



ALL PEOPLES CONGRESS (APC)
MOTTO: ACTION PROGRESS COMMITMENT

<u>Headquarters & Western Region</u>	<u>Eastern Region</u>	<u>Northern Region</u>	<u>North/West Region</u>	<u>Southern Region</u>
We Yone House 11A Old Railway Line, Freetown. Tel: 076-611-726	Victor Brima Street R.T.I. – Kenema Tel: 076-744870	12, Field Road Makeni. Tel: 076-731-170	1 Falaba Road Port Loko Tel: 076731170	7 Baiima Lane Off Baiima Road Bo Tel: 076-616-448
Our Ref:	Your Ref:			20th July 2020

APC PRESS RELEASE ON THE APPOINTMENT OF MR MOHAMED KENEWUI KONNEH BY HIS EXCELLENCY THE PRESIDENT AS CHIEF ELECTORAL COMMISSIONER OF THE NATIONAL ELECTORAL COMMISSION (NEC)

The All Peoples Congress Political Party (hereinafter the APC) takes note of the Public Notice dated 20th July 2020 in which said notice it is announced that His Excellency President Bio has appointed Mr. Mohamed Konneh, the present head of the Financial Intelligence Unit, as his nominee to fill the vacant position of Chairman of the National Electoral Commission (NEC).

We wish to inform the general public and in particular our faithful supporters that by letter dated 13th July 2020, the Secretary to the President, Dr. Julius Sandy, forwarded the Curriculum Vitae (CV) of Mr. Mohamed Konneh to the APC Secretary General and informing the APC that Mr. Konneh will be the proposed nominee of His Excellency the President to fill the vacant position of Chairman of NEC. The APC replied by way of a letter dated 15th July 2020 acknowledging receipt of the CV of Mr Konneh and informing the Secretary to the President that the party will get back to His Excellency as soon as possible.

A day after forwarding this letter we followed it up with telephone calls including a text message to the Secretary to the President asking when it will be convenient for our party to submit its position on the issue to the President. We did not receive any reply.

After consultations within our party we forwarded a letter to the Secretary to the President on the 16 July 2020 informing His Excellency the President that after due consultation with the political and legal structures of the party, the APC is of the considered view that the proposed Commissioner of NEC, Mr. Mohamed Konneh, stands disqualified given that he did not meet the conditions precedent as set out in Section 32(4)(a)&(b) of the 1991 Constitution of Sierra Leone as he is a "Public Officer" and not on the Register of Electors .

Section 32(4) (a) & (b) is produced hereunder for clarity and the avoidance of any doubt:

32 (4) A person shall not be qualified—

a. for appointment as a member of the Electoral Commission if he is not qualified to be elected as a Member of Parliament, or

b. to hold office as a member of the Electoral Commission if he is a Minister, a Deputy Minister, a Member of Parliament, or a public officer, or if he has attained the age of sixty-five years.

It is the position of the APC that Mr. Mohamed Konneh, the proposed Electoral Commissioner of NEC, stands disqualified on both limbs.

First, he is not qualified to be elected as a Member of Parliament because his name is not on the register of electors as required by section 75 (b) of the 1991 Constitution. Equally, he is disqualified under section 76(b) from being elected as a Member of Parliament as he is a "public officer" currently in the employ of the Financial Intelligence Unit (FIU) as its Director.

Similarly, Section 32(4) (b) of the 1991 Constitution prohibits public officers from being appointed as member of the Electoral Commission.

We have also taken due cognisance of section 171(4) of the constitution and we are satisfied that Mr. Mohamed Konneh doesn't fall within the exemptions contemplated therein in view of the High Court rulings in election petition matters involving Suliana Marray Conteh as petitioner and Osman Abdal

Timbo as respondent before the Hon. Justice Komba Kamanda (J) and Emmanuel Sahr Gbeki and Hariyatu Ariana Bangura presided over by Justice Alhaji Momoh Jah Stevens (J). Until those judgments are overturned they are the laws of the land.

The APC is surprised that instead of engaging the party further on the issues raised by our letter of the 16th July 2020 and do proper consultations pursuant to section 32 (3) of the 1991 Constitution, the President proceeded to appoint Mr. Mohamed Konneh as Commissioner of NEC.

Let there be no doubt that the position of the APC is that Mr. Mohamed Konneh is disqualified to be appointed Commissioner of NEC and further that the party stands ready to institute legal proceedings to enforce strict adherence to the provisions of the 1991 Constitution.

Signed:

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Amb Dr Alhaji Osman Foday Yansaneh
National Secretary General - APC