REPORT ON DISTRICT (BONTHE, MOYAMBA & BO) LEVEL CONSULTATIONS

Submitted by Team 1
Constitutional Review Committee
8/24/2015
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TEAM 1 MOVEMENT PLAN

TEAM 1
MOYAMBA
9th & 11th May
Moyamba District
Council Hall
9 am

BONTHE
ISLAND
4th - 5th May
Bonth Municipal
Hall
9 am

TEAM 1
BONTHE
MATTU
7th - 8th May
Bonth District
Council Hall
9 am

TEAM 1
BO
13th - 14th May
Bo District
Council Hall
9 am
FOREWORD

This Report is a product of careful planning and effective execution of District level public consultation by eight CRC members and 6 support staff and strong financial support from the Government of Sierra Leone. The report focuses on key constitutional issues in Sierra Leone, especially, those relating to the executive, legislature, judiciary, directive principles of state and human rights, land, natural resources, the environment, local governance and information, education and communication.

Significant efforts have been made by the entire CRC membership under the stewardship of the erstwhile Speaker of Parliament and extant Ombudsman, Justice Edmund Cowan. CRC members and administrative staff have all learned a great deal from the various stakeholders in the Western Area is who participated in the consultation. Through this process, participants have also been able to advance meaningful recommendations on proposed constitutional ideas categorised/broken into seven distinct submission documents.

It is hoped that, if the CRC decides to incorporate the recommendations of this Report, there is no doubt that it will not only strengthen our emerging Constitution but will also lead to an improved, peaceful, democratic and developed society.

Yoni Emmanuel Sesay

Team 1 Leader
ACKNOWLEDGEMENT

Putting on record views of people for the proposed new constitution has been time consuming; spanned across the nation and taken the doggedness of CRC members whose calibre and patriotism cannot be overemphasised. They have collectively ensured free, active, effective, meaningful and informed participation in all key aspects of the constitutional review process.

Participants also showed great enthusiasm for constitutional reforms and aspire for a participatory model of governance that promotes accountability, human rights and meaningful socio-economic development.

Team 1 wish to thanks to all those who have been involved in drafting this Report

Yoni Emmanuel Sesay – Team Leader
Chief Somanoh Kapen – Ranking Member
Ansumana M.P. Fowai – Ranking Member
Prince Coker – Ranking Member
Aruna Mans–Davies – Ranking Member
Mr Sheik Gibril Koroma – Ranking Member
Ebenezer Victor Mogan – Ranking Member
Haliamtu Deen – Ranking Member
EXECUTIVE SUMMARY

This District Level Consultation Report, encapsulating thought provoking views from the public for the consideration of CRC members is based on district level consultations with an eclectic mix of people residing in Bonthe Municipality, Mattru Jong, Moyamba, and Bo city was sanctioned by a CRC plenary as a pilot endeavour. The consultations were held from May 4th through May 14th 2015. They were meant to serve the purpose of enhancing public dialogue and augment public understanding of the Constitutional Review Process, particularly controversial issues pervasive in the current Constitution and other matters that are already receiving the attention of the public, such as the “Third Term” phenomenon.

The Report distils participants’ views on, inter alia, the powers of the executive, citizenship, residency requirements of Sierra Leoneans vying for a seat in Parliament or the highest office in the Country, and reformation of the conditions under which land is held, used and disposed. The Report also captures the wide held view that land tenure systems in Sierra Leone are poorly articulated and increasingly causing conflicts. In this chaotic state, participants suggested, there needs to be sufficient debate to finally, settle Sierra Leone’s land question. The spirit of any settlement in the management of land, it is opined, must promote efficient land markets and secure economic and financial returns from public and vested lands without compromising valuable customs and traditions.

The consultations further unearthed the views that Paramount Chiefs must be removed from Parliament and that their role and status in society must now be enhanced along lines that promote transparency, human rights and other democracy objectives. The Report also provides concrete examples from countries where some of these recommendations have been implemented.
Paramount Chiefs handing over Groups recommendations to CRC
GROUP ONE’S REPORT ON NATION WIDE DISTRICT CONSULTATIONS
HELD, FROM MAY 4TH–14TH, 2015 IN BONTHE MUNICIPALITY,
MATTRU JONG, MOYAMBA AND BO CITY

INTRODUCTION
In order to accomplish the Terms of Reference for the review of the 1991 Constitution the CRC conducted a twelve-day nation-wide district consultation tour from the 3rd - 15th May, 2015. The tour was divided into four teams. Team 1 comprised of eight committee members, one Legal Technical Associate and six supporting staff. This Report summarises process and views gathered by Team 1.

Consultation Schedule for Team 1
Consultations on diverse range of constitutional law provisions were conducted in Bonthe Municipality, Mattru Jong, Moyamba Town and Bo City in accordance with the schedule shown below.

<table>
<thead>
<tr>
<th>Meeting</th>
<th>Team</th>
<th>Date</th>
<th>Time</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROVINCIAL DISTRICTS</td>
<td>1</td>
<td>4-5 May 2015</td>
<td>8.30 p.m. - 5.00 pm</td>
<td>Bothe Municipal Council Hall Bonthe Island</td>
</tr>
<tr>
<td>CONSULTATION</td>
<td></td>
<td>7-8 May 2015</td>
<td>8.30 p.m. - 5.00 pm</td>
<td>Bothe District Council Hall, Mattru Jong</td>
</tr>
<tr>
<td>PROVINCIAL DISTRICTS</td>
<td>1</td>
<td>9-11 May 2015</td>
<td>8.30 p.m. - 5.00 pm</td>
<td>Moyamba District Council Hall, Moyamba</td>
</tr>
<tr>
<td>CONSULTATION</td>
<td></td>
<td>13 -14 May 2015</td>
<td>8.30 p.m. - 5.00 pm</td>
<td>Bo District Council Hall, Bo</td>
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</table>

The meetings were open to all Sierra Leoneans, particularly those residing in host districts. However, only those who received invitation letters attended. Attempts by CRC members to lure members of the public to meetings failed to register any significant change to the pre-determined number of participants.

All meetings commenced with Muslim and Christian prayers.
Participants included, amongst others, Paramount Chiefs, Chiefdom Speakers, Mayors, District Officers and Council Chairpersons, Members of Parliament and Ward Councilors, representatives of political parties’ branches and opinion leaders. The average number of female participants was approximately 30%. All participants were given the opportunity and encouraged to freely speak at will.

The format of the consultations was group working sessions for roundtable dialogues followed by reports to the plenary. Working sessions focused on the thematic topics, and concerns of diverse stakeholder groups. Opening presentations by the CRC and closing plenary sessions set the tone and brought together the results, respectively.

Submission forms were completed in groups. Flip charts were used to record summaries of groups’ recommendations. Some participants however chose to complete forms in the comfort of their homes. By using the Public Address System, verbal comments and views of participants were digitally recorded. All proceedings were pronounced to have followed the basic protocols of democratic public consultations by the Legal Technical Adviser who also provided transcription service for all engagements.

All meetings were covered by the media (community journalists) including, two hours air time on Community Radio Stations. The Sierra Leone Broadcasting Cooperation provided a recorded TV coverage for meetings held in Mattru Jong and Moyamba. Meetings were digitally captured through photographic and video recording.

At the close of meetings, all group recommendations were signed and presented to the CRC Team.
CHAPTER 1.

THE PROCESS

SUMMARY OF PRESENTATIONS OF REPRESENTATIVES OF SUBCOMMITTEES

Pursuant to the respective subcommittee’s mandates, consultations were conducted with, a view to review the 1991 Constitution in tandem with 2008 Dr. Peter Tucker recommendations and to devote separate Chapters addressing issues of land, natural resource and environmental governance, Local Governance, and Citizenship. CRC members were all allocated ten minutes each to present submission forms (questionnaires) prepared by the eight subcommittees of the CRC. Notwithstanding the above, controversial constitutional issues including ones that were not provided for in the submission forms were highlighted, deliberated upon and generic views captured.

Tabulated below is a list of CRC members with corresponding roles.

<table>
<thead>
<tr>
<th>CRC Member</th>
<th>Role – Presenting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yoni Emmanuel Sesay (YES)</td>
<td>Land, Natural Resources and the Environment</td>
</tr>
<tr>
<td>– Team Leader</td>
<td>077470712/078503626</td>
</tr>
<tr>
<td>Madam Haliamtu Deen (HD))</td>
<td>Information, Education and Communication</td>
</tr>
<tr>
<td>Mr Ebenezer Victor Morgan (EVM)</td>
<td>Judiciary</td>
</tr>
<tr>
<td>Mr Abass Kamara (AB)</td>
<td>Executive</td>
</tr>
<tr>
<td>Mr Mohamed Seray. Jalloh (MSJ)</td>
<td>Legislative</td>
</tr>
<tr>
<td>Mr Ansumana Mambu Fosse Fowai (AMPF)</td>
<td>State Policy, Citizenship and Human Rights</td>
</tr>
<tr>
<td>Aruna Mans-Davies (AMD)</td>
<td>Local Governance and other ancillary division of Government</td>
</tr>
<tr>
<td>Mr Prince Coker (FC)</td>
<td>Research</td>
</tr>
</tbody>
</table>


It is imperative at this juncture to list other members of the Team who played equally significant roles in ensuring that the consultations were conducted in a participatory, inclusive, orderly and structured manner.

<table>
<thead>
<tr>
<th>Name of Support Staff</th>
<th>Roles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mrs Joana M. S. Bull</td>
<td>Legal Technical Associate</td>
</tr>
<tr>
<td>Mr David Ngaiteh Kamara</td>
<td>Administrative Assistant</td>
</tr>
<tr>
<td>Mrs Altina Syl-Turay</td>
<td>Administrative Assistant and IT Specialist</td>
</tr>
<tr>
<td>PC Jinna</td>
<td>Sierra Leone Police Office</td>
</tr>
<tr>
<td>Mr Sorie Kargbo</td>
<td>Drive</td>
</tr>
<tr>
<td>Mr Unisa Kamara</td>
<td>Drive</td>
</tr>
</tbody>
</table>

**Ground Staff**

<table>
<thead>
<tr>
<th>Name</th>
<th>Roles</th>
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<tbody>
<tr>
<td>Patrick Kamara</td>
<td>Resident Coordinator – Bonthe Municipality</td>
</tr>
<tr>
<td></td>
<td>Resident Coordinator – Matter Jong</td>
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<tr>
<td></td>
<td>Resident Coordinator – Moyamba</td>
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<td></td>
<td>Resident Coordinator – Bo City</td>
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</tbody>
</table>

Additionally, it is of vital importance to note that the CRC Chairman and the Ombudsman and erstwhile Speaker of Parliament Justice Edmund Cowan visited the Team in Bo and made a statement. Highlights from his statement are reproduced below.

- He expressed his pleasure on the quality of people who attended the meeting particularly the Paramount Chiefs and their Speakers and representatives from the police and the military.
- He also explained the essence of the Provincial Stakeholders Consultations and clarified the various subcommittees in the review process.

- He gave a vivid explanation of the history of Constitutionalism in Sierra Leone and laid more emphasis on the current Constitution.

- He noted that the 1991 Constitution is the supreme source of all Laws in Sierra Leone. “It is the document that endorses the office of the President, Parliament, Police, Army and other institutions”, he added.

- Justice Cowan continued to explain that the 1991 Constitution is however “not the only law book” citing enabling Acts of parliament that deals with or are connect with the constitution.

- He explained that some constitutional laws were entrenched and cited the entrenched doctrine of ‘sovereign power’ of the people.

- He recalled the President’s views on the values of participation, inclusiveness and transparency in the re-making of the Constitution and warned that if the views of the people were not adequately considered in the process and their consent not sought then the entire exercise would have been futile.

- He therefore called for the involvement of all citizens particularly, those in attendance.

- He ended with an encouraging tone and appealed to stakeholders present not to involve party politics but to contribute meaningfully for a better Constitution that will reflect the minds of the people.
SUMMARY OF STATEMENTS BY CHAIRPERSONS AND STATE OFFICIALS

Representatives from State institutions made significant statements that deserve space in this report. What follows next are highlights from various speakers.

**Bonthe Municipality**

The Mayor of the **Bonthe Municipality** expressed his delight in being asked to Chair the meeting.

- He welcomed the team officially to Bonthe Island and assured the Constitutional Team of the support of the Stakeholders in the Municipality.
- He said they have been looking forward to having a Stakeholders meeting of this nature with the CRC to add their voice to the constitutional debate.

**Mr Parker**, who represented of the Chairman of Bonthe District Council, gave a brief statement noting among other things that:

- The Constitution is geared towards a National Concern.
- It is an opportunity to be part of this process as a better Constitution makes a better Country.
- “The absence of a good Constitution creates the propensity for war, chaos and anarchy”.
- This is the first time all Sierra Leoneans have participated in the Constitutional Review Process and that all representatives present are Ambassadors of the process.

The **Assistant District Officer, Mr Kaipumoh** thanked all members of the CRC and stating that:

- He wished that the document will serve as a reference point for the different regions and the State at large.
- He further wished that the Constitution will reflect the will of the people, strengthen national cohesion, create unity amongst the people of Sierra Leone, avoid resource conflict, create effectiveness in institutions and touch all areas that cover every aspect of our lives.
Hon Jokey, a Member of Parliament expressed his joy to know that engagement with the stakeholders is among the TOR for the CRC.

- He said that, it was an indication that everyone would be involved in the decision making process of the Constitution.
- He therefore encouraged all participants to participate fully and give their views on issues under deliberation.

Matruu Jong
Chairman for the meeting was Hon. Paramount Chief A.B Sheriff III of Matruu Jong

- In his opening remarks, the Hon P.C A.B Sheriff stressed the importance of law in society. For him, that was the reason for the review of the Constitution.
- He stated that the existence of a State depends on the Constitution as it caters for all in the community.
- He gave a brief history of the Constitutional Development and its importance.
- He cited the 1978 Constitution that catered for one-party state; that the Constitution was revisited in 1991 and it catered for multi-party democracy.
- For him, "the law encompasses all".
- He therefore encouraged all to bring suggestions to the members of the CRC so that the Constitution becomes the voice of all Sierra Leoneans.
- He encouraged all to make meaningful contribution so that the voice of the people will be heard at the final draft.

Moyamba
The Chairman of the meeting, Hon Paramount Chief Foday Momoh Gulama of Moyamba

- Pointed out Dr Peter Turker’s historic endeavour to review the 1991 Constitution in 2003 and commended his 2008 report.
- He said that venture was being taken-up by the APC Government with the idea of it being an inclusive one.
- He therefore encouraged all participants to contribute to a fruitful Review Process that will cater for all.
He commended members of the CRC for the great effort and gave assurance of support from the Moyamba District Community.

The **District Officer** thanked the organizers, the Government of Sierra Leone and the International Community for such an undertaking.

- He compared Sierra Leone to other Sub Saharan Countries and commended the work of the CRC.
- He said “If we trace the constitutional history of Sierra Leone, it will tell us that we have been gradually progressing as a nation”.

**Bo City**

In his opening remarks, the Chairman of the meeting, **Paramount Chief J.K Bioma III of Bo City** stated that indeed the two days meeting was a remarkable event because the process had not been done before.

- He encouraged people from all corners of Bo to meaningfully participate in the two-day process.

**The Bo District Officer** highlighted the beauty of this exercise and noted that it has being the first in the history of Sierra Leone and advised that it should be done not on personal basis.

- He stated that the value of the Paramount Chief should not be underestimated as he formed part of the governance of the nation.
- He also made it clear that the Paramount Chiefs are here as custodian of the people.

The **Deputy Mayor** gave a brief welcome to all present. He noted the importance of the CR process and thanked the Chairman of the CRC.

- He also opined that because of this review “everyone now knows about the constitution”. He assured all present of the participation of Bo city.
- He endorsed the idea of a separate Chapter in the revised Constitution on Local Governance

The representative of the **POLICE** reinforced the importance of the Review Process.

- He encouraged all present to contribute to the review process and remarked that “changes must be allowed to take place”.

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We need to change the way we think if we are to be regarded as a society that has due regards for the law and one which allows Police Officers to effectively enforce the Law.

Major Kemoh Sellu, Chief of Staff, Gondama Army Barracks informed participants that Soldiers look at the Constitution as a Bible.

- He recalled that the Act regulating the affairs of the soldiers is old. He emphasized the importance of the Review of the Constitution to reflect the modern trend of the society.
- He encouraged all participants to contribute for the progress of the nation.

The Bo District Council Chairman also gave a brief statement on behalf of Council.

- He expressed his joy over the Review process especially, the provincial consultation.
- He highlighted the importance of the Traditional Leaders in the development of the nation.
- He attributed the negative impact created by the Mining Industries in the environment as a result of a weak regulatory system.
- He also highlighted the issue of issuances of licenses for the prospecting for minerals without properly involving Paramount Chiefs and landowners.
- He remarked that “Investors come and ruin the environment and nobody cares. No development is done to the land and the people”.
- On education, stated that “education should not be a privilege but a right and that the government should enforce those rights”.

The Resident Minister enlightened members present on the cultural and historical background of the nation and asked all to present to “think responsibly and make reasonable input”.

The Gondama Army Barracks informed participants that Soldiers look at the Constitution as a Bible.
PRESENTATIONS BY COMMITTEE MEMBERS

Overview

As Team Leader, YES dramatized his opening statements with a song that later became the signature of Team One consultations tour across the nation. The lyrics of the song are hereby reproduced below:

This land is my land
This land is your land
From Freetown harbour
To the Kono borders
From the Sherbro Island
To the Loma Mountains

This land was made for you and me.

The song was followed by an introduction of CRC Members and other members of the team. CRC members were then given ten minutes to make their presentations.
Natural Resources

As representative of the subcommittee on Lands, Natural Resources and the Environment, YES gave a summary of constitutional law proposals related to issues of land and natural resources and the environment.

On land, he highlighted the issue of land rights, the dual land tenure system and its implications for effective utilisation of land for the benefit of citizens. He warned participants that progress on land management is dependent on appropriate constitutional and legal frameworks and requires thorough public consultation such as the one the CRC is undertaking.

On the environment he pointed out that “the environment” is the source of our livelihood, knowledge and wealth and that if we, as Sierra Leoneans, destroy our environment, we are effectively destroying our nation. He called on participants to protect their respective environments for sustainable development of their communities and by extension Sierra Leone. He further drew the attention of participants to the fact that they still have the opportunity to
protect and preserve the environment by participating in the process and suggesting stringent yet, balanced views on issues of constitutional law provisions.

On natural resources, **YES** spoke about distribution and management of the proceeds of our natural resources. He encouraged participants to thoroughly discuss the issue and proffer meaningful strategies in addition, to answering the sixty-four questions in the submission form.

**YES** ended his presentations by drawing the attention of participants to the Foreword in the submission form. A citation is reproduced below:

"..Enacting specific constitutional provisions on management and administration of land, Natural Resources and the environment for the first time in the constitution of Sierra Leone will revolutionize the nation's traditional view of the environment and encourage citizens to adopt a more cautionary approach to their relationship with nature and to the exploitation of the country’s resources..."


**Executive**

**AB** gave an overview of his role and mandate of the Executive Sub – Committee touching on issues such as:

1. Chapter V Sections 40–72
2. The type of Executive government
3. Office and of the Presidency and its powers
4. Qualification of the President – citizenship, age and political affiliation
5. Residency requirement for the Office of the President
6. Election of the President
7. The 55% quota and its effect on presidential elections
8. Role of ministers
9. Separation of the roles of AG and Minister of Justice
10. The role of the Speaker of Parliament on Succession of the Presidency
11. Impeachment proceedings
MSJ gave a succinct overview of all constitutional law prepositions relating to the legislative arm of governance and explained the terms of reference of the CRC subcommittee that deals with Chapter IV and Chapter VI of the 1991 Constitution laying emphasises on:

1. Sections 31 - 39 that deals with representation of the People

   • Voting Rights

   • Political Party Registration Commission

   • National Election Commission
Parliamentary representative, qualification, recall provisions

Paramount Chiefs’ role in Parliament

2. Part I-VI Section 73–119 of Chapter VI especially,

- composition of Parliament
- Parliamentary representation
- Speaker of Parliament
- Dissolution of Parliament
- Procedures in Parliament
- Responsibilities Privileges and Immunities
- Executive of Legislative Power
- Finances
- The creation of a House of Chiefs
- President as a Member of Parliament

Furthermore, MSJ elaborated on the question of Paramount Chiefs presence in Parliament and their role in it and also, whether a separate of House should be established for PCs. And, should the president continue to be a Member of Parliament.
Judiciary

In his presentation, EVM summarised the various themes of the subcommittee on the Judiciary and highlighted controversial matters relating to constitutional laws. Some of his highlights are shown below:

a. Appointments and removal of Judges and other Judicial Officers
b. Causes of undue delay of cases
c. Composition and duties of the judicial and legal service commission
d. Financial and other resources including the local courts
e. Adequacy of financial resources with specific references to probate
f. Control of resources of local courts
g. Machinery for the investigation and prosecution of offences to improve the current situation
h. Independence of the judiciary in dispensing justice in the country
i. Law Reform Commission
j. Repealing moribund statutes
local governance worthy of consideration for the review process. He explained that notwithstanding the Local Government Act, 2004, no part of the constitution addressed the domain of local governance in spite of the fact that it is the third tier of State governance. He then premised his presentation by asking participants to commence their deliberations by first, scrutinising the Local Government Acts of Parliament because, he explained, the mandate of the subcommittee is to develop constitutional laws with a view to incorporate a separate Chapter specific to local governance particularly on areas such as

1. Local Council
2. Roles and functions of Local Council
3. Collection of local tax, licenses and ancillary
4. Funding of local councils
5. Non-partisanship of local council election particularly, the elections of Ward Councillors
6. The nature, form and role of the Chieftaincy as an institution of local governance
7. Strengthen the Civil Service
8. Centralization and decentralization of the recruitment system within Civil Service
Research

PC was forthright in his presentation. He focused his talk on constitutional law and policy proclamation of other jurisdictions including the Constitutions of Ghana, Kenya, Botswana, South Africa, Uganda, Ethiopia and Rwanda. Lessons that could be learnt from such countries, his conclusion, could be summarised in the following headings

1. The recall provision and also the residency provision of an MP in the Kenyan Constitution

2. Youth employment programme in the Kenyan and Ethiopian Constitution

3. Natural Resources on land in the Uganda and Ghana Constitutions

4. Detailed obligations in respect of specific natural resources as well as human aspect of environmental management in Kenya

5. Exclusive right of the State to exploit non-renewable natural resource in Botswana

6. Transfer of land custody from Paramount Chiefs to the State and subsequent establishment of land boards without infringing on customs and traditions of Botswana

7. Integrity Clause of Kenya

By a way of closing, PC informed participants that Dr. Peter Tucker had recommended innovative constitutional provisions that are worthy of consideration and encouraged all present to utilise the 2008 Report in their deliberations.
AMPF stated the mandate of the subcommittee on State Policy - to review constitutional laws found in Chapters II and III respectively titled “Fundamental Principles of State Policy” and “The Recognition and Protection of fundamental Human Rights and Freedoms of the Individual” in the 1991 Constitution. He added that the mandate extends to the development of a new Chapter on Citizenship taking into consideration recommendations of Dr. Peter L. Tucker’s 2008 Report and other relevant documents like the Sierra Leone TRC Report of 2002.

In addition, AMPF explained the following subjects

- The 10 Sections that defined the purpose of State, existence (Chapter II)
- Aspirational or visionary provisions
- Provisions relating to the relationship between the State and the people,
- National ideals and values principles and ethics and ideologies,
- State objectives and goals and duties of citizens

He further identified some national concern embedded in the Chapter. These were

- Justiciability,
- Accountability,
- Compliance,
- Implementation,
- Limitations or drawback clauses, etc.
With respect to Chapter 3, the following issues were highlighted and their implications explained:

- Limitations or drawback clauses,
- Discrimination,
- Death Penalty,
- Same Sex Marriage,
- Emergency Powers of the President,
- Enforcement of protective provisions.

**AMPF** ended his presentation by encouraging participants to also, carefully, consider recommendations of the Truth and Reconciliation Commission.

A cross-section of participants in Moyamba

- Seated front row are two female Paramount Chiefs and two male Paramount Chiefs
Information Education and Communication

HD gave a brief statement on the following headings:

- Mandate – Bringing information about CRC to the people
- Civic educating on Constitutionalism
- Responding to question found in various submission Forms
- HD highlighted the following themes:
  - Information and Mass media i.e. How they monitor and regulate IMC, SLBC, NATCOM, MOI, MEST, other Radio Broadcasting Institutions and the Print Media
  - Effectiveness of the institution mentioned above
  - The need to enact laws to ensure effectiveness
  - Restructuring of the Ministry of Education with a view to create two separate governance entities
  - Strengthen Tertiary Education Commission
  - Mainstreaming child (3–5 years) education
• Skills training for schools dropouts
• People’s responsibilities to the rights free basic and quality education

Paramount Chief, Foday Gulama of Kayamba Chiefdom addressing the Meeting. Seated on his right is CRC Team Leader, Yoni Emmanuel Sesay and on his left is Professor Bob Kanndeh, Chairman of Moyamba District Council
CHAPTER TWO

SUBMISSION OF COMMENTS AND RECOMMENDATIONS

Introduction

The format of group presentations involved a narrative part where respective Chairpersons and Secretaries of various groups explained the reasoning behind certain recommendations. Group recommendations were recorded in flip charts and completed submission forms were signed by the Chairman of the group and submitted to the Chairman of the Meeting. All recommendations were tape recorded.

At the close events (consultation meetings) the Chairpersons presented all submission forms and flip charts to the Team Leader, Mr YONI SESAY who then gave the vote of thanks.

Set forth below are some recommendations (raw data) captured by the LTA. The recommendations recorded in flip charts are presented in the annexes attached. Group submission forms have been handed over to the CRC Secretariat for compilation.
GROUP RECOMMENDATIONS ON NATURAL RESOURCES

Bonthe Municipality

1. Maximum number of years that foreign investors may acquire land for investment should be 25 years

2. No land should be allocated for the production of Bio-fuel.

3. Land grabbing should be outlawed.

4. The state should maintain 10% of tree cover

5. Compensation for false imprisonment

6. State should establish an environmental court with status of a High Court or open an environmental division within the judiciary to hear and determine disputes relating to the environment and the use and occupation of and title.

7. Equal right for all gender on cultural base

8. None citizen should not be allowed to be a member of Parliament

9. The Chiefs have right to question the actions of the government as it helps to promote accountability

10. Main practice of the provinces is Secret Society and Traditional Medicine. This should be upheld

11. Libel should be criminalized

12. Death penalty should not be abolished

13. On the aspect of treason we have a lesser punishment.

14. Those in favour for lesser punishment 56

15. Those in favour of the death penalty for Murder 68

16. Five people were not in favour of death penalty
Mattru Jong
1. 55 participants in favour of the land system to remain as it is whilst 15 participants in favour of herniation of land tenure systems
2. Both men and women should enjoy equal
3. None native should be given right to access one acre of land in the province
4. Ensuring that every citizen should have access to land.

Moyamba
1. The state should establish National and Regional Commission to manage land issues
2. Existing laws on land system should be harmonized
3. Someone who is not a Sierra Leonean should not have control over land
4. Land should not be given to anyone for the production of Bio-fuel
5. Outlaw land grabbing
6. Equal right to land
7. 82 people in favour of the two way system 4 not in favour of the two way system
8. Strongly agree for the women to acquire land

Bo City
1. Environmental issues be established
2. Environment court established
3. Established regional district land commission
4. Formation of new regulations
5. State provide guarantee for natural resource
6. Non-citizens should lease land
7. Land lease should not exceed 50yrs
GROUP RECOMMENDATIONS ON LOCAL GOVERNANCE

Bonthe Municipality

1. Councillors are to be given absolute authority in the running of council
2. Life span of the council should be increased from 4–5 years
3. Local Council elections should be conducted on non-partisan Basis
4. Mayor or Chairman of the council must be a graduate.
5. The office of the Councillor should be a full time job
6. There should be an executive general assembly in all local council.
7. The lifespan of Paramount Chiefs must be 10 (Ten) years
8. Current ruling houses must be maintained
9. All tax payers who have resided in the Chiefdom for Five years and above shall have the right to vote in a Paramount Chief election
10. Age for candidate aspiring for the paramount chief must be 30 years and above

Mattru Jong

1. Local Council should have a chapter to be enshrined in the constitution for clearly defined issues
2. Chief administrator and all supporting staff should be subordinate to the Councillors and Mayors
3. Councillors should have a term of 5 years
4. 30% representation of women in all council
5. Qualification to council, mayor
   a. Graduate degree
   b. Councillor should have post-secondary qualification
6. Local council election should be non-partisan
7. Age of councillor
8. Paramount chief election should be conducted after every ten years.
9. Age limit for contesting for paramount chief should be 30 years and above

10. Chiefdom councillors should be voters in the election of paramount chief

11. Chiefdom councillors should be responsible to collect tax

12. Paramount chief should be separated from the parliamentarians

13. The age for local court chairperson should be above 40 years

14. Court clerk or treasury clerk should have post-secondary school position

**Moyamba**

1. There should be a whole Chapter for the regulation of the Local Government in the Constitution

2. Councillors should be paid monthly

3. Qualification for Mayor should be first Degree

4. Councillors should have post-secondary qualification

5. There should be a quota system....

6. 10% from the taxes should be given to the local people

7. Term of office for Counsellors should be 5 years

8. A cadre system in the local council administration

9. There should be a term of office for Paramount Chiefs

10. No Judicial powers for Paramount Chiefs

11. National House for Paramount Chiefs

12. Retirement age should be maintained at 60

13. Academic qualifications for Councillors for 51 in support 28 not in support

14. Term of office for paramount chief 62 in favour for a term of office 30 not in favour
**Bo City**

1. A whole chapter of local government be included in the constitution
2. Elective aspect for councillors be an entrenched clause in the constitution
3. Reform the council administration
4. Councillors should be fully paid
5. Tenure of office of all councillor should be five years
6. Cross carpeting during election disallowed or resignation before permanent Secretary be removed and replaced as Secretary
7. Conditions of service should be improved in the Civil Service
8. Salary adjustment by government should reflect on the pension
9. Accept Peter Tucker Recommendation for one commission
10. Routine transfer of junior staff
11. No term limit for the Paramount Chiefs
12. House of chiefs should be established. Paramount Chiefs should not be in Parliament
13. Paramount chief should avoid the Chiefdom
GROUP RECOMMENDATIONS ON STATE POLICY

Bonthe Municipality

1. Consultation duration–Time for consultation is too short to allow effective participation and contribution.

2. Naturalised citizens– Must not be elected as Parliamentarian.

3. Local council–It must be non-partisan

4. Dual Citizenship–Support dual citizenship but not to elected as President

5. Death penalty –Endorsed the recommendation in P. L. Tucker report

6. Child protection–there should be a Constitutional Provision for the protection of children as recommended by the TRC report, Vol. two Chapter three and page 130.

7. Human Dignity–This must be guarantee in the constitution as recommended by the TRC report, Vol. two chapter three, and page 129.

8. Public Emergency–Not all human rights are to be suspended in public emergencies e.g. Torture, Fair Hearing, because they are ‘non-derogable’ as recommended by the TRC report, Vol. two Chapters three, page 127.

9. Powers of the President– The Presidential powers to declare emergencies are to be limited by the amendment of sections 29(5) and 29 (6) of the Constitution as recommended by the TRC report, Vol. two chapter three, page 129.


11. The Judiciary– For the rule of law, the office of Anthony General should be separated from that of the Ministry of Justice.

12. Parliament –The house of Parliament to rename House of Representatives so that elected members should know that they are representing people.
13. The Power of Recall – The people should have the power to recall their representative from Parliament at any time if they are not satisfied with his/her performance.

14. The Land Lease – Land lease to foreign investors must be for the maximum of 25 years and renewable after that and also in consultation with the land owners not only with central Government.

15. Women's rights to own land – Every woman of Sierra Leone must have equal rights to own land in any part of the country.

16. Women's rights of marriage – Women must have the right to choose divorce and pay dowry for her husband.

17. Women's right to Chieftaincy and other political positions – Equal rights for any one of voting age to be voted for in chieftaincy position.

18. Presidential term of office – To maintain the present two terms of five years.
Mattru Jong

A group presentation was done by Group 6. State Policy and Human Right

1. Security shall be the purpose and responsibility of the Government

2. Health and safety should be the responsibility of the government

3. Government should improve on accountability structures

4. There should be a provision where the people can bring an action against the government

5. Compensation for false imprisonment

6. Equal right for all gender on cultural base

7. None citizen should not be allowed to be a member of Parliament

8. The chiefs have right to question the actions of the government as it helps to promote accountability

9. Main practice of the provinces is Secret Society and Traditional Medicine. This should be upheld

10. Libel should be Criminalised

11. Death penalty should not be abolished

12. On the aspect of treason we have a lesser punishment 2.

13. Those in favour for lesser punishment 56

14. Those in favour of the death penalty for Murder 68

15. Five people are not in favour of death penalty
**Moyamba**

1. Medical health care to its citizens

2. The government should provide the basic needs of the nation

3. Auditor General’s report should be publicly published

4. Citizens have the right to sue government

5. Paramount Chiefs and traditional leaders should hold the government accountable on behalf of the people for things that should be done and not done

6. Retain expert and technical people

7. The government must provide funding to state institutions

8. The government should publicly apologize for any human right abuse

9. National Resources should be evenly distributed

10. Everybody should pay tax

11. Majority in favour of tax
1. Political offence normally tied to death penalty

2. Third term Presidency must not be allowed in Sierra Leone

3. Constitution should be a gender neutral language

4. Roles of chiefs…talk in the interest of customs and traditions of all government for the interest of the cultural people

5. Salaries and conditions of service match up with international standard

6. For national integration we should institute a program where all aspiring political party will have a specific number of supporters amongst all the various ethnic tribes

7. Election petition time frame should be extended to allow for petitions etc.
GROUP PRESENTATION ON LEGISLATIVE

Bonthe Municipality

1. The Constitution should not provide a uniform voting age. Voting age should be 18 years and to be voted for at 35 years.

2. A member of the electoral commission should be removed for dishonesty

3. Speaker should not be identified from within parliament.

4. The Administrative and Registrar General should be replaced in the commission

5. Five years for the Review of the Constituencies

6. The president should not be a Member of Parliament. The Doctrine of Separation of Powers.

7. Members of Parliament should be entitled to pension after two consecutive terms of five years each

8. Speakers should not be appointed among Parliament parliamentarians. They should be Judges or legal minded persons appointed by the President.

9. Members of Parliament must be elected by constituency elections

10. Numbers of seat should be reserved for women and disable at regional level

11. No Seat should be reserved for traditional leaders.

12. The life of Parliament should be 5yrs

13. First session of parliament should be 14 days after publication of result

14. Quorum for meeting is two third

15. Laws review as to penalty for unqualified persons sitting in Parliament – five million Leones fine and imprisonment

16. Candidate who loose elections should not be appointed ministers.
Mattru Jong

1. The Constitution should not provide a uniform age. To be required to vote 18. To be voted for 35 years.

2. A member of the electoral commission should be removed for dishonesty.

3. The name PPRC should be changed to PPRRC.

4. The Administrator and Registrar General should be replaced in the commission.

5. Five years for the Review of the Constituencies.

6. The president should not be a Member of Parliament. The Doctrine of Separation of Powers.

7. MP's should be entitled to pension after two terms of five years each.

8. Speakers should not be appointed among Parliament. They should be Judges appointed by the President.

9. MP'S must be elected by constituency elections.

10. Numbers of seat should be reserved for women and disable at regional level.

11. No Seat should be reserved for traditional leaders.

12. The life of Parliament should be 5yrs.

13. First session of parliament should be 14days after publication of result.

14. Quorum for meeting is two third.

15. Laws review as to penalty for unqualified persons sitting in Parl. Propose 5 million Leones.

16. Candidate who lose elections should not be appointed ministers.

17. Total separation of power.
**Moyamba**

1. PPRC should be changed to PPRC POLITICAL PARTY REGISTRATION AND REGULATION COMMISSION

2. To be a member of parliament you must be ordinarily resident

3. If you abandoned your constituency for three month you lose your seat

4. Total separation of powers

5. Fixed date for election

6. Presidential and parliamentary three months

7. Recall provisions should be in the constitution

8. Members in favour 63 members against 3 neutral 8

**Bo City**

1. No Numbers for constituencies

2. Parliament should make rules

3. Separate house of chiefs

4. Political parties should not remove their Members of Parliament

5. Members of Parliament should be elected

6. Two disabled seat per region

7. Five Seat for women per region

8. Total separation of powers

9. Independent ministry for religious affairs

10. Fix date for all election

11. Fees for election be determine by registered political parties in consultation with PPRC

12. PROXY VOTE for NEC workers and personnel

13. All Paramount Chief must stay in their Chiefdom during election
GROUP RECOMMENDATION ON JUDICIARY

Bonthe Municipality

1. The appointment of Judges should be done by an independent Commission
2. For the appointment, removal and approval of Judges and other officers, there should be a separate panel that the applicants should face for proper screening, interview and public oath.
3. Judges including the Chief Justice should go through Parliament
4. Judges of the Supreme Court should retire at the age of 65
5. Improve the conditions of the Judiciary and motivation for Magistrates and Judges to enhance the administration of Justice.
6. There should be a well-structured legal systems in all district headquarter towns
7. There should be an independent commission to monitor the investigation and prosecution of all cases.

Mattru Jong

1. Appointment of Judges should go through Parliament
2. Tenure of Office should be 65
3. Human Resources and financial constraints delays Justice
4. Judgment should be given within three month of hearing
5. Structure should be established in all district
6. The machinery of the Judiciary is not working properly
7. The judiciary should be fully independent with a legal adviser to the Government
8. Attorney General is the legal adviser to the government
9. The Chief Justice should take care of all administration of the Justice system
10. There should be a self-account for the Judiciary
Moyamba

1. Appointment of Chief Justice is done by the Judicial and Legal Service Commission.
2. All appointed judges should be subject to Parliamentary approval
3. Tenure of office of Judges should be 70
4. Review all the archaic laws

Bo City

1. Appointments should not be influenced by the President
2. Appointment should be based on parliamentary approval
3. 65 years for tenure of office for judges
4. Reasons for undue delay in the Judiciary
   a. Bribery and corruption. We need to improve on the conditions of service of court officials
   b. Lack of personnel. Recruit more personnel
   c. Political interference…ensure that there is freedom from political interference
5. When there is delay in Justice, bring to the attention of the Chief Justice
6. Police, Law Reform Commission and the judiciary should be improved
7. Attorney General should advise government on legal issues
8. The resources are not adequate
9. The Chief Justice should be responsible for the quantum of resources
10. Death penalty should remain as it is
GROUP PRESENTATION ON EXECUTIVE

Bonthe Municipality

1. A citizen should be a Sierra Leonean with African Negro Descent
2. President should be a citizen of Sierra Leone.
3. Political Parties should work with the PPRC
4. Terms of Office for the President should be Two
5. President should also pay tax
6. Independent candidate should not be allowed to contest Presidential Election
7. We should revert to the Parliamentary System of Government.
8. Separate the positions of AG and Minister of Justices.
9. The Speaker of the House should not be sworn in as President in the absence of the President and Vice President.

Mattru Jong

1. Candidate for presidential election should be nominated by a political party. No reliability for independent candidate.
2. A president should pay tax. He is a citizen and should pay tax
3. Political parties should go strictly by the political act monitored by PPRC
4. The speaker should not serve as president in the absence of President and Vice
5. The Party in power should not monopolise all the CABINET.
6. The Government should not torture or intimidate the citizens through the forces
7. Opportunities to schools be given to all schools both government and private schools
Moyamba

1. A dual citizen should not be President
2. A looser in the parliamentary election should not be appointed as minister
3. Speaker of parliament should not serve as President and Vice President in their absence
4. Integrity criterion should be part of the criteria for Presidency
5. Let there be a Public Appointments Commission for all appointments
6. Supreme executive authority must be clearly defined
7. The President should be answerable in and out of office
8. Professional appointment should be based on professional background
9. CRC and donor partners give more time for the Review process.

Bo City

1. No Hybrid system of government
2. Separation of Powers
3. Integrity clause should be in the Constitution
4. Term of office for paramount chief should be ten years
GROUP RECOMMENDATIONS ON INFORMATION, EDUCATION AND COMMUNICATION

Mattru Jong
1. IMC to have an organized recruitment system of practitioners
2. Fundamental Right of the Media be included in the Constitution
3. Education should be the “right” instead of opportunity for all
4. Protection of media practitioners by Parliamentary laws
5. Information and Communication should be one ministry
6. All primary schools should have nursery schools

Moyamba
1. Education should be a right instead of privilege
2. Improve on salary and other amenities for teachers
3. Supervise the Educational program
4. Subvention to media houses
5. Free medical service for all school going children
6. The vice should not be the chairman of the police council

Bo City
1. A right For all citizens to go to school
2. All Commissioners be appointed by Political Leaders
3. Issues concerning the term of years for chieftaincy or life
4. 30 % quota for women
5. Political leaders be appointed by a commission
CHAPTER THREE

VIEWS FROM PARAMOUNT CHIEFS

As key informants and opinion leaders, Paramount Chiefs had a closed door sessions with the Team Leader, Mr Yoni E. Sesay, where, significant questions were asked and controversial prepositions discussed. The purpose was to find out whether on issues deliberated; differing positions would emerge from among the Chieftaincy as an institution. Listed below are some of the issues discussed:

- Death Penalty
- Same-sex marriage
- Term of Office for Paramount Chiefs
- Elections of Paramount Chiefs
- Female Paramount Chiefs particularly, in the Northern and Eastern Province
- Reformation of land tenure systems
- Criminal libel laws

The discussions were captured through video recording by the SLBC. By the time of writing this report, the tapes have not been made to the Team. Please find below some photographs taken during or after the sessions.

Round table dialogue with Paramount Chiefs in Bonthe Islands
Round table dialogue with Paramount Chiefs in Bonthe Mainland

Round table dialogue with Paramount Chiefs in Moyamba Districts
Community Radio Engagement
CHAPTER FOUR

LIMITATIONS
1. Small numbers of participants (stakeholders)
2. Members of the public not properly informed
3. Inadequate Chiefdom level representations
4. Little or no civic education on the consultation
5. Sea worthiness of speed boats used in plying the waters between Bonthe Mainland and Island (Bonthe Municipality)
6. Weak ground coordination
7. Welfare of team members not adequate

RECOMMENDATION
1. Increase number of participants
2. Properly inform the public for any pending consultation
3. CRC to visit Chiefdoms
4. Proper civic education ahead of consultation
5. Hire a ferry to avoid the risk of boat capsize
6. Involve local networks (at chiefdom level) rather than institutions to organise and plan the event
7. Make special arrangement for food and other basic needs of tour teams
8. CRC secretariat should engage members of the committee directly on issues of: Logistics, management of events and general welfare of the team.

CONCLUSION
Although participants have expressed dissatisfaction with respect to the inadequacy of civic education, participation and consultation coverage, they have by and large, appreciated the fact that they have been given the opportunity to add their voice to the review process. Similarly, CRC members have emerged to regard the means (process) to the end (recommendations) as a dialogue with a social character from which they have benefited. In this sense, the districts level consultation has served a purpose beyond collecting views and recommendations. It has passed as an indispensable component of the process of both learning and knowing for CRC members and participants, respectively.
### Annex 1 – Land Environment and Natural Resources

#### Bonthe Municipality

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Mattru Jong
Moyamba
Bo City
Annex 2 – Executive

Bonthe Municipality
Moyamba Town
Mattru Jong
Bo City
Annex 3 – Legislative

Bonthe Municipality
Moyamba Town
Mattru Jong
Bo City
Annex 4 – Judiciary

Bonthe Municipality
Moyamba Town
Mattru Jong
Bo City
Annex 5 – Local Governance

Bonthe Municipality
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Mattru Jong
Bo City
Annex 6 – Directive Principles of State Policy and Human Rights

Bonthe Municipality
Moyamba Town
Bo City
Annex 7 – Information, Education and Communication

Bonthe Municipality
Moyamba Town
Mattru Jong
Bo City