



Anthony Y. Brewah Esq. (The Attorney General and Minister of Justice)  
Attorney General's Chambers  
3<sup>rd</sup> Floor, Guma Building  
Lamina Sankoh Street  
Freetown

22nd November 2021

Dear Mr. Attorney General

**RE: CONCERNS OVER THE ALARMING STATE OF THE RULE OF LAW AND BAD GOVERNANCE  
UNDER THE CURRENT SLPP GOVERNMENT.**

The Consortium of Progressive Political Parties (CoPPP) is a platform created by thirteen opposition parties in Sierra Leone which have committed themselves to harness their collective strength to defend democracy, oppose, reject and condemn bad governance, all violations of the Rule of Law and of the rights of their fellow citizens by using democratic and lawful means.

We write to you today in your capacity as Principal Legal Advisor to the government of Sierra Leone and because all the issues that we raise in this letter have a common feature which is the non-adherence to constitutionality and legality and serial procedural breaches by the Government and its agents. This has had very serious repercussions on the health of our democracy and has eroded the trust and confidence that citizens had in the operability and independence of key institutions of State, including the Judiciary, the National Electoral Commission (NEC), the Sierra Leone Police (SLP) and the Anti-Corruption Commission (ACC).

As political parties with constituencies that cut across all regions, ethnic groups, religions, gender and economic and social categories in this country, we are in a position to inform you that discontent with the Government is growing at such an alarming rate among ordinary citizens that they no longer perceive the institutions of State as working for them but they also feel angry and that their basic human rights are not protected. As opposition parties that take our role within the governance infrastructure very seriously, we feel duty-bound in light of current trends to officially inform you of our concerns that due to the perceived abuse of legality, constitutionality and institutions the majority of the people of Sierra Leone may not only have lost trust in the Government but more worryingly may no longer have confidence in the State.

**Legislature**

Mr. Minister, the original sin of the current administration in which you serve is without a doubt the blatant violation of the wishes of the electorate that had voted for the first time in the history of Sierra Leone for a unique power sharing arrangement by which the Sierra Leone People's Party (SLPP) won the Presidency and controlled the Executive arm of Government whereas the Legislature was dominated by the opposition led by the All People's Congress party (APC). Unfortunately, it was the choice of the Government to force

itself down the throat of history by using its newly-found power to bring nine of their SLPP candidates into Parliament not through the normal bye elections but by order of the courts. The citizens of Sierra Leone will never forget the painful and shameful picture of opposition party MPs being physically manhandled and dragged out of Parliament by security men to be replaced immediately by the SLPP. This was how from the initial stage the integrity of the judiciary, the police and the legislature was compromised and it was this irregular Parliament that quickly voted to impose the Speaker.

Unsurprisingly, this Parliament, emboldened by its weird genesis based on force and circumvention of procedure has turned out to be the most controversial in the history of our land. Civil society groups have reported in perception surveys that it is one of the most corrupt institutions, whistle blowers within Parliament have been shamefully suppressed, controversial Government appointments have been endorsed and the Government has never hesitated to bring obnoxious Bills to Parliament such as the Ministry of Finance's open-ended non-accountable travelling imprest facility. The Parliament therefore is one of the institutions that have been politically captured by the SLPP regime.

### Accountability

Mr. Minister, the most recent outrage that has drawn the ire of Sierra Leoneans is the very messy attempt to remove the Auditor General, Mrs. Lara Taylor Pearce and her deputy, Mr. Tamba Momoh, from office. Interestingly, even non-Sierra Leoneans who are members of the world wide professional community of auditors have stepped forward not only to testify to their integrity and very high standard of professionalism but also to frown at the highly suspicious, irregular and hasty manner in which a tribunal was set up to investigate them for some obscure malpractices. Mrs. Taylor Pearce, in particular, has served diligently with two administrations and has always been allowed to do her work even though regularly bringing out results that exposed incompetence and fraud on the part of the Governments in power. Until now!

This Government's bold move of forcing a tribunal on the Auditor General only a couple of weeks to her publication of the 2020 Audit Report on the finances of Government has been interpreted as intimidation against her so that certain shocking revelations of Government's misuse of public funds that are apparently contained in that report may not see the light of day. This is the perception of the general public and it indicates once again that the people no longer trust the Government and the way it handles issues of transparency and accountability.

Interestingly, accountability has been one of the main areas for which your Government has been claiming credit, especially using the MCC reports as booster. And yet the main State institution that is supposed to be fighting corruption has proved to be highly selective in its approach, high handed when dealing with suspects in the previous administration but gentle and kind with abuses in the current regime. At this time when the Auditors are being dragged to a tribunal to face accusations of malpractices, it will only be fair and just, Mr. Minister, that the ACC Commissioner be also probed for his decision to drop investigations into the disappearance of 49,000 bags of Chinese donated rice within the corridors of power and to establish whether there is possibility of collusion that should justify his removal.

### Justice and Human Rights

Mr. Minister, you will agree that so much blood has been shed in the short life of this administration that the citizens have every reason to be afraid of the Government and how

it uses the law enforcement agencies to handle situations. The Judiciary and the Sierra Leone Police Force have become willing partners in eroding the justice system, and by extension fundamental human rights. They have both formed a conveyor belt of human rights abuses where one targets and arrests opposition members, many times on bogus legal violations while the other refuses bail and sends them to Pademba Road Prisons. One glaring example of a case where the Sierra Leone Police and the Judiciary have collaborated to rob a citizen of justice and their human rights is the Mohamed Kamarainba Mansaray case in which bail was granted by the court but liberty was refused by the Master and Registrar allegedly upon the instructions of the Chief Justice.

The fourteen year old boy who was shot and killed in the Tonko Limba bye election, the killing of protesters at Lunsar and Makeni, the massacre at Pademba Road Correctional Centre, the list of these horrible incidents involving State security is stretching and one dangerous motif in all this is that, in the language of the man in the streets these days, “na boff case”, meaning that nothing will ever be done about it. Impunity, especially when it concerns actions by influential people close to Government or Government itself, is now being regarded as the norm by a people that feel unprotected and abandoned by those they elected into office. In Sierra Leone today, there is a strong sense of fear and insecurity among the citizens because every attempt they make to demonstrate or protest against the Government is robustly suppressed by the police sometimes resulting in the death of innocent people. Things have become even more concerning that even within the ruling party, conflicts are resulting in shootings and death. The recent killing of an SLPP party vigilante, alias Don Pole, by a police officer acting allegedly on the instructions of a very senior personality in the ruling party and the fact that investigations into the murder is either stalling or being shut down leaves everyone in this country unsafe; particularly members of the opposition that have been critical of this Government and are being regarded as enemies rather than partners in governance.

We express these concerns, Mr. Minister, because of the unique situation of our country, having suffered eleven years of a brutal civil conflict, and a young population that either actively participated in the atrocities or have been living through the consequences. Clearly, it is inconceivable that a people with such an experience can be compressed again into a state of injustice, fear, intimidation and violence without the possibility of an eruption with disastrous consequences. This is why we believe you as the Government Lawyer must be concerned and should, for the sake of our common good and national security, take necessary action to impress the gravity of the situation on your colleagues rather than tag along with them whenever they come up with decisions that are inconsistent with the Constitution and laws but for which they seek some cosmetic interpretation.

More importantly, Sir, the country faces a very important test in the next two years, namely local, Parliamentary and Presidential elections. Given the current situation, aspects of which we have elaborated above, everybody is concerned, including the international community who have partnered with us through so many transitions. It was ridiculous to read, hear or watch the angry and irrational reactions of institutions such as the NEC, the PPRC, the Judiciary and the Police when a recent follow up assessment mission by the European Union (EU) raised concerns about the general erosion of trust in these key institutions that are to preside over the next round of elections. Suddenly, the EU which has been a very good

partner of Government, consistently supporting our governance struggles and our election processes with their taxpayers' money, is now viewed by these pre-programmed institutions of the SLPP regime as bad people who make unscientific assertions, unsubstantiated claims and interfere with our sovereignty! It is indeed funny that only a few weeks after their passionate "rebuttals" to the EU report, they went ahead and conducted a bye election in Konadugu that basically vindicated the EU. All the usual cocktail of election malpractices, violence, police numbness, interferences and disruptions by State officials were played out yet again, proving just the same things that the EU said were undermining trust in the institutions. Apart from being funny, their reactions simply reveal the hopelessness in which the Government appears to find itself, for being unable to use these observations by external partners as a trigger for deep reflection and wide consultations; such consultations would address the critical factors that are undermining public confidence which is a pre-requisite for successful electoral processes. Mr. Minister, it is not helpful for the Government to continue playing the ostrich, burying its head in the sand and shutting off the harsh realities that surround it; the problems are worsening by the day.

### Conclusion

In conclusion, we hereby make the following observations and conclusions.

1. The SLPP Government has captured the main State institutions that would normally guarantee the freedoms of individuals and our democratic rights under the Rule of Law. As a result the democratic space is all but closed to members of the opposition or ordinary citizens who may wish to register their concerns to Government through peaceful protests and demonstrations. The Police no longer allow any public protest unless it is in favour of Government.
2. We confirm the conclusions of the recent EU mission to Sierra Leone regarding the general erosion of trust in critical institutions that should jointly deliver a free and fair election and urge the Government to engage progressive opposition parties in frank and productive dialogue on how to restore trust.
3. We consider the so-called tribunal on the Auditor General and her Deputy to be contrived to intimidate them and to cover up revelations contained in the yet to be released 2020 Audit Report on Government finances. We therefore recommend that the said report be released integrally by the Auditor herself.
4. In the event that Government desires to pursue the investigations of the Auditors at a tribunal, we recommend that it will be fortuitous to open investigations also into the action of the Commissioner of the ACC in abandoning the case of the missing 49,000 bags of Chinese donated rice and the reasons thereof. This matter constitutes a massive blot in the Commissioner's career and will certainly not rest until he reveals the truth.
5. Government must take urgent steps to prosecute those responsible and named in the case of the murdered SLPP man, Don Pole. This is a very serious case that puts on trial the Government's capacity and willingness to allow justice to be served in cases involving their own party dignitaries. No human being in Sierra Leone is safe, apart from the highly connected if, as alleged, important men can give orders to the police to shoot and kill at will and yet continue executing official duties.
6. If the Government continues to treat the opposition as enemies and whatever they say and do as subversion, the consequences of their actions will not only affect the members of Government but equally the opposition who share with them the

identity of political leaders. We in COPPP regard ourselves as important players, dedicated to the preservation of the democratic ideals of this country for which so many of our brothers and sisters have lost their lives. We therefore refuse to be bullied into silence and inaction by any oppressive force. We shall oppose repression with peace and restrain our people from all acts of disorderliness and violence for as long as we can. For as long as we can.

7. Finally, we particularly request that you convey and discuss the details of this letter with His Excellency the President who for some reason has not met us in spite of the several requests we made to seek his audience. Kindly give our regards to him since we cannot do so ourselves.

Thanking you in anticipation of your interest in the contents of this correspondence,

Yours faithfully,