



GOVERNMENT OF SIERRA LEONE

OFFICE OF THE ATTORNEY-GENERAL AND MINISTER OF JUSTICE

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**STATEMENT FROM THE ATTORNEY-GENERAL AND MINISTER OF JUSTICE IN RESPONSE TO THE
ENGLISH HIGH COURT RULING BETWEEN SL MINING AND THE REPUBLIC OF SIERRA LEONE**

The government of Sierra Leone is involved in ongoing arbitration proceedings regarding the termination of SL Mining's largescale mining licence in October 2019, which took place after the discovery of repeated and dishonest breaches of SL Mining's contractual and legal obligations under Sierra Leone law.

The government had also applied to the English High Court to challenge the jurisdiction of the International Chamber of Commerce (ICC) arbitral tribunal to hear SL Mining's claims, on the specific and narrow basis of SL Mining's failure to observe the 3-month waiting period set out in its Mining Licence Agreement (MLA) under the arbitration clause prior to the expiry of that term. Had the government's application been successful, it would have brought the arbitration to an end immediately. It is that limited application which was dismissed by the English High Court in its judgment of 15 February 2021 (the "**Judgment**") which has been **misleadingly circulated as a 'FINAL JUDGMENT'**, the effect of which is simply that the arbitration will now proceed to a full hearing in March, 2021. As is entirely appropriate and commonplace in decisions on jurisdiction, the Judgment cannot and does not address the merits of the dispute between the parties in the arbitration, because the English Court was not and could not have been asked to resolve those issues.

The government remains of the view that it has strong arguments and evidence of breaches that were committed and also a very strong case supported by evidence of **CORRUPTION AND BRIBERY** (as stated in the judgment supra) to support its case in the ongoing ICC arbitration that SL Mining's licence was properly and validly terminated.

It is however, not appropriate for the government to comment further on the details of the ongoing arbitration proceedings at this time because of confidentiality.

Dated 16th February, 2021

Anthony Y. Brewah
Attorney-General and Minister of Justice