

ACT

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THE INDEPENDENT COMMISSION FOR PEACE AND NATIONAL COHESION ACT, 2020

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Passed in Parliament this *8th day of December*, in the year of our Lord two thousand and twenty.

PARAN UMAR TARAWALLY,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

PARAN UMAR TARAWALLY,
Clerk of Parliament..

SIGNED this *18th day of December, 2020.*

DR. JULIUS MAADA BIO,
President.



No. 3



2021

Sierra Leone

**The Independent Commission for Peace
and National Cohesion Act, 2020.**

Short title.

Being an Act to provide for the establishment of the Independent Commission for Peace and National Cohesion; to confer on the Commission the power to take measures to prevent, manage and resolve conflicts; to build, promote and maintain sustainable peace in Sierra Leone; and to provide for other related matters.

[] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

PART I - PRELIMINARY

Interpretation.

1. In this Act, unless the context otherwise requires -

"Alternative Dispute Resolution" means the usually less costly and more expeditious procedure for settling disputes without litigation, such as arbitration, mediation, or negotiation referred to in paragraph (n) of subsection (2) of section 12;

"annual report" means the annual report of the Commission referred to in section 22;

"Board" means the Board of the Commission;

"Chairman" means the Chairman of the Board appointed under subsection (3) of section 3;

"Commission" means the Independent Commission for Peace and National Cohesion established under section 2;

"Executive-Secretary" means the Executive-Secretary of the Commission appointed under subsection (1) of section 15;

"Government" means the Government of Sierra Leone;

"Local Council" means as defined in the Local Government Act 2004;

"Member" means a Member of the Board appointed under subsection (3) of section 3;

"Minister" means the Minister appointed by the President for the purpose of the administration of this Act;

"Truth and Reconciliation Commission" means the Truth and Reconciliation Commission created as part of the Lomé Peace Accord, to provide a degree of accountability for human rights abuses committed during the 11 year civil war conflict in Sierra Leone.

PART II - ESTABLISHMENT OF THE INDEPENDENT COMMISSION FOR PEACE AND NATIONAL COHESION

2. (1) There is hereby established a body to be known as the Independent Commission for Peace and National Cohesion. Establishment of Commission.

(2) The Commission shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

(3) The Commission shall have a common seal, the use of which shall be authenticated by the signature of -

(a) the Chairman or other member of the Board authorised by the Board in that behalf; and

(b) the Executive-Secretary or some other person authorised by the Board in that behalf.

3. (1) The governing body of the Commission shall be a Board in which shall be vested, subject to this Act, the supervision of the Commission. Board of Commission.

(2) The Board shall consist of the following members including the Chairman and 8 other members of whom at least 3 shall be women-

(a) Member representing the Eastern Region;

(b) Member representing the Western Region;

(c) Member representing the Northern Region;

(d) Member representing the Southern Region;

(e) Member representing the North-Western Region and

(f) 3 members representing interest groups.

(3) The Chairman and the other members of the Board shall in consultation with the Minister be appointed by the President from among persons with proven knowledge in peacebuilding and conflict management, subject to the approval of Parliament.

(4) A person shall not be qualified for appointment as a Member of the Board unless he -

- (a) is a citizen of Sierra Leone;
- (b) is a person of high moral character and proven integrity;
- (c) has distinguished himself in his field of work and as a person who commands the respect of the public; and
- (d) has proven record of respect for and interest in peace and conflict, transitional justice and human rights.

(5) A person shall not be qualified for appointment as a Member of the Board if he is -

- (a) a Member of Parliament;
- (b) a member of a Local Council; or
- (c) a member of, or actively involved in the affairs of, a political party.

Tenure of members.

4. (1) The Chairman and other members of the Board shall hold office for a period of 3 years and shall be eligible for re-appointment for a further and final term of 3 years.

(2) A person shall cease to be a Member of the Board on any of the following grounds -

- (a) for his inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted and sentenced for an offence involving sexual offences, fraud or dishonesty;

(e) if he fails to attend 3 consecutive meetings of the Board without reasonable cause;

(f) if he resigns his office by written notice to the Minister.

5. (1) The Board shall meet for the dispatch of its business at least once in every 2 months and at such other times as the Chairman may determine. Meetings of Board.

(2) The Chairman shall preside at every meeting of the Board and in his absence, the members present shall appoint a member from among their number to preside.

(3) A minimum of 5 members of the Board may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Board for such purposes as may be stated in the notice.

(4) The Chairman or, in his absence, the member appointed to act in his behalf shall summon a special meeting within 3 days of his receipt of the notice referred to in subsection (3).

(5) The quorum at any meeting of the Board shall be 5.

(6) The Chairman or other person presiding shall have a casting vote where there is an equality of votes.

(7) A proposal circulated among all members and agreed to in writing by a two-thirds majority of all members shall be of the same force or effect as a decision made at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next succeeding meeting of the Board:

Provided that, if a member requires that such proposal be placed before a meeting of the Board, this subsection shall not apply to such proposal.

(8) The Board may co-opt a person to attend and participate in its deliberations on any matter but such person shall not vote on any issue for the decision by the Board.

(9) The Board shall cause minutes of all its meetings to be taken and signed by the Chairman and kept in proper form.