



**OFFICE OF THE CLERK OF PARLIAMENT
PARLIAMENT BUILDING
OAU DRIVE, TOWER HILL
FREETOWN**



E-mail: sierraleoneparliament@hotmail.com/admin@parliament.gov.sl

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PRESS RELEASE



**PARLIAMENT VOTES AGAINST THE ANNULMENT OF THE PUBLIC ELECTIONS RULES ON
PETITIONS**

Following a motion brought by the Leader of the Opposition, Hon. Chernor R. M. Bah, the Parliament of Sierra Leone has on Tuesday 24/01/2023 debated and voted against the annulment of the Public Elections (Petitions) Rules, 2022 or the Public Elections (Petitions) Rules, 2022 (Act of No. 17 of 2022) Statutory Instrument No. 16 of 2022.

The motion required two-thirds vote for annulment, but twenty-two Members of Parliament mainly from the main opposition voted in favour of the motion, whilst forty-two Members of Parliament voted against it and four Members of Parliament from NGC abstained from voting.

Presenting the motion earlier, the Leader of the Opposition said thus: "That in accordance with Section 170 (7) of the Constitution of Sierra Leone Act No.6 of 1991; in tandem with S.O. 25 (2) I move that the documents entitled: The Public Elections (Petitions) Rules, 2022, The Public Elections (Petitions) Rules, 2022 (Act No. 17 of 2022) Statutory Instrument No. 16 of 2022, which were laid on the Table of the House on Wednesday 21/12/2022, due to the fact that:

1. It goes against the ECOWAS protocol on good governance and democracy and
2. Does not capture and cater for all elections be debated and annulled by this Honourable House".

He said the motion was clear, simple and specific, and added that the Instruments were laid on the 21/12/2022 and that the upcoming elections are due on 24/06/2023 and that it was against the ECOWAS protocol. He stated that a law to be used for electoral purposes should not be younger than six months. He also said that the protocol was mandatory and secondly it has not captured all elections.

Hon. Dr. Mark Mahmoud Kalokoh whilst seconding the motion made reference to the revised 2006 ECOWAS Protocol Section 2 Article 2. He reads, "No substantial modification shall be made to the electoral laws in the last six months before election". He said the protocol was mandatory.

The MP predicated his debate on the grounds of preventing internal crisis, and for upholding the rule of law, human rights, and democracy and stated that Sierra Leone is a member of the ECOWAS Community, and added that, the document has excluded the presidential election and described it as null and void. He asked the House to disregard the documents.

Responding the Deputy Speaker of Parliament, Hon. Segepoh Solomon Thomas categorically stated that the rules on petitions did not go against the ECOWAS Protocol and referred to the same Article 2 of the said protocol. He clarified and substantiated that the rules on petitions did not also go against the electoral laws of Sierra Leone. He spoke on the difference between procedural and substantive laws and asked the House not to waste time but to vote against the motion before the House.

The Deputy Speaker, Hon. Segepoh Solomon Thomas and the Leader of the Opposition, Hon. Chernor R.M. Bah, given their respective positions on the motion before the House, and as lawyers they argued constructively on the dichotomy between procedural and substantive laws.

Parliamentary and Public Relations Department
Parliament of Sierra Leone
+23278495023/+23276625960/+23278426851/+23278697776