

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

Enclosed are clippings of the latest local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office as of:

Friday, August 19, 2005

The press clips are produced Monday to Friday.
If you are aware of omissions or have any comments or suggestions please contact
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Norman Vs Banya & Others

"You Misunderstood The Court..."
Judge Tells Dr. Harding



Hinga Norman

Supreme Court Judge Ade-Renner Thomas, yesterday told the SLPP Secretary General, Dr. Prince Harding to work together with Dr. Bu-buakei



Dr. Prince Harding

Jabbie to rewrite the press release from the party secretariat published in the local tabloids recently.

Chief Justice Renner-Thomas



Dr. Sama Banya

was responding to Dr. Bu-Buakei Jabbie's reminder about a press release from the SLPP Secretariat which he

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Norman Vs Banya & Others

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described as 'inaccurate.' The release, according to Lawyer Jabbie, erroneously stated that the current injunction was slanted against the holding of the party's proposed convention in Makeni and described it as incorrect.

"It was an instruction from the court not to nominate for leadership at the convention," the Supreme Court Judge said, adding that, nobody said the SLPP should not hold their convention as planned. He therefore urged Dr. Prince Harding to ensure that the correct information is passed on to the general party membership and the public.

During yesterday's proceedings, lawyer defending Dr. Prince Harding, Dr. Sama Banya and the Sierra Leone People's Party on the Supreme Court's injunction, Eke Halloway, said the SLPP did not violate any section of the party's constitution including the Political Parties Act of 2002.

According to Eke, the plaintiff is not the proper person to commence proceedings against the Sierra Leone Peoples Party, noting that the plaintiff has no 'locus' standing based on the originating notice of motion filed with the Supreme Court by lawyer Bu-buakei Jabbie.

Eke reminded the court that section 34 of the constitution of Sierra Leone makes provision for the establishment of a Political Party's Commission to deal with the contrventions of vital sections of the party's constitution and not the Supreme Court.

The matter was adjourned *Seni die*.

Independent Observer. Friday August 19th 2005.

Eke Halloway Damns Hinga Norman

Eke Halloway yesterday told the Supreme Court that Sam Hinga Norman's injunction preventing the SLPP from going ahead with the election of its leader was not in place.

Halloway who is counsel for the three defendants, argued that

the Supreme Court lacks jurisdiction to hear and determine the Plaintiff case under Section 124 of the national constitution or any other section of the national constitution.

Furthermore, he went on, the

Plaintiff couldn't be the subject for a declaration under section 127 of the national constitution. Adding that claims by the Plaintiff were mere allegation according to Section 124 and 171. He however concluded that no good or sufficient reasons were laid by the Plaintiff and that some of the arguments by the Plaintiff lawyer were not relevant to the matter before the court.

We Yone . Thursday August 18th, 2005.

SLPP IN TROUBLE

A lot of controversy and uncertainties still be eligible to contest, and whether the surrounds the SLPP convention and as we party is going to select a leader and go to press, the only thing certain about the presidential candidate or not are all now convention is that it will not be held on the uncertain.

19th of August as was previously planned. These uncertainties have been brought Whether it will be held this year or not, when about by the growing acrimony and it will be held, what positions are going to animosity among the ever-increasing be up for grabs, who and who are going to

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number of aspirants for the position of Leader and Presidential Candidate, which has caused deep divisions within the ranks of the party and greatly weakens its already fragile position. The party was in court last Monday and yesterday, to answer to a writ of summons filed by one of the aspirants for the leadership position, Special Court indictee, Sam Hinga Norman, through his lawyer Dr. Bubuakei Jabbi, demanding an injunction restraining the SLPP from electing a leader. Dr. Bubuakei Jabbi in his submission stated that the SLPP can go ahead and hold its convention as planned provided the defendants, i.e. Dr. Sama Banya, National Chairman, Dr Prince Harding, National Secretary General and the SLPP, 1st, 2nd and 3rd defendants respectively, make an undertaking that a presidential nominee or leader is not nominated or elected at such convention until the end of the matter. These latest developments are reported to have caused serious confusion in the various SLPP camps as campaign activities and convention strategies have been seriously disrupted. As the tension mounts, so does the cracks continue to widen among party delegates,

elders and supporters. It is reported that even families are disintegrating due to loyalties to different factions within the party.

With over ten aspirants vying for the leadership position, each accusing the other of one thing or another, supporters of an already unpopular party have been left almost literally fighting each other and many believe that we are witnessing the beginning of the end of the SLPP.

PEEP. Friday August 18th, 2005.

HINGA NORMAN CURSES 'HYPOCRITICAL' SLPP MEN

Chief Sam Hinga Norman has rejected a plea from senior members of the SLPP to withdraw his case against the party from court.

A high-powered delegation from the Party Secretariat, led by chair person Dr Sama Banya and including SLPP Secretary-General Dr Prince Harding and the administrative secretary B.E. Koroma, visited Norman in his detention cell at the Special Court complex at Brookfields earlier this week.

Apparently the SLPP top guns pleaded with Chief Norman to withdraw his case from the Supreme

Court. But a visibly angry chief Norman refused to do this.

"This is the first time any of you have come to see me since I was detained over two years ago" the former deputy defence minister told the SLPP delegation.

"He called them ungrateful people and demanded an

end to the visit" a Special Court source said.

At present Chief Norman's legal challenge has delayed the contest for Party Leader and SLPP presidential nominee; though elections for other positions in the national leadership are likely to go ahead later this week.



Sama Banya: disgraced

Concord Times. Friday August 19th, 2005.

Hinga Norman has no right

...Eke Halloway

Story: Regina Pratt

Counsel for the defendants in the matter Sam Hinga Norman and the Sierra Leone Peoples Party (SLPP) Chairman, Secretary-General and the SLPP membership, Eke Halloway argued Thursday at the Supreme Court that the plaintiff (Sam Hinga Norman) has no right in the matter.

He said the plaintiff ought not to have commenced his action in court, adding that Norman's case is personal and he cannot by way of extension or otherwise rely on section 124(i) 127, 171 (i5) of the 1991 constitution of Sierra Leone.

"The plaintiff is not the proper personnel to commence proceedings against the National Chairman, Dr. Sama Banya, Secretary-General, Dr

Prince Harding and the representative of the SLPP, Brima Koroina for any of the declarations sought or in respect of any contravention alleged", he said.

Halloway told the court that Norman's right was not infringed upon, as was argued by his counsel, Dr. Bu Buaki Jabbie, because he had declared for the leadership of the party.

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Hinga Norman has no right

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He submitted that the party executed all the democratic principles by fixing a date for the election and its officers.

Halloway further stated that the registered Commission has the power to determine the matter and the only access to Supreme Court after such declaration can come by way of appeal to the court, citing

Political Parties Act Section 6 (2) which gives him the opportunity to take the matter to the Commission.

Halloway rebuked that the plaintiff in asking for a permanent injunction has advanced no good or sufficient reason and pleaded with the court that they should dismiss the declaration and injunction sought by the plaintiff.

Cocorioko website

http://www.cocorioko.com/news_page

SLPP case takes off at Supreme Court

Friday August 19, 2005

Tamba Borbor reports from Freetown

The legal battle to clarify the issue of electing the leader and presidential nominee of the ruling Sierra Leone Peoples Party (SLPP) at the scheduled but now postponed National Delegates Conference will begin to be heard by the Justices of the Supreme Court.

Lawyer Dr Bu-Buakei Jabbi who represents the plaintiff Chief Samuel Hinga Norman is expected to start and end the verbal presentation of his seven-point motion. He will today argue and cite supporting legal authorities to justify his case that "the SLPP constitution makes no provision for the independent existence, nomination or election of the Leader of the SLPP." He will further argue that "any such election of the said leader takes place only indirectly as a consequence from the process of electing the Party's Presidential Nominee for the next pending national Presidential election."

According to the motion also, Dr Jabbi will argue that "the position of Leader of the SLPP is not a free standing office in its own right, but rather, that it is dependent upon the position of Presidential Nominee." Further that this makes the position of Presidential Nominee "intertwined or associated with the office of State President" thereby making the two "indivisible and inseparable at all times." Moreover that the two positions - Leader of the Party and State President - "can only be held jointly and relinquished jointly" which in his argument means that an incumbent may not relinquish one and hold on to the other, nor can two different people hold the two positions separately.

The motion also argues that if the Presidential Nominee or Leader of the Party is elected at the Party Conference almost two years before the Presidential and Parliamentary elections of 2007 are due to be held, it will be "grossly premature and incompartment with democratic principles" and also "be grossly unfair to certain individual members of the Party." This argument is stretched further that this will "prematurely preclude and exclude certain potential aspirants to that position, who for reasons of present untimeliness or prematurity may not yet as at 19 - 20 August 2005 have indicated their intentions." Also that it will likely deprive the SLPP itself of a possible better quality or more popular Presidential candidate, thereby putting the SLPP at a possible electoral disadvantage vis-à-vis the presidential candidates of other political parties and thus at the risk of losing the Presidential elections of 2007 against the other political parties.

Moreover the motion also argues that this will likely deprive the entire nation itself and the people of Sierra Leone as a whole of a possible better quality Presidential candidate and potential ultimate President of Sierra Leone. Lawyer Jabbi will also argue that by the provisions of sections 14(1) of the political parties Act 2002 and 35(4) and 76(1)(h) of

the national constitution, a person who is for the time being the President, the Vice President, a Minister or a Deputy Minister in the Government, may not and must not be and ought not to be either (a) Leader of the SLPP; or (b) a member of the executive body or officers of the SLPP whether national or otherwise or (c) the National Secretary General of the SLPP.

Further that the position of National Secretary General of the SLPP, which is held by, a Minister of Government for the past three years is in contravention of the political parties act and the national constitution. The defence lawyers Messrs Eke Halloway, Shears Moses, David Quee and Anthony Brewah are scheduled to present their own counter arguments tomorrow Thursday.