leone that a situation had existed, a situation if the President had not declared a State of Emergency would have brought this nation to a brink. Rape and sexual penetration as we lawyers called it had been on the increase. So, because that situation existed, the President in his wisdom being a father himself decided to declare a State of Public Emergency. It will be a shame for any Member, any Sierra Leonean to actually stand up and say with reference to the rampant rape and sexual violence incidences in Sierra Leone, the President who has the Constitutional mandate to save

the lives of Sierra Leoneans should not declare a State of Public Emergency. I repeat, it will be a disgrace on the part of any Sierra Leonean to stand up and say with the rampant sexual violence that had permeated our society; the President who had the Constitutional duty to protect lives of his citizens should not or ought not to have declared a State of Public Emergency. We on this side in Parliament are the people's representatives, because seven million people cannot sit in this House. So they elected us to come and represent them and when we come, it behoves us to represent them with candour. One cannot say you do not have any objection to rape and sexual penetration, but yet you want rapists to be given one year. When I turn to my left and see my sister, Mrs Sourie, for the past five years she had been fighting tooth and nail to ensure that rapists in this country, people who commit sexual violence offenses are given the stiffest punishment by the law. But because of the lacuna in the law and because of the high level of rape and sexual violence, those of you that are not lawyers, I will tell you the so called amendment you are calling for cannot solve the problem. The so called amendment that you are calling for and not a Declaration that will impose the life imprisonment cannot solve the problem. I am a patriot, I Honourable Hindolo Moiwo Ngevao of Constituency 003, I come here to represent my people and am a patriot. Are you a patriot? Why is it that any time that there is a situation that affects the Sierra Leonean public you are against it? APC why? This is something that has to do with the lives of our children. Why do you want to say there should not be a Declaration that will impose life imprisonment? Why should rapists go free? Are you here for the people or you are here for yourselves? I call upon you Honourable Members to listen to the clarion call of the President that has the constitutional mandate.

THE SPEAKER: Honourable Member, what is your Point of Order? S.O what?

HON. DANIEL B. KOROMA: Mr Speaker, I stand on S.O. 32[8]. It shall be out of Order to use offensive and insulting language about a Member of Parliament. Mr Speaker, Honourable Members, the Honourable Member said in his statement that "it will be a shame, a disgrace for anybody to stand against the present debate that is on this Floor."

THE SPEAKER: Mercifully no Member of Parliament has stood against the Motion. Honourable Member, I am sure the House was fully gratified with your submission. In your contribution, you did say that you are not averse at all to the adoption of the Motion before the House.

HON. DANIEL B. KOROMA: We said we are not averse to any fight against rape.

THE SPEAKER: Thank you.

HON. DANIEL KOROMA: But not in this manner. We support amendment rather than Emergency.

THE SPEAKER: I have yet to hear a single Member speak against this Motion. Thank you. You can proceed Honourable Gevao.

HON. HINDOLO M. GEVAO: Thank you Mr Speaker. Mr Speaker, Honourable Members, there is every need for us Members of Parliament to support the President's Proclamation and approve it today. For those of us who listen to 98.1 Radio Station, babies as old as two months are being raped. If you go to my Constituency as I told an organization called Search for Common Ground, that we are having an average sexual penetration cases amounting to 19 every week. Every week in my Constituency, at least 19 young ladies are being raped and that is because in all fairness, the Honourable Timbo will agree with me that the perpetrators are of the view that when they perpetrate these violence offenses, when convicted for one year they would come outside again. So the punishment that had been provided by the Judiciary had not been sufficient enough. This is all the reason the President in his wisdom had declared that, if you are convicted of rape, the punishment should be life imprisonment and as Honourable Daniel B. Koroma who from undertone, I understand the entire APC Members of Parliament are in support of his statement. He said, they will stand by the President and ensure that rapists or those who commit sexual penetration are given the stiffest punishment as prescribed in the Declaration, meaning they would go down for their lives.

Mr Speaker, Honourable Members, I am so pleased that having got the legal edification today that the only solution as transverse by legal luminaries to this menace in our society is for us to pass this Presidential Declaration. I will be the happiest person as you already indicated, if the entire House approve this Motion. Honestly speaking, if we are to go into a referendum, it will be a 99% vote for this Proclamation. So let us say in Geneva where issues like this will come up, the government will say, let it not be by Representative Democracy, let the people vote on it. I will tell every Sierra Leonean that if we are to put this to vote by way of referendum every well-meaning Sierra Leonean will vote in favour of this Proclamation.

Mr Speaker, Honourable Members, I was listening to 98.1 the other day when somebody was asking the Press Secretary to the President as to whether he will concede to the fact that sexual violence perpetrators should be castrated. Yes, a Sierra Leonean was suggesting that any man who commits rape or any man who penetrates a minor should be castrated. But because we live in a country where the rule of law is recognised, the word castration cannot be recommended by the President. He will rather go for a sentence that will match a State of Public Emergency.

On that note Mr Speaker, Honourable, I want to call on you, we want to allay your fears that the object of this Declaration is to protect our young girls. You have children, I have children, there are people out there who do not have the opportunity to come here and vote directly as we will be doing today by voice, but we are here to represent them. I call on all colleagues in this House as Honourable Daniel B. Koroma said, you are not against the Proclamation or the fight against rape, do understand that the only way this menace can be cob in our country is for us to support the Proclamation and vote for it. By so doing our people will know that we are working in their interest and not in our personal or political interest. I thank you Mr Speaker. *[Applause]*

THE SPERKER: I thank the Honourable Member for his contribution to the debate. I think it is about time we call on the mother of the House since this matter deals with women directly for her to make contribution at this point. *[Applause]*

HON. VERONICCA K. SEASAY: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I am here representing the women of this country because as a woman and the President for the Female Caucus in Parliament, I believe am here representing the voiceless. Mr Speaker, Honourable Members, before my intervention, I will just want my entire male counterparts who have submitted their names to support the cause of women in this country and Parliament to be Members of the Caucus. Mr Speaker, with your leave, I just want you with respect to rise, so that we can induct you formally as our male champions. Thank you very much and you may resume your Seats. I am confident that if it comes to vote, you men that have opted that you are going to be champions which we appreciate highly will be part of us.

Mr Speaker, Honourable Members, I do not think if this is controversial. People out there would want to see or question our seriousness in this Parliament. If we could recall on 14th February, 2019 that was on Valentine's Day when a resolution was read by me, the way Honourable Members, especially the male Honourable Members rose up to second that motion, there were calls all over this country and out of this country commending us and commending the men of this Parliament for their efforts in trying to curb some of these issues in this Country. My heart bleeds when I sit here and see people trying to make this motion controversial. What we voted for on that day is embedded in this particular document.

Mr Speaker, Honourable Members, talking about rape, talking about security for women, I believe that is what you are here to support. Whether the document comes from the back door or its comes from the front door or its comes from anywhere, if it is about the issue of women in this country, for their peace and security, I think none of us should make mockery of it.

Mr Speaker, Honourable Members, let me read Section 29 [C] of the *SAexual Offences Act, 2012*. There is actual breakdown of Public Order and Public Safety in the whole of Sierra Leone or any part thereof to such an extent as to require extraordinary measures to restore peace and security. My resolution, our resolution entitled; "Women Peace and Security" and if we are talking on the security of babies, in fact, those of whom are yet

unborn should be our concern. I do not know whether these men are getting sick or it is another breakdown that is why the President mentioned it. Could you imagine! What pleasure would you get from penetrating three months baby? It is just being inhumane and wicked as the three months baby does not even know what in fact you are doing to him/her. Look at what a five years old girl suffered from a man who used her anus and now the girl is struggling from health condition. What is your take on such issue? You are parents and this is not about APC, SLPP, PMDC or whatever. This is for the people of this country, so let us face the fact.

Mr Speaker, Honourable Members, talking about State of Emergency, we want to allay your fears. If you read the Proclamation, the content of that Proclamation clearly speaks to the issue of rape and not a tool of any Political intimidation. For me, even the penalty for the offence of sexual violence which is life imprisonment as stated in the Proclamation is not enough, because the people who are supposed to protect our lives and properties and enforce our laws are also perpetrators. We heard of an allege case of police men committing an act of rape. Is that done, for those who are supposed to protect our lives and properties and enforce our laws? It is not done!

Mr Speaker, therefore, talking about State of Emergency, *S.O 2* "kill dug befoe dug leh dug noe say die dae." So let us start by setting examples. To say people who perpetrate sexual violence should go for life imprisonment is not enough. I suggest that the life imprisonment should be followed with hard labour and the person should be castrated. There should be no more impunity, when you are imprisoned, you go there and suffer for life because you have suffered the children or the particular child that has been penetrated. If only we listen to our resolution, it is part of this Proclamation. We all agreed here on this resolution that, we were all shouting mother, shouting women and now we are trying to solve the problem and people want to take us for granted. We have voted for the resolution and we have adopted it and now people are just making mockery out of it. Are you serious with us women? Are you serious to promote the cause of women in this country? Then, let us forget about politics and let us talk. My heart bleeds even when I stand here. I have the emotion and I feel like crying because

I see that you people are not honest with us. Mr Speaker, Honourable Members, it is not done. We should start to be serious about women, let us try to talk something serious about women. It is not just about saying we have girls or women, but let us try to show it today in this Well. We are all parents for God sake and what was read was verbatim. I read it here and everybody listened to it. You clapped and everybody sang with us, but now when it has come to approve on something pertaining women you want to bring controversies.

Mr Speaker, Honourable Members, during the Ebola outbreak, I was here we saw what happened, during the State of Emergency. We saw it and we accepted it, because it was a curse to be addressed. For this one, every day, we will hear from Freetown, Bo, Kenema, Kailahun etc of rape cases. Therefore, this is a problem that affects every Sierra Leonean in this country. So, the President has all powers to declare a State of Emergency. So on that, we want to thank His Excellency the President, because he is a father. Therefore, let us stop trivialising some of these issues.

Mr Speaker, Honourable Members, with that, I just want to draw your attention to what was adopted on the 14th of February, 2019, which is about the Resolution. All what we are saying here is that, the Declaration is embedded in this particular Resolution and we said it. Mind you, every day we pray here is to make sure we seek the interest of the people we are representing. My female Honourable Members this is a task for us and my colleague men, our supportive men this is our cry. We are down on our knees asking you to support us fight this menace of rape. Today, it is Joe Vambois' child and tomorrow might be your own child. Please colleagues, let us come together and let us work together to pass this Proclamation because it is in the interest of the people. It has no problem and it is not controversial.

Mr Speaker, Honourable Members, to me, anybody who frowns at this particular document I would say is an enemy of the state because this has become rampant all over this country. So, let us come together, let us work in the interest of the people we represent.

Honourable Chief Whip of the Opposition, you are part of us and you have opted, you said you are going to work, you are going to make statement to whatever issue that comes up as far as it is women's issue. You said to us that whatever issue that comes up in Parliament that of interest to women, you will be the first person to champion it and you have started it. Why not this one now? Please do not disappoint us, because we rely on you. Let us work together in the interest of Sierra Leone. We are representing the voiceless, which are the women and children of Sierra Leone.

Mr Speaker, Honourable Members, with this, I just want to draw your attention to the resolutions that we passed on the 14TH February, 2019 which was on Valentines' Day. Please think about Valentines' Day, think about the women of this country and think about the rape cases that are so rampant these days. I am frustrated with that, I just want to ask my male colleagues and all Members in the House including NGC, my brother in-law and everybody please let us come together and pass this Proclamation. The Paramount Chiefs and my ladies let us come together so that we can build a better Nation. I thank you. *[Applause]*

THE SPEAKER: I thank the Honourable mother of the House for her very brilliant contribution to the debate. I had wanted to call on somebody else, but let me call on the Honourable Dr Kandeh Yumkella.

HON. KANDEH K. YUMKELLA *[Leader of the National Grand Coalition]:* Thank you Mr Speaker. Mr Speaker, Honourable Members, we are debating a very serious issue in this House today. In the National Grand Coalition [NGC], we have consulted widely on this issue, legal minds, civil society and others within our Party so that we can contribute to this debate before we vote. We want to state upfront that as a Party, we strongly believe that harsh actions must be taken against those who rape *[Applause]*, and serious punishment should be given particularly to those who rape infants. We acknowledge that the country has a crisis, but we believe it is a complex crisis and rape is symptomatic of a deeper social evil. We also researched recent surveys around the World and we found out that the study done by Thompson Writers' Foundation probably the biggest Media House in the World that does **polling** everyday across the

World. They did a survey in 2018 and it was titled "the World's most Dangerous Countries for Women" and we looked at the top ten and criteria number One was rape and sexual violence against women. India is No.1, surprisingly the United States is No.10, and there is an European Country there. Fortunately Sierra Leone is not on that list. *[Applause]* We believe that rape is serious and we believe we need a comprehensive approach. It must include sex education in schools and Family Life Education in Households. In that survey and study across the World, over 70% of those rapes in communities and in homes whereby people, young women new in communities and in their homes suffer from this menace and it is a deeper problem. Mr Speaker, Honourable Members, in our country, it is connected with early Childhood marriage and other cultural practices. So, we must allow a discussion in schools and in households to educate children about their sexuality, particularly the young boys about behaviours that are acceptable and not acceptable to young girls and women.

Mr Speaker, Honourable Members, here is how we see the debate. In the first place, we in the NGC fully support an amendment to the Sexual Offences Act of 2012 *[Applause]* and that amendment can include some of the issues raised by His Excellency the President, so eloquently, anywhere a sentence between 15 years and life imprisonment is most welcome.

Mr Speaker, Honourable Members, the second debate which I hear and we also heard it internally in our Party is this fundamental question: Is the State of Emergency Proclamation the best way to deal with a social evil? That is the debate we heard. We all have to answer that personally for ourselves. Is it the best instrument? We refer to the essays written by Honourable Dr Abdulai Conteh, he has a book quote "Essays on the 1991 Constitution." Chapter 9 of that book deals with the use and misuse of Emergency Powers and in fact, he documented particularly and I know you will be offended now, he documented particularly the misuse of State of Emergency by the All Peoples Congress [APC]. *[Applause]* It is instructive for us and that is fundamental to our debate. The use and misuse of State of Emergency and the limitations that should be there that is part of our debate. To give you an example, I was a radical student in

those days by 1973, the late Siaka Stevens had Emergency Regulations even during elections which gave him absolute power to stop people when he likes or cancel elections. Dr Abdulai Conteh documented that from that period. And remember, he was in government by 1977, but he was a good Constitutional Lawyer and he continues till the 2000s. It is important for us and that is fundamental here and that is some of the fears people have. When do we invoke State of Emergency? How much power do we give to the President of the Republic? This kind of debate is not unique here, it is going on in the United States right now, so it is fundamental in this debate. So let us keep that in mind as well. How much authority? Will this set a precedence? When do you declare a State of Emergency? For what purpose and for how long? So, I raise it with you to say, we reflect and we think about it and it is always a personal decision. In the end, what we voted for and what we do not voted for, but I want to say as NGC we support the stiffest amendments to the 2012 Sexual Offences Acts. We support what our Mother of the House has said, it is wrong to attack women, it is particularly heinous to attack our infants and babies. Thank you very much *[applause]*.

THE SPEAKER: I thank the Honourable Member for his very brilliant contribution and his observations and the reference to which he has drawn the attention of this House and I think the point needs to be underscored that emergency powers are powers to be exercise only in extra ordinary circumstances. It is not normal to invoke Emergency Powers. I am sure, but for the fact that the President in his wisdom has come to the conclusion that a particular extra ordinary situation exists in respect of rape and sexual offences, this Proclamation would not have been necessary.

Honourable Members, the second point that I want to draw your attention is a pertinent issue *[Undertone]*. The other point which the Honourable Member has drawn attention to is that Emergency Powers or Emergency Declarations must not become a fig leaf for other things to be done and in this particular case we are told that we are addressing a particular extra ordinary situation relating to Sexual Offences. So it is important we bear that in mind. I wish now to recognise the Honourable Deputy Speaker of the House.

HON. SEGEPOH S. THOMAS: Mr Speaker, Honourable Members, at this time in the history of our nation, an extra ordinary situation exists, if it is allowed to continue in this nation it will be calamitous. Mr Speaker, Honourable Members, I therefore urge this House to support the President's Proclamation and to submit that this particular Proclamation is properly before the House.

Mr Speaker, Honourable Members, at the last adjourned date this House was united in supporting a motion that has to do with Women. We made history that day and we earned the respect of this House that day. We cannot pay lip service to that unity. As a House of Parliament, as Representatives of the people we cannot pay lip service to the concerns of women.

Mr Speaker, Honourable Members, it burdens me today to mention a particular case. A Child at the age of five months was violated by a 43 year old man. I wish to inform this House today that that particular child has been confirmed paralyze for life. There are hundreds of such cases all over Sierra Leone and there a lot of other cases that are not reported all over the Republic. It is a shame as a nation, this is a shame. Therefore, Honourable Members, I am urging you as a collective conscience of this House, I am urging us all to support this Proclamation. Because a situation like this if allowed to continue will be extremely misfortunate. I am begging you, let us put aside all political considerations that are not relevant to this particular case before us. Let us stand as a united Parliament for our children and for our women. This particular issue that we are debating here today is going out of hands. When it started, we thought it was a joke, but it is going out of hands. There are so many people who are willing to come to this House to talk about their personal experiences regarding this particular malaise, but they cannot. So let us represent them and represent them well here.

Mr Speaker, Honourable Members, I want to take this opportunity also to urge Civil Society Organizations, NGOs, Human Right Lawyers, Human Right Organizations all over Sierra Leone, it is about time that we draw the battle line. This particular malaise must stop. We cannot afford to allow other nations to look at our nation in this particular light. We have other important concerns to address as a nation *[Applause]*. I

can understand your fears, but let me assure you that this is about our children, it is about sexual offences and violence against women and children. I listened carefully to my friend, the Honourable Daniel B. Koroma. Whatever he said I knew exactly where he was coming from. Let us not pay attention to the rights of the perpetrators and forget that even the victims too do have their rights. These are children being violated and these are women being violated for God sake. Our consideration should not be limited to the rights of the perpetrator, let us also consider the fact that even the victim do have their rights as Representatives of the people. So we must have the capacity to look the other way. This Proclamation has nothing to do with citizens of this nation that have not got the best fair attitude to go after children. It has nothing to do with us the peaceful and law abiding citizens. This particular Proclamation is in respect of criminals of this nation that are going all out to smear the country black. That is what I want us to look at. So, I urge you as Members of Parliament, let the collective conscience of this House prevail today. I thank you very much [*Applause*]

THE SPEAKER: I thank the Deputy Speaker for his very brilliant contribution. I notice Honourable Timbo you have tried to catch my eyes on several occasions, so let me recognise you now followed by the Honourable Paramount Chief Member.

HON. OSMAN A. TIMBO: Thank you Mr Speaker. Mr Speaker, Honourable Members, rape is a national concern. I want to applaud the efforts of madam Fatmata Sorie and the Aberdeen Women's Centre, madam Asma James and her Asma James Foundation, Chernor Bah of the Rainbow Centre, Women's Forum Network and other Organizations which have lend their voices to this malaise in this society and more particularly, I want to applaud the efforts of our First Lady, Madam Fatima Bio and also the 50/50 Group amongst others in their effort to fight against sexual violence against women in this country.

Mr Speaker, Honourable Members, I want to whole heartedly adopt the submission of Hon. Dr Kandeh K. Yumkella and also want to learn support to what the Honourable from constituency 003, Honourable Hindolo Moiwo Ngeavao said. Mr Speaker with your leave I read, "we want stringent measures to be taken for rape and sexual offences."

Mr Speaker, Honourable Members, by way of statistics, permit me to read the Police Statistics for 2018 which says **8,505** cases of rape and sexual violence were reported. Of that number, **2,579** were minors and also by the Rainbow Centre they said 76% of rape victims are below the age of **15**. This is a very serious concern and we must stand up.

Mr Speaker, Honourable Members, I applaud His Excellency the President when on the 7th of February, 2019 made a statement in which he declared certain measures. With your permission Mr Speaker, I read paragraph 4 of that Statement on Page 3, it says, "my government will continue to work closely with Civil Society Organizations, development partners and community stakeholders to address gaps and deficiencies in the Sexual Offences Acts of 2012. I am directing close inter-Agency collaboration in ensuring that the full circle of services for reporting, investigation, treatment, after care and prosecution is free, uncomplicated and delivered speedily." He went on further to make declarations which I will read. He directed that, firstly, "that all Government Hospitals must provide Free Medical Treatments and Certificate to every victim of rape and sexual abuse." Secondly, "that a Special Division for rape and sexual penetration for minors be created by the Sierra Leone Police to speedily handle all cases of rape and sexual penetration of minors." Thirdly, "this new Special Division will be separate from the Family Support Unit." Fourthly, "that the Honourable Chief Justice considers creating a Special Division with assigned Justices to deal with cases of rapes and sexual violence." With the immediate effect sexual penetration of minors is punishable by life imprisonment. Fifthly, "the High Court should consider 1, 3, 6, Proceedings in the High Court in order to speed up prosecution and trial of all new cases of rape and sexual violence." Sixth, "The law Officers Department should consider charging all persons accused of rape and sexual violence with an offence of aggravated assault." And finally, "a dedicated National Emergency Telephone number for reporting rape and sexual violence will be made available to the Public." Mr Speaker, Honourable Member, I Therefore applaud and support these measures as highlighted by His Excellency the President in his Speech.

Mr Speaker, Honourable Members, to the specific issue before us today, a Proclamation for Public Emergency based on sexual violence and rape, as a Lawyer, this led me to peruse the Constitution. Because on reading Section 29, there is no specific definition of what a State of Public Emergency is. I check the Interpretation Laws of Sierra Leone and there is nothing there to define a State of Public Emergency. So, I did a quick Google Engine search and Wikipedia came up with the definition which with your permission I will read. it says, "A State of Emergency is a situation in which a Government is empowered to perform actions that it would normally not be permitted to perform. It can also be used as a rationale or pretext for suspending rights and freedoms guaranteed under a country's constitution or basic Law." These consequences some of them are highlighted clearly in Section 29 [6] of our Constitution. Mr Speaker, Honourable Members, I pick up particularly the phrase, "a government, an act perform, an action that it would not normally be permitted to do." Let us ask ourselves and like the Deputy Speaker was saying, search your consciences; is everything that we have to do to limit rape and sexual offences not being done by this President or present Government? I will tell you that the answer is a categorical yes! They are permitted to do them and in the wisdom of the President like he said in his statement, he highlighted specific measures and to my understanding, those measures are more than enough and satisfy the needs.

Mr Speaker, Honourable Members, I will also go further to say that I searched all over the media for a country which has declared rape and sexual violence as a State of Public Emergency. I stand to be corrected, but no nation in this civilised World has done it [*Applause*]. I also looked at countries with very high prevalence like the Honourable Dr Kandeh Yumkella mentioned; Indian is one of the highest crime rate country of rape and sexual violence against women. And what they do was to amended the Indian Penal Code of 2013. In fact they included Capital Sentence for perpetrators of Sexual Offences against minors and they also placed time limit between 14 years or 15 years to life imprisonment depending on the circumstances. A specific case in Africa, the country with the highest incidence of rape and sexual violence is South Africa. South

Africa did a similar thing and Congo for example did a similar things. They Amended their laws. There was a time I think in 2012 or 2013 when it was about 500,000 cases reported, we are only at 2,000 they never declared a State of Public Emergency but they amended their laws and make them stronger.

Mr Speaker, Honourable Members, I want to also submit to this House that rape is a criminal offence and must be treated. Yes, it has consequences on the health of the victims, but rape is a criminal offence and not a health challenge. So, in that case, I looked again and thought about the consideration because they said in the opinion of his Excellency, he said rape and sexual violence is so high that he needed to declare a State of Emergency. I thought about it and said maybe he will catch that under Public Health Emergency. Mr Speaker, again, I look for the definition of a Public Health Emergency and the only helpful definition that I found was a most educative and instructive one, the one given by the World Health Organization in 2001. the World Health Organization [WHO] defined a Public Health Emergency in 2001, as we all know Sierra Leone is part of the W.H.O and with your permission Mr Speaker, I read, "an occurrence or eminent threat of an illness or health condition caused by a bioterrorism, epidemic or pandemic disease or a novel and highly vital infectious agent or biological toxin that poses a substantial risk of a significant number of human facilities or incidents of permanent or long term disability." Can we tell ourselves to search our consciences and tell this country that what is defined as a Public Health Emergency and what we want to do now to declare a State of Emergency falls squarely under the definition of the WHO? You ask us to search our consciences. Mr Deputy Speaker, search your conscience and let everybody search their consciences [*applause*].

Mr Speaker, Honourable Members, we are in support of very stringent measures against rape and sexual violence against women. We as a Party, the APC, we support very stringent measures against rape and sexual violence against women but we are against declaring a State of Emergency like Honourable Dr Kandeh Yumkella rightly stated for the tendency of misuse of a State of Public Emergency. Let us not forget that the Proclamation and the section under which that Proclamation is made is Section 29 [1].

It does not limit anything and once that order is giving, once this House passes that, the Sections all of the sub-Sections and paragraph under Section 29 are in effect they become validated and active. Let search our consciences Mr Deputy Speaker and all of us that this is not necessary. I do not see an extra ordinary circumstance and I do not see any measure which will not be permitted when we do not have a State of Emergency.

Mr Speaker, Honourable Members, I also want to say that Section 6 and Section 19 of the Sexual Offences Act, Sierra Leone as a country since the oOffences Against the Person's Act 1861 and 1863, we know that rape is an offence and therefore, in 2012, the Sexual Offences Act, Section 6 says rape is for 5 to 15 years for general rape. Section 19 says Sexual Penetration of a child is for an imprisonment not exceeding 15 years. I stand to say that, I think 15 years for sexual penetration of minors is very small and I support His Excellency's Declaration that it should go for life imprisonment with again [*applause*] taking into cognisance Section 23 [4] of the Constitution, the Presumption of Innocence.

Mr Speaker, Honourable Members, the Deputy Speaker spoke about perpetrators, or he said, we are concern with perpetrators and not thinking about the victims. Do not forget as a Lawyer Mr Deputy Speaker, the presumption of innocence, an accused is presumed innocent until he is proven guilty. [*Applause*] Do not forget that. You know very well, we were in class together, when in the case of the Queen of Kaitamaki Vs the Queen, the case of Withdrawal of Consent, we are adults here and we know wht that means. Consent was given at the start and mid-way into the process the woman withdrew consent. Do you want that person to go for life imprisonment? Do you want a husband to go for life imprisonment for raping the wife forgetting about the kids whom would be left, forgetting about the woman who would not be able to take care of herself in the absence of the man? Let us search our consciences [*Applause*]. What I believe, as specifically provided in this Constitution and definitely Standing Orders, S.0 [42] says, a Proclamation under Section 29 is different from other motions where you do vote by collection of voices. It specifically says 2/3 of this Parliament must approve.

It is an affirmative action that should be taken, but I will tell you that even you searching your consciences will know that you will not vote in support of a State of Emergency for something that can be handled ordinarily. I thank you very much and God bless us, God rest the soul of my father and God bless Sierra Leone *[applause]*.

THE SPEAKER: Order! I thank the Honourable Member for his contribution. I now recognise the Honourable Paramount Chief Member, Paramount Chief Minah of Pujehun District.

HON. P C. MATILDA Y. LANSANA-MINAH: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, I stand here to ask all of us a question. I need not get the answer from you, but you leave the answer to your consciences. All of us have mothers, we have children, we have sisters and people rape them nearly every day; are you supporting those people who are raping these women? I guess you are not supporting them that is why I have said you should leave the answer to your consciences. Work out your consciences, when you lie down at night and think of what we are here for today, you will know that this is right and we should support this Proclamation. It is right for us to say anything, but at the same time, we should think and support what the President has said. By amendment, that is so... *[undertone]* excuse me! I did not say by amendment. Maybe you are not listening. Please give me chance; I said you should think of what you are saying about amendment. I did not say I am supporting the amendment. If you listened to me, I did not say we should do it by amendment. Please, that is not what I have said. When somebody is talking give your ears to that person and forget about what is happening. I am talking on behalf of the women...*[interruption]*

THE SPEAKER: Order! Please allow the Honourable Paramount Chief to complete.

HON. P C. MATILDA Y. LANSANA-MINAH: I am supporting all women in Sierra Leone about this menace because whenever we hear about these perpetrators who are doing this, we always cry. If it were my own children, or my sister or any other person how would I have felt about it? That is why I am here to support what we are here for today and let us forget about this amendment thing. I did not say so, I still refuse that

I did not say so *[Undertone]*. On behalf of all the female Paramount Chiefs, we have been feeling so bad about these perpetrators who do this to our people. At the same time, if you know that you have a sister, a daughter or anybody whom they have done this act to, would you be in place to support the perpetrators? If you would not support the perpetrator, this is the right time to support what we are here for today so that it will go through. Yes, not by amendment *[undertone]*. I am talking in favour of all those who have spoken in favour of the Declaration. I therefore support on behalf of Pujehun District and all female Paramount Chiefs in this country to support the Proclamation of His Excellency the President. I thank you all.

THE SPEAKER: I thank the Honourable Paramount Chief Member. Honourable Members, it is very clear to me that after listening to all the contributions made so far, this is a very serious national issue and we should avoid as much as possible, in addressing this national issue and we should avoid wearing partisan lenses.

On that note, I would implore all sides to go and reflect more deeply and more widely and consult both within and across the Isle. Therefore, we shall break for lunch and resume at 3:00 p.m. to continue the debate.

The House Rose At 1:27 p.m. for Lunch

THE SPEAKER: Honourable Members,

Suspension of S.O 5[2]

[It has past 3:00 p.m.]

THE SPEAKER: Honourable Members, let us recap from the point we ended before we rose for lunch. I appeal to all Honourable Members to recognise the great importance of the Motion before the House. If this issue had not assumed national importance, it certainly has in light of the Declaration made by His Excellency the President. It has become and it continues to assume great national importance. I think the records are just too clear to be mistaken and I want to implore all of us to

recognise that fact and not approach this issue by wearing any partisan lenses. It is a crucial national issue that should be approached from a national perspective. I would equally implore all of you to use your best judgements as Members of Parliament representing your constituents who are affected one way or another and not allow yourselves to be tele-guided in any shape or form by opinions outside of this House.

Honourable Members, let me end my short remarks by reminding all of us about the great importance of the matter before us. I would entertain just two more speakers one from each side of the isle followed by the leaders who would wind up the debate. I recognise that more and more Members are indicating their interests to participate in the debate. Maybe I will be tolerant enough to say two from either side of the Isle and then we wind up the debate.

Order! I think the section of society that is more gravely affected than any other is the women, so I would give deference to the women to participate in this debate. I will start by recognising the Honourable Paramount Chief Member from Moyamba District followed by the Independent Member, Honourable Emilia.

HON. P.C HAJA FATMATA B.M.K. KOROMA: Thank you very much Mr Speaker. Mr Speaker, Honourable Members, it is just a very short caution.

THE SPEAKER: Order! Order! What is going on Honourable Members?

HON. P.C HAJA FATMATA B.M.K. KOROMA: I want us all to look at this issue without political lense and attach the importance it carries. As Paramount Chief, I think we bear the brunt of what we are talking about because most of the perpetrators are from our chiefdoms and we know the hell of trouble we go through in getting these matters to be carried to court.

So, on that note, I want to please ask all of us here to really think, as we have been saying to think of what we can do. Please do not spoon-feed me [*Undertone*]. I want us to actually think of what we can do to put an end to this menace in this country. As I am saying, every day we get reports of such activities in our chiefdoms and at times it is very difficult for the parents of those victims to get actual justice. It is very difficult

situation and the poor victims languish in the villages. So, I am pleading with all of you to really see reasons, please do not look at this with a political lense. We as chiefs are not politicians, we are saying the reality, yes, we are not Politicians [*applause*]. Paramount Chiefs are not Politicians if any Paramount Chief wants to become a Politician, that is his or her own personal business but as far as I know and as far as I am concern, I know we are not Politicians. So, on that note, I want us to rethink. I am here because I have to represent my District here. So, on that note, I am asking that we rethink and reconsider and think of our children and think of the problems your village children are going through. I am not talking about amendment, so please do not spoon-feed me [*Undertone*].

THE SPEAKER: Order!

HON. P.C. HAJA FATMATA B.M.K. KOROMA: I know what I am talking about.

THE SPEAKER: Order!

HON. P.C. HAJA FATMATA B.M.K. KOROMA: Please, I know what I am talking about. Some of you hardly go to your villages and you do not actually know what is happening there. We know what is happening and we are with the people. Even this morning, I am from Mano Dasseh. Therefore, I know the issues affecting our people.

THE SPEAKER: Honourable Paramount Chief, just a moment please! Honourable Members, especially those of you who have decided to be vociferous this afternoon please be allow the Honourable Paramount Chief to complete her speech. Let me refer you to *S.O 35 [5]*, "Members shall not make unseemly Interruptions while any Member is speaking." I can recognise an undertone when I hear one and I can also recognise an unseemly interruptions. Madam, you have the Floor.

HON. P.C. HAJA FATMATA B.M.K. KOROMA: Thank you very much Mr Speaker. I do not want you to regard us as Politicians. We talk reality because we live with the issues, [*Applause*] and we live with our people. So I know particularly what I am talking about. Can you imagine Mr Speaker, a 35 year old man penetrating a 5 month baby? What is the pleasure in that? Those people are just being inhumane. So on that note Mr

Speaker, I want us to really rethink and do the right thing here. I thank you very much. *[Applause]*

THE SPEAKER: I thank the Honourable P.C for her contribution. I now recognise the Independent Member, Honourable Emilia.

HON. EMILIA LULU. TONGI: Thank you Mr Speaker. Honourable Members, I am happy that Mr Speaker caught my eyes. Mr Speaker, Honourable members, today, without no doubt I am in favour of His Excellency Julius Maada Bio *[Applause]*. As a woman and a mother, I know what it means when a woman is being raped. Mr Speaker, let me just tell you a scenario that happened in Saudi Arabia. A lady went to Saudi Arabia from Guinea and unfortunately, she was raped by an Arab man. The lady became ashamed of herself that, upon her return to Guinea, she could not disclose her misfortune to her husband. Unfortunately for the lady, she got pregnant during the rape incident and the day she went to deliver at around midnight, what came out was a white baby boy. Can you imagine the mood of the husband? Place yourselves in that man's position.

Mr Speaker, Honourable Members, if you are not against the Proclamation, then forget about the controvercies that you want to create around it. This is an issue that is rampant in this country. My colleague Honourable was just talking about **8,505** cases, which is higher than the Ebola cases. This unfortunate act is even being committed by Police men and some of them are in jail right now serving sentences. What I want to say here is that the gravity of rape is so heavy that it is sinking the potential of women and girl child in this country.

Mr Speaker, Honourable Members, in war zones, they take women as sex slaves. That is the worse weapon ever. Soldiers or rebels believe raping women during war is their best weapon. So, I am not going to listen to my colleagues over here who are frowning at the Proclamation. You are against it and I am not going to accept it *[Undertone]*. I am a victim of the act of rape, so I am not going to listen to you *[Undertone]*. Two months ago, the Minister of Gender and Children's Affairs, I wish you could have seen her at the Miata Conference Centre when she was in tears listening to a 3 year old girl

reporting at the Police Station. The girl's legs were almost scattered. As men in this House, you are against this Proclamation. Because you are proving to the people as if you are against it and I am annoyed and devastated about it.

THE SPEAKER: Honourable Member?

HON. EMILIA L. TONGI: No, I am going to say it out Mr Speaker.

THE SPEAKER: Honourable Member?

HON. EMILIA L. TONGI: I am not going to sit down

THE SPEAKER: Honourable Member, just a moment.

HON. EMILIA L. TONGI: No. You are putting me in a very devastating position.

THE SPEAKER: Order! Order! Honourable Members, that is precisely the product of your behaviour. I reminded you of *S.O 35[5]* and you have still not heeded my advice. I will begin to send people out of this Hall. Oh! yes, I will. If you force me to, I will. I will prove to you that I can do it. That is my last warning, allow the Honourable Members to speak.

HON. EMILIA L. TONGI: look at the gang clicks in this country both outside and here, their pleasure is to rape girls. How can you have an Organisation or Boys gangs Organisation and all what they can do is to rape young girls? Raping young girls these days leave an un-repairable health status on the girls and raping is not only trying to savage the crisis of Aids in this country but actually spreading Aids all over the place *[Applause]*. I would have loved the Minister of Gender and Children Affairs to be here today. She was in perpetual tears, she could not even give her speech correctly. She was crying like a baby upon hearing age of 3, 4, 5, 6, 7 yeas girls reporting big men with Extraordinary Power getting into the legs of those small girls. Let there be no decoration about it, there is a law, let us go for it and let us Vote for it and we will do it. I have, yes and this law is going to work, believe me enough is just enough. *[Undertone]* 76% of the girls that are been raped are below 15 years. Can you imagine? We are saying we want Girl Child Education to promote in this country but

when you start to tamper with 15 year old girls where are we going? We are less than 30% in this Parliament but we are not advancing. All I am asking you as fathers and I know you have mothers, you have aunties, you have friends like me, if you believe we brought you into this world and God knows the agony we went through for you to come here you Vote it. Therefore, I am asking all of you without any exception please let us Vote and satisfy His Excellency The President on this particular issue. Yes, because he has requested for it we have to do it *[Undertone]* My only question is, been that we are going to condemn the perpetrators to life imprisonment but please how long is it going to take? Are we doing it for the next ten years and see if the average percentage is going to decrease or is it for the rest of their lives? This is what I wanted to know thank you very much. Thank you sir, I am done.

THE SPEAKER: I thank the Honourable Independent Member. I now recognise again another lady, the Honourable Member.

HON. ROSY R. KANU: Thank you Mr Speaker. Honourable Members, you will all agree with me that sexual rape is a very very important issue. It is a very important issue and therefore, we need a collective effort of everyone to be able to solve this menace. I stand here representing the women of Sierra Leone. Rape, yes, we know is a social issue impacting on the lives of the victims, the victim's family, the community and

Mr Speaker, Honourable Members, society as a whole. Rape or sexual assault we know is a crime and as for us, in this side because it is a crime, we will assure you that whatever stringent measures that the President wants to take to tackle this menace we would support it but we would not support the Declaration of Public State of Emergency. We have the Sexual Offences Act of 2012. Why cannot we go back to the drawing board, look at the Act, Amend it to include what the President has stated in the Presidential Declaration. *[applause]* no, it should not be after, Mother of the House I am with all the women, I am within to support the women but then we are against the Declaration of a State of Emergency that is what we are against. *[Undertone]* I would like to ask this question: Is our Country Sierra Leone in a state of Sexual Crime? Is

the state of the Sexual Crime at the level of crisis? Is this the State in a crisis situation? Then, if it is not in a state of a crisis situation why does it warrant an Emergency Declaration?

Mr Speaker, Honourable Members, moving from there, I lend my voice to Honourable Dr Yumkella's comment on the area of Civic Education. I tell you I do not want to say 'ebeh' [*quoting S.O 2*] 'e cole pan tap, e wam under'. So, the issues are in the community, what we need is fighting the preventive cost at the community level, we need a holistic effort in fighting this menace. We cannot just sit and then declare an Emergency when the Communities does not know what we are discussing. Therefore for me Mr Speaker and for us on this side, we do support but we are not in favour of the State of Emergency. [*Applause*]

Mr Speaker, Honourable Members, also apart from Civic Education, we may also want to visit the area where the President in the Proclamation made mention of establishing another Unit within the Police. For me, I think what we need now is the enforcement of the laws that are not functioning. We already have the laws but enforcing the laws is the problem. We have the Family Support Unit [F.S.U.] within the Police and they have been doing very well in terms of addressing sexual assault and Gender based violence issues in our communities. So, for me instead of creating a parallel Department within the Police force it would have been better to equip the F.S.U. by givin them the requisite training in order for the personnel to be able to carry out their duties. So, in short, Mr Speaker, I rest my case.

THE SPEAKER: I thank the Honourable Lady for her contribution. I now recognise the Honourable Tawa.

HON. IBRAHIM T. CONTEH: Thank you Mr Speaker. Mr Speaker, Honourable Members, today is another important day in the history of this country and it is another hi-pock making event for the 5th Parliament of the 2nd Republic. After successfully Debated, the Commission of Inquiry Instrument NO.64, 65 and 67. Today again, we have an Instrument that seem to pose a challenge and that is addressing a National concern and a concern that is of National interest. May I start on the subject matter

itself as the Declaration was made Pursuant to sub-Section 1 of Section 29. I would choose to limit myself on paragraph [b] which states: "a situation exists which if it is allowed to continue", I would want to stop here, "a situation exists which if it is allowed to continue may lead to a State of Public Emergency in any part or the whole of Sierra Leone" and I am sure the numbers quoted by His Excellency the President of the Republic of Sierra Leone, Grand Commander of the Republic of Sierra Leone, the Fountain of Honour, His Excellency the President, Rtd. Brig. Julius Maada Bio are cause for concern.

Mr Speaker, Honourable Members, let me start by referring this Honourable House to a submission made by the Honourable Member from Constituency 62, the Honourable Kandeh Kolley Yumkella referring to the Reuter's Report i.e. the Tonton's Reuter's Foundation Report that talks about most dangerous countries for women. India is NO.1 like he mentioned but what were the parameters that made India the NO.1 dangerous country for women? In the first place the indicators were: they looked at healthcare; they looked at economic resources; they looked at cultural or traditional practices, sexual violence, non-sexual violence, human trafficking and sexual harassment. In the situation of India, what did the Report say: the Report said that India was rated NO.1 because the Government of India was not doing enough to stem the issue of sexual harassment and sexual violence and Sierra Leone as a country, His Excellency in his wisdom do not want Report to come out from such Foundation noting that Sierra Leone has failed to do enough to stem the increasing tide of rape and sexual harassment.

Mr Speaker, Honourable Members, let me also stay with the report and further state that of the ten countries that were noted as the most dangerous for women, Pakistan is experiencing an insurgency and they are in the state of war; Havganistan, DRC, Sumalia. Libya, Meyama i.e. Bama most of these countries are in the state of war and because of that, it fits very well to Resolution 1820 of 2008 where the United Nation in the wisdom for the first time declared sexual violence as a War Crime incident. Let me read: "1820 was a unanimously adopted on 19th June 2008 it condemned the use of sexual violence as a tool of war and declares that rape and other forms of sexual

violence can constitute war crime". So, it means for all these countries they are already in the state of war and the act of rape in those countries already are constituting War Crime and Sierra Leone, we cannot be mentioned in a state where we would be considered as perpetrators of War Crime.

Mr Speaker, Honourable Members, 56% of our girls today I want to limit the discussion from women to girls because I have heard women making submission that it is a woman issue but to it is not a woman issue, it is an issue bordering on our children. 56% of our children in this Country between the ages of 11 and 15 are raped or subject to sexual harassment and Mr Speaker before I go further let me draw your attention that a child in Sierra Leone is matured to enter Primary School I at age 6 and let me also refer you that 24% of between 16 – 20 are also subject of rape and of that number, **259** every month between 0 – 10 are the subject of sexual violence. When do we expect our children to start going to school when they are the subject of rape? *[Applause]* Back to Sub-Section 1 of Section 29. The issue before us as deemed wise by His Excellency the President, a situation has existed Mr Speaker that calls for National Emergency. We have heard requests Amendments that Members from either side from different Political Parties advocating for Amendments but what does the Sexual Offenses Act of 2012 Section 6 that criminalises rape says? It says: "If convicted, a perpetrator is liable to a term of imprisonment not less than 5 years and not exceeding 15 years". All of us stays and have been in Sierra Leone from the period 2012 to date and I am sure even the lawyer who choose one of his cases to make a submission as to why the Proclamation should not go through. I want to remind him that we should not be bordered about the case of Khalil versus Carbolic smoke-ball Company instead, *[Applause]* we should pay attention on the fact that our Population, the growth of our Population is subject to the fact that our children, our children who should bear fruit, who should give us and multiply and fulfil the biblical prescription of God are already being violated before they are due for childbirth.

Mr Speaker, Honourable Members, the situation as a Member of the Female Caucus, it is of importance that we recognise that our country Sierra Leone is not only a signatory

to the Resolutions of 1820 but also a Member and part of Resolution 1325 which unanimously passed on Valentines' Day that is Women Peace and Security and rape is a national security issue and to ourselves and to thyself be truthful. Members of the Female Caucus, it is high time you stand up and be counted, it is high time you tell your Political Godfathers that enough is enough, it is high time you stand up and believe that this country in the next ten years of this crime rate if we continue with **259** per day or per month, likely, in the next ten years we would be struggling to have our childbearing children that should come of age and make us great and make us proud to not be in a position to bear children. We have heard the case of five year old, we have heard the case of three year old but today is the time to put an end and to stop lip service. Let us face the situation and face the issue head-on. You are APC, I am SLPP others are NGC the others are C4C but today is a national and a clarion call to put an end to rape, to put an end to sexual violence and to also ensure that we pay good heed to the fact that His Excellency the President is acting within the ambit of the Constitution. *[Applause]* If paragraph [b] of Sub-Section 1 of Section 29 has stated that if a situation is about facing us that needs a National Emergency it is of no underestimation that rape is becoming a national issue.

Mr Speaker, on this note , I want to say us on this side we are not here because we want to rubber stamp we are here because we believe our Constituents asked us to come here and our Constituents wants to see an end to rape. Personally, I could have opted for castration but to give it a human face I think saving us from those inhumane people that do not respect, that do not want to protect the space of childhood, it is better they are incasirated and they are incasirated for life. On this note, I want to say us on this side we are speaking not for ourselves but we are speaking for our Constituents and our Constituents wants us to endorse the proclamation made by His Excellency the President. Thank you.

THE SPEAKER: I thank the Honourable Member for his contribution. We shall now wind up the debate. I want to recognise the Acting Leader of the Opposition.

HON. IBRAHIM B. KARGBO [*Acting Leader of Opposition*]: Thank you very much Mr Speaker. Mr Speaker, Honourable Members.

THE SPEAKER: Order! Order! *S.O 35[5]*, *S.O 35[5]* Order!

HON. IBRAHIM BEN KARGBO: We have again today assembled in this House to discuss a very important National issue. Mr Speaker, the point has been made several times by Members on this side that one point that must be made succinctly clear is that this side of the House more particularly the All Peoples Party uses this opportunity to congratulate the President for considering the very important aspect of protecting our women and children. It is an important aspect of national development principally because we have more than 5 times, 10 times made the point that women constitute a very important component of society. We have also emphasized the fact that when you look at the statistics, the number of women in society by far surpass the men in society. So the question can easily be asked why subject the majority of the citizens to the unacceptable thing called rape? A good number of people have made the point that children, as young as 5 years I am using the word again 'young' as 5 years have been subjected to rape by heartless men. The point has also been made that young women, young girls have been subjected to rape by people who could easily go to their villages to married a beautiful wife. So, the question is, why must an adult who in a liberal society has an opportunity to married a beautiful woman decide to subject small girls to rape? This is why this side totally believe that it is unacceptable for us to subject our people to it. Dickson, I will come to my point. [*Undertone*]

Mr Speaker, Honourable Members, we have always decided to be by-partisan in our approach to national issues and this is to emphasis the Speaker's position that we should not put a partisan veil over our faces. What is important is for us to address those issues which must be addressed in the national interest. We have already made the point that rape is unacceptable; we have made the point that whoever subjects our citizen to rape would have undertaking an exercise that is most unacceptable by society itself.

Mr Speaker, we want to move to the very important point of understanding the implications of the Bill we are now discussing. We have nothing against the Bill itself, we have just congratulated the President, and we have said that it is important for us to understand the fact that our women must be treated seriously; we will always continue to support the women folk of this country and therefore we must undertake those things that should punish anybody who wants to destroy our women folk in this country. When we talk about distraction we are also talking about what happened in the past. Young girls like I said have been raped nothing came out of it; we have also seeing cases where relatives actually participated in solving matters which otherwise should go to Court. A nephew rapes an Aunt and the matter is solved at home. This is most unacceptable. An Uncle rapes a Niece and the matter is solved at home. So, having started that, the important point here Mr Speaker, is that we cannot compromise anything that seems to interfere with the values of our society.

Mr Speaker, like we have said rape itself is unacceptable anything that has to do with the interference with the women folk of this country is unacceptable but the method which we are now utilizing to address this issue must also be looked into very closely. We want to address the issue of rape, we are addressing it, but now what methodology do we use to do so? A good number of people have said that we should send people to jail for a life time; some people have said that we should sentence people to death; some people have said that we should even take them to the Gallows. Mr Speaker, when we talk about the very method which we must utilize to address this issue, there is also the problem that has to do with the Human Rights of the citizen. I am stating this principally because if we are talking about the Human Rights of the citizen we are also talking about the very important aspect of addressing those things which ought to make it clear that we are not infringing on the rights of people. Now, some of our Members have stated the point that the State of Emergency suggested is unacceptable by some of them *[Applause]*. The State of Emergency is unacceptable principally because we do not fully understand what the State of Emergency portends.

Mr Speaker, we were in Parliament years back when the Economic Emergency was introduced. Some of us said that the Economic Emergency was not proper and fit but some people argue that no we are going to bring the Economic Emergency because we want to fix the Economy. These kind of Legislations do not fix Economies, they do not fix things. So, when the Economic Emergency was introduced, Mr Speaker, remember, difficulties started rowing. What do we do to correct it? Now we want a State of Emergency. The State of Emergency may not Pass principally because a good number of explanations are needed. The Leader of the other side did not fully explain to us what will be the total component of the State of Emergency and because we do not have that information we may run into difficulties

Mr Speaker, Honourable Members, having stated that, I will go back to the point that, if the other side but more particularly the Leader had explain to us the very complicated aspect that we must know about then it would have been easier for all of us but it was not fully explained. So, where do we stand? The fact of the matter is that we want further clarification.

Mr Speaker, I also would want to make it very clear that even in our by-partisan approach to solve this national problem we want to be very certain that as time goes on if there is an Economic Emergency we would give it a timeline. We do not want an Economic Emergency that will last forever and ever.

Mr Speaker, Honourable Members, also importantly, we would want to use this opportunity to recognise the fact that a good number of organisations and institutions have been working time and time again over the years to address the issue of rape and we think that those institutions will continue to perform those duties and we do not want us politicians to high-jack the functions of those institutions. We have seen them perform those duties and they did so very well. So, Mr Speaker, I would want it to be known that this side recognise the role of the institutions that use to perform these duties. We also want to make it very clear that we also recognise the functions of the Government in an effort to address the issues relating to rape. Mr Speaker, if we look at *S.O 44[4]* , I did not say Constitution it was you who attempted words in your mouth,

we are merely guiding you because if it comes to a point where it become necessary for us to effect the division of the House if that is the only way by which you can address this issue then we are not going to ignore *S.O 44[4]*, it will not be ignored at all.*[Undertone]* So, we wanted to give that as point of notification that if we must divide the House then we are not going to ignore *S.O 44[4]* *[Applause]*.

Mr Speaker, Honourable Members, you know the difficulties we have sometimes is that when some of our own people on this side are on full flight trying to make a point, the Leader of the other side of the House comes with a joke that almost put you off course but today he will not succeed.

Mr Speaker, as I round up. I would want it to be fully understood that this part of the House, the All Peoples Congress [APC] Party recognises the role the President is played in fighting rape. Point NO.2 we also want it to be made very clear that we are not against rape and the fight against rape per-say. Point 3 we are merely stating Mr Speaker, Honourable Members, that since it is not very clear as to what a State of Emergency will constitute because nobody has explained it to us properly we will not be able to participate in the introduction of a State of Emergency and finally If the event that be most divide the House to determine what happens today we will also rely on *S.O 44[4]* *[Applause]*.

Mr Speaker, I would want to use this opportunity to congratulate you, to thank you very much for making sure that this Debates is properly handled. You have continue to demonstrate your objectivity and to us it is important that you continue to demonstrate your objective in handling very important matters that has to do with the state. Mr Speaker, I do not know how come your Leader is so confident this afternoon; the Leader of Government Business is so confident, I do not know, but I want to say Mr Speaker that you have done very well and we on this side of the House will not forget the fact that you have Presided over a House with great dignity and we also will assure you that we will continue to cooperate with you as time goes on. The kind of cooperation you will receive from us no other person can receive that kind of

cooperation from us simply because you have proven to be a gentle man who understands his job. Thank you very much *[Applause]*.

THE SPEAKER: I want to thank the Acting Leader of the Opposition, Honourable I. B Kargbo very much for his brilliant contribution to the Debate. I will now recognise the Leader of Government Business to have the last say.

HON. SIDIE M. TUNIS *[Leader of Government Business]*: Mr Speaker, Honourable Members, honestly I am getting used to the words "not against" every serious matter that is brought to this Honourable House our colleagues will tell us "we are not against", yet still they will do everything possible to defeat it. It is not going to happen any more in this House. *[Applause]*

Mr Acting Leader of Opposition, for the time line, I want to refer you to Section 29 [13] of the Constitution. Mr Speaker, Honourable Members, I want to thank my colleagues for supporting this Proclamation because even the Opposition despite the fact that some of them are against the State of Emergency but majority of them are in support of it.

Mr Speaker, Honourable Members, I want to bring the attention of Honourable Members to Section 29[2f] of the Constitution which reads: "the President may issue a Proclamation of State of Public Emergency only when [f] there is any other public danger which clearly constitute a threat to the existence of Sierra Leone". Mr Speaker, Honourable Members, are you seriously telling this Honourable House that sexually assaulting a 3 months old baby is not a threat to this country? *[Applause]* Are you telling this Honourable House that sexually assaulting a 3 year old girl in Sierra Leone is not a threat to the existence of Sierra Leone? *[Applause]*

Mr Speaker, Honourable Members, I hear my colleagues on the other side talking about Amendment of the Sexual Offences Act, yes we are going to amend it. Let me remind you Honourable Members and the people of this country Sierra Leone, when Ebola struck in 2014, we had Medical Laws that were provided to fight Ebola. One of the major criticisms of His Excellency the Former President of Sierra Leone my good friend His

Excellency Ernest Bai Koroma was that he delayed in declaring a State of Emergency which led to the death of several of our compatriots. *[Applause]* Honourable Members, are you really saying that His Excellency President Bio will sit and wait because there are laws or let us Amend the laws until our people start to die? We are not going to kill anybody, we are going to ensure that we fight this fight; we are going to ensure that we fight sexual violence; we are going to ensure that we protect our girls.

THE SPEAKER: Order! Order! Oorder! I just want to take note that for the record, the Proclamation before the House is very carefully drafted. It invokes in the pre-ampulla paragraph Sub-Section one of Section 29. Please let us not stray beyond that, I just want to caution and draw attention to that.

HON. SIDIE M. TUNIS *[Leader of Government Business]* : Mr Speaker, Honourable Members, it took the Former President almost 10 weeks to declare a State of Emergency. By then we have already have more than **500** souls gone, that is not going to happen. For the past few years we have heard stories of girls been gangly raped, we have heard stories of Babies been raped, we have heard stories of 3 years old girl been raped.

THE SPEAKER: Is it a Point of Order?

HON. SIDIE M. TUNIS *[Leader of Government Business]* : Mr Speaker, Honourable Members.

THE SPEAKER: Hold on. Yes

HON. IBRAHIM B. KARGBO *[Acting Leader of Opposition]*: We are now going to begin to demand sources of information. My friend there is stating that so many people died within certain period without him giving us the source of his information. We are going to determine that

THE SPEAKER: I think in this particular case he sources himself because he was part and parcel of the process at the time.

HON. IBRAHIM B. KARGBO [Acting Leader of Opposition]: He was part and perusal of the process?

THE SPEAKER: Yes. He was

HON. SIDIE M. TUNIS [Leader of Government Business]: I was a Member of Parliament.

THE SPEAKER: He was a Member of Parliament?

HON. IBRAHIM B. KARGBO [Acting Leader of Opposition]: : No Mr Speaker, I thought you could have done better than that, thank you Mr Speaker.

THE SPEAKER: I will take due note of that.

HON. SIDIE M. TUNIS [Leader of Government Business]: Mr Speaker, Honourable Members, whatever I say in this Honourable House, Mr Leader of Opposition, is the facts I know it and you know it because you were a Government Minister then. So, you know clearly what I am talking about. Our people perished simply because we delayed. Honourable Members, I think the very issue we have here this afternoon is the question of how we are going to use the State of Emergency. The Honourable colleague from Kambia, Honourable Kandeh Yumkellah spoke about it briefly. As Leader of Government Business, I want to assure this country, I want to assure my colleagues on the other side that this Emergency is going to be purely for its intended purpose which is rape and sexual violence. *[Applause]* In the next few weeks the regulation supporting this Emergency will come up and is going to be very clear that in fact this is not going to be a witch hunt, this is not going to be a situation where in somebody will give directive to arrest my Honourable Whip of the Opposition this is not going to happen. We will not allow it to happen. This is Democracy, our President is a President that leads with the rule of law, we will never do it. I want to assure you that this Honourable House will continue to support His Excellency the President and we will ensure that everybody in this House and everybody in this country is comfortable with this Emergency.

Mr Speaker, I do not need to talk a lot, I just want to make this few clarifications and with that I want to call on all of our Members especially our colleagues on the other side of the Well to support this Emergency. It is in the interest of the people of this country, it is the in the interest of the girls in Krubola, in Kambia and in Tonkolili, Magboraka Town. We have heard lot of issues in Magboraka with regards to sexual violence. This Emergency is going to help in cubing that, I thank you very much Mr Speaker *[Applause]*.

Mr Speaker, Honourable Members, with those few words, I Move that this Honourable House Approve the Declaration and State of Emergency regarding rape and sexual violence made by His Excellency the President and published in the Sierra Leone Gazette Extra-Ordinary volume CXLX NO.24, dated 19th February, 2019.

THE SPEAKER: Honourable Members, we have come to the end of the Debate on this all important matter. What are you raising on? On what?

THE SPEAKER: No, I will not allow that. Let me put the Question please. Allow me to put the Question. Take your sit please if do not mind. Order! Honourable Members take your sits. I want to thank all those who have participated in this important Debate. Indeed there have been very few Debates in this House that can be describe as more important than this one, extremely few. We are dealing with a matter with extreme gravity that requires the attention of this House and thus it has been brought to our attention. I am going to be guided by the precedent that we set in this House. When we Debated and Passed the three Instruments constituting the Commissions of Inquiry in the recent past. It is very, clear I remember very vividly the procedure we adopted then and it is the same procedure I intend to adopt now *[Applause]* I want that clearly understood for the record.

HON. MATHEW S. NYUMA *[Deputy Leader of Government Business]*: Mr Speaker, my colleague Honourable Member have to sit down when the Speaker is speaking. Sit down.

THE SPEAKER: Hold on.

HON. MATHEW S. NYUMA [*Deputy Leader of Government Business*]: The point of procedure is when the Speaker is speaking you have to sit down.

THE SPEAKER: The Question is be it resolved that” **PURSUANT TO SECTION 29 [3] OF THE CONSTITUTION OF SIERRA LEONE ACT NO. 6 OF 1991 THAT THIS HONOURABLE HOUSE APPROVE THE DECLARATION OF A STATE OF EMERGENCY REGARDING RAPE AND SEXUAL VIOLENCE MADE BY HIS EXCELLENCY THE PRESIDENT AND PUBLISHED IN THE SIERRA LEONE GAZETTE EXTRA-ORDINARY VOLUME CXLX NO.24 DATED 19TH FEBRUARY, 2019**”.

[Question Proposed Put and Agreed To]

THE SPEAKER: Order! If I do not get Order, I shall be left with no alternative but to take an Adjournment. If i do not get the Order that i asked for you would leave me with no alternative but take an Adjournment. Order! Honourable Members, for those of us who seem to have very short memories, let me remind you here and now that the procedure that I have adopted is precisely the procedure we adopted when passed the three Instruments under which I am coming, no, wait. [*Undertone*] I think some people have forgotten, I have not. We followed precisely the same procedure when we adopted the Instruments establishing the three [3] Commissions of Inquiry here nothing more nothing less. Alright, that is exactly what I did, if you wish now to do anything further it is left with you. Are you rising on any *S.O*? Let me hear you.

HON. HASSAN A. SESAY: Mr Speaker, having gone through this Debate, the way you choose to conduct it I am now raising on *S.O 46[1]* and for your leave Mr Speaker let me read:

THE SPEAKER: You do not need to, we all have it.

HON. HASSAN A. SESAY: Mr Speaker, for the listening public

THE SPEAKER: Just proceed.

HON. HASSAN A. SESAY: Mr Speaker, for the listening public let them know why I am standing and justification for using that.

THE SPEAKER: I will guide you, are you rising on *S.O 46[1]*?

HON. HASSAN A. SESAY: Yes, Mr Speaker.

THE SPEAKER: Fine. Have a sit please. I will now guide you. I want you to read *S.O 46[1]* in conjunction with the Proviso. I am coming, I want you to read 46[1] in conjunction with the Proviso of 29[3]. Yes of the Constitution. So, I want to hear what you have to say.

HON. SIDIE M. TUNIS: Mr Speaker, let me just come in.

THE SPEAKER: Yes.

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, the people of Sierra Leone, as at the time I am speaking to you, this Proclamation has Passed. If however, our colleagues have called for a division under *S.O 46* they have the onus to provide the 2/3 Majority to supercede it.

HON. HASSAN A. SESAY: It is not a Motion? No, sir

HON. SIDIE M. TUNIS: The onus is on them to provide the 2/3 Majority to supercede it. We have nothing absolutely to Debate, we have the Proclamation that we have Passed, the Proclamation have Passed, if you want to supercede it you have to provide the 2/3 majority to do so.

HON. HASSAN A. SESAY: I am asking my colleague to go back. No sir, Mr Speaker, I beg to defer on that because I am not Moving a Motion. I am standing on an S.O.

HON. SIDIE M. TUNIS: Mr Speaker, let me land.

THE SPEAKER: Order!

HON. HASSAN A. SESAY: Mr Speaker, I am not standing on a Motion I am stand on an S.O. I did not move a Motion so I do not require a 2/3 majority for this. No Sir, I disagree.

THE SPEAKER: Order!

HON. SIDIE M. TUNIS: Mr Speaker, Honourable Members, as I have said, I will refer you to Section 29[3] and it simply said, I am looking at the Proviso it said: "every Declaration made under Sub-Section 1 shall laps unless it has in the main time been Approved which we have done.

HON. HASSAN A. SESAY: No, we have not approved it.

HON. SIDIE M. TUNIS: We have just done it.

HON. HINDOLO M. GEAVAO: It has been approved.

HON. LAHAI MARAH: Mr Speaker, can I be heard?

HON. HINDOLO M. GEAVAO: Mr Speaker it is very clear the Motion has been Passed, there is a conjunction, the Motion has passed.

HON. LAHAI MARAH: Mr Speaker, you know we are dealing with the Constitution.

HON. MATHEW S. NYUMA: We are not going to allow you to speak here.

HON. LAHAI MARAH: The Constitution is saying

HON. MATHEW S. NYUMA: No Constitution said

HON. LAHAI MARAH: The Constitution is saying, for a Motion to be Approved, it should be done by 2/3 Vote not by voice connection, the Constitution and the Standing Order is clear 44[4] is clear 29[3] is clear that it should be Approved by 2/3 votes and not by collection of voices and therefore Mr Speaker, it has not yet been Approved.

THE SPEAKER: Order! Honourable Members, I cannot conduct the affairs of this House under such pandemonium.

ADJOURNMENT

[The House rose at 5:00 pm and was adjourned to Tuesday, 26th February, 2019 at 10:00 am]

