

ACT

Supplement to the Sierra Leone Gazette Extraordinary Vol. CXXVII, No. 38

dated 25th June, 1996.

Signed this 24th day of June, 1996.

ALHAJI AHMAD TEJAN KABBAH,
President.



Sierra Leone

1996

**The National Unity and Reconciliation Commission
Act, 1996**

Short title.

**Being an Act to establish a Commission to promote national unity
and reconciliation and for other matters connected therewith.**

[25th June, 1996.]

Date of Com-
mencement.

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

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

Interpretation.

“Chairman” means the Chairman of the Commission referred to in subsection (1) of section 3;

“Commission” means the National Commission for Unity and Reconciliation established by section 2;

“Secretary” means the Secretary appointed under section 9;

“member” means a member of the Commission.

Establishment of Commission.

2. (1) There is hereby established a body to be known as the National Commission for Unity and Reconciliation.

(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.

Composition of Commission.

3. (1) The Commission shall consist of a Chairman and two other members all of whom shall be appointed by the President.

(2) A person shall not be appointed Chairman unless —

- (a) he is qualified to be appointed a judge of the Superior Court of Judicature; or
- (b) he is a person who has held office as a judge of a superior court of judicature, whether in Sierra Leone or in any other country, having a system of law analogous to that of Sierra Leone.

Remuneration and expenses of members of Commission.

4. The Chairman and the other members shall be paid such remuneration and allowances as Parliament may determine and shall be reimbursed by the Commission with the approval of the Minister responsible for finance for expenses incurred in connection with the discharge of their functions.

5. (1) The Commission shall hold its first meeting on such date and at such place as the President, after consultation with the Commission, may determine; and thereafter, the Commission shall meet for the despatch of business and adjourn, close and otherwise regulate its meetings and procedure as it thinks fit. Meetings of Commission.

(2) The quorum at a meeting of the Commission shall be the Chairman and one other member.

(3) The Commission may co-opt such person as it may think fit to attend any of its meetings for the purpose of advising it; but the person so co-opted shall not vote on any matter for decision by the Commission.

6. (1) The objective for which the Commission is established is generally to create an environment for the development of national unity, peace and reconciliation in Sierra Leone. Functions of Commission.

(2) Without prejudice to the generality of subsection (1), it shall be the function of the Commission—

- (a) to investigate and identify the causes which have alienated citizens from the State and created conflict and division in society;
- (b) to investigate and report on cases of individual injustices brought to its attention, including cases of official violence to individuals and communities and to recommend ways and means of redress, including the rehabilitation of the victims, their reparation and the conditions for granting of amnesty to the culprits of such injustices;
- (c) to examine the role of existing State organs as causes of any alienation, conflict and division among members of society and to recommend measures to eliminate such causes;
- (d) to recommend standards to be observed by the State and its officials and agents in their official dealings with members of society in a manner

that will prevent popular alienation from the State, conflict and division in society;

- (e) to investigate and recommend, where necessary, adequate provision for the care and upkeep of ex-combatants, war-wounded, war-widows and war-orphans;
- (f) to compile comprehensive reports of its findings and recommendations for the consideration of the President at half-yearly intervals and copies of such reports shall be sent to Parliament for its information; and
- (g) to do all such other things as are necessary for the efficient performance of its functions specified in this section.

(3) Nothing in subsections (1) and (2) shall be taken to confer any power on the Commission to inquire into any matter —

- (a) pending before; or
- (b) already decided by;

any court of competent jurisdiction.

Proceedings
of Commis-
sion.

7. (1) For the purposes of effectively performing its functions under section 6, the Commission shall have such powers, rights and privileges as are vested in the High Court of Justice or a judge thereof at a trial in respect of —

- (a) enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise; and
- (b) compelling the production of documents; and
- (c) the issue of a commission or request to examine witnesses abroad.

(2) The Chairman and other members shall not be liable for any action or suit in respect of any matter or thing done by them in the performance of their functions.

8. (1) Any person summoned to attend and give evidence or to produce any document shall be entitled to such reimbursement as may be allowed by the Commission for expenses as if he had been summoned to attend to the High Court of Justice on a criminal trial.

Duty of persons appearing before Commission.

(2) Any person or organization whose conduct is the subject of an investigation under this Act shall co-operate with the Commission and render every assistance to the Commission and may be represented by counsel of his or their choice.

9. (1) The Commission shall have a Secretary who shall be appointed by the President.

Secretary to Commission.

(2) The Secretary shall be responsible to the Commission for—

- (a) the day-to-day administration of the affairs of the Commission;
- (b) recording and keeping of minutes of meetings and other proceedings of the Commission;
- (c) the supervision and discipline of the other staff of the Commission; and
- (d) performing such other functions as the Commission may assign to him.

10. (1) The Commission may employ such staff as it thinks necessary for the efficient performance of its functions.

Staff of Commission.

(2) Public officers may be seconded or otherwise render assistance to the Commission.

(3) The staff of the Commission shall be employed on such terms and conditions as the Commission may, after consultation with the Minister responsible for finance, determine.

Funds of Commission. **11.** Parliament shall provide the Commission with such funds as may be necessary for the efficient performance of the functions of the Commission.

Offence of obstruction. **12.** Any person who wilfully obstructs the Commission or otherwise interferes with the Commission in the discharge of its functions commits an offence and shall be liable on conviction to a fine not exceeding one million leones or to a term of imprisonment not exceeding two years or to both such fine and imprisonment.

Regulations. **13.** The Commission may make regulations for any matter connected with the functions of the Commission or otherwise for giving effect to the provisions of this Act.

Passed in Parliament this 20th day of June, in the year of our Lord one thousand nine hundred and ninety-six.

J. A. CARPENTER,
Acting 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 correctly printed copy of the said Bill.

J. A. CARPENTER,
Acting Clerk of Parliament.

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Section

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