



Centre for Accountability and Rule of Law (CARL)

...fostering human rights through accountability

145 Circular Road, Freetown Sierra Leone

Tel: +232 76 365499, Email: infocarl-sl.org

Web: www.carl-sl.org

PRESS RELEASE

CARL welcomes release of Whitepaper on the Justice Cowan CRC Report; calls for more consultations and public education

Freetown, 13th January, 2022: The Centre for Accountability and Rule of Law (CARL) today welcomed the release of the white paper that provides the Sierra Leone Government's position on the report of the Justice Cowan Constitutional Review Committee. Today's publication of the whitepaper marks an important step forward in the country's effort to amend its 31-year old Constitution that most citizens believe doesn't respond to their governance aspirations and the demands of a 21st Century democratic state.

"It is an important milestone in the constitutional review process, but the job is far from being done, said Ibrahim Tommy, Executive Director of Centre for Accountability and Rule of Law, adding that "the Government must now ensure that it undertakes public consultations and education on the document with the view to enhancing legitimacy and public ownership of the process and its outcome".

The whitepaper adopts many of the recommendations in the Cowan Report, including the addition of new chapters to the Constitution on citizenship and local government, a fixed date for parliamentary elections, abolition of capital punishment, reduction of the detention period prior to being brought to court to seven days and forty eight hours for heinous and other offences, respectively. It also includes a new threshold of 50%+1 to determine the winner of a Presidential election. It also includes proposals that were not in the Cowan Report such as a new electoral system for parliamentary elections (proportional representation), that membership of a political party to contest Presidential is not a continuous requirement once elected, apparently in response to a critical part of a 2015 Supreme Court judgment in the matter of former Vice President Sam-Sumana. The white paper also rejects several recommendations in the Cowan Report, including the justiciability of social and economic rights and the proposal to replace the description of the President of the Republic of Sierra Leone as the "supreme executive authority" of the Republic with the words "Chief Executive".

CARL urges the government to work collaboratively with key stakeholders, including political parties, non-state actors and traditional authorities to enhance public education and build consensus on some of the complex and potentially controversial



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responses in the White paper before presenting a constitutional amendment bill to parliament for enactment.

Thanks to funding from the Open Society Initiative for West Africa (OSIWA), CARL is currently working with a coalition partners to foster transparency, citizen participation and public knowledge in the constitutional review process. A full review of the white paper with details of the number of rejected and additional recommendations contained therein will be released shortly.

#The End