



# POLITICAL PARTIES REGISTRATION COMMISSION

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## ADVISORY STATEMENT TO THE INTERIM TRANSITIONAL GOVERNANCE COMMITTEE OF THE ALL PEOPLES CONGRESS(APC) PARTY

The Political Parties Registration Commission (hereinafter called "the Commission") did on the 25<sup>th</sup> July 2022, receive a letter from the Representative of the Legal Team, in the Twenty One man Interim Transitional Governance Committee of the All Peoples Congress Party(hereinafter referred to as "the Committee"), alluding to a number of issues relating to the conduct of the said Committee.

The Commission in response thereof, summoned a meeting of the entire Committee, on the 1<sup>st</sup> August 2022, at the Conference room of the Office of National Security. The meeting had the full compliment of the membership of the Committee.

In his opening statement, the chairman of the Commission made it clear that:

- a) The meeting was not called to interpret the Judgement of the Hon. Adrian Fisher J, delivered on the 28<sup>th</sup> April 2022, as that is the exclusive preserve of His Lordship that delivered same. The Commission does not hold such pretensions.
- b) The committee is a creation of the Court and His Lordship that presided over same, did not expressly put it under the supervision of the Commission, as he did for the Transitional Interim Independent Electoral Management Committee. In that stead, the Committee is not under our supervision.

However having said that, we are also not oblivious of the fact that, the mandate conferred on the Committee, is to temporarily superintend over the affairs of the All Peoples Congress Party (hereinafter called "the Party"). In that sense, the Commission being the oversight body that supervises the activities of all registered Political Parties, is obligated to ensure that, the Committee tends to the best interest of the Party at all time.

It was in fulfillment of that obligation that, the meeting aforesaid was convened, in protection of the Party's interest, against the unfortunate emerging wranglings between the two sides of the divide in the Committee.

During the meeting, the Commission listened to the members of the Committee and from their presentation, it came out clearly that:

- i) There is now a fierce rivalry between the Nine members nominated by the Chairman of the Committee and the Twelve members nominated by the Party.
- ii) The contention was in respect of the following:
  - a) What constitute a quorum for meetings of the Committee.
  - b) The appointment of interim District chairmen of the Party, by the Chairman of the Committee.
  - c) The constitution of the Transitional Interim Independent Electoral Management Committee, by the component of the ITGC nominated by the Party, to the exclusion of the component nominated by the Chairman.

In keeping with our Advisory Role in this context, aimed at furthering the interest of the Party and in line with our perception of His Lordship's intention and spirit of his Judgement aforementioned, we hereby proffer the following pieces of Advice:

- 1) That the quorum for all meetings of the Committee, must not be less than eleven of its members. This is informed on the fact that, His Lordship in his judgement was very unequivocal, when he stated in Paragraph 90(10)(6) of same that, all decisions of the Committee shall be by a simple majority. It follows therefore that, a meeting attended by less than eleven members, cannot reach a decision of the Committee, as any such decision, will be less than a simple majority of the Committee.

Any interpretation to the contrary, is in our opinion, self serving and a recipe for disagreement amongst the Committee's members.

- 2) Also, we are of the considered opinion that, the Committee cannot pray aid to provisions of the Party's Constitution, in justification of any of its acts, save those provisions expressly mentioned in His Lordship Judgement. This is so because, they are not a creation of that instrument. Therefore invoking provisions of the Party's constitution to constitute a quorum, is with the utmost respect untenable. The Committee is not an organ of the Party, provided for in its extant Constitution and its mandate is defined in the judgement that it is an offshoot of.
- 3) That all bodies constituted by the Committee, should in the interest of cohesion and peace, reflect its membership ratio and/or spread. This is with a view to capturing His Lordship's intention, of letting both sides of the divide participate in running the affairs of the Party, till its organs are properly constituted. Anything short of this, will only widen the divide and plunge the Party into more undue hardship.

We therefore for instance, suggest the following composition of the twenty five man Transitional Interim Independent Electoral Management Committee.

The Alfred Peter Conteh component of the Committee Ten members and the Party component Fourteen members, distributed as follows, Eight Members of Parliament, Two each from the women's Congress, Youth Congress and the diaspora.

- 4) The Commission reading the second limb of paragraph 90(10)(4) of the Judgement aforementioned, in tandem with Article 13(f&g) of the Party's 2022 Constitution cited therein, is of the view that, members that resigned, expelled or otherwise forfeited their membership of the Party, can only be reinstated or readmitted, by the National Delegates Conference Organ of the Party.


We conclude by reminding the membership of the committee that, the electoral circle is at hand and time is of the essence. You owe it to the owners of the Party, (the Ordinary members), to put aside your personal or group interest for now, in furtherance of the Party's interest.

It is hoped that, you will act bonafide and hearken to these pieces of Advice.

DATED THE 5<sup>th</sup> DAY OF AUGUST 2022.



  
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ABDULAI M. BANGURAH  
(Chairman)

  
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ALHAJI MUCTARR B. WILLIAMS  
(Member)

  
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CHRISTIAN SAWYERR  
(Member)