

PUBLIC NOTICE

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THE CONSTITUTION OF SIERRA LEONE
(Act No. 6 of 1991)

THE COMMISSION OF INQUIRY (RELATIONS BETWEEN THE ARMED FORCES, Short title.
KAMAJORS AND OTHER CIVIL DEFENCE ORGANISATIONS)
INSTRUMENT, 1997

In exercise of the powers conferred upon him by subsection (1) of section 147 of the Constitution, the President, acting on the advice of the Cabinet, appoints the following Commission of Inquiry by this Constitutional Instrument.

1. There is hereby appointed a Commission of Inquiry, Appointment of hereinafter referred to as "the Commission," which shall consist of the Commission. following persons: —

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|--|---|-----------------|
| (a) Bishop Michael Keili | — | <i>Chairman</i> |
| (b) P.C. Bai Sherbro Komkanda II,
Kaffu Bullom Chiefdom | — | <i>Member</i> |
| (c) Mr. F. Carlton-Hanciles, State Counsel
Law Officers' Department | — | <i>do.</i> |
| (d) Lt. Col. S. E. Tucker, Armed Forces of
Sierra Leone | — | <i>do.</i> |
| (e) Mr. Frank Jalloh, Retired Commissioner
of Police | — | <i>do.</i> |
| (f) Mr. J. B. Kosséh-Hindowa,
Bo Town | — | <i>do.</i> |
| (g) Mr. Nyamakoro Sesay of Kabala | — | <i>do.</i> |

2. (1) The purpose for which the Commission is appointed is to inquire into the relations between the Armed Forces of Sierra Leone, on the one hand, and the Kamajors and other civil defence organisations, on the other, and to report thereon to the President.

(2) Without prejudice to the generality of subparagraph (1), the Commission shall —

- (a) investigate and ascertain the reasons and causes of the frequent incidents of friction between the members of the Kamajors, including the other civil defence groups, on the one hand, and members of the Armed Forces, on the other, and to identify, where possible, persons who might have directly or indirectly contributed to the existence of such friction, stating the role played by such persons;
- (b) identify and recommend ways —
 - (i) of eliminating the causes and incidence of such friction; and
 - (ii) of establishing a cordial working relationship between members of the Kamajors and other civil defence groups, on the one hand, and the members of the Armed Forces, on the other hand, so that both the civil defence groups and the Armed Forces can jointly and effectively exert their efforts in the maintenance of the security and defence of the State;
- (c) determine and recommend an appropriate, effective and workable command structure among the various Kamajor and other civil defence groups, and between the civil defence groups and the Armed Forces, having due regard to the constitutional status and role assigned to the Armed Forces, and also the status and role of the civil defence groups as local civil defence organisations;

- (d) determine and ascertain the present administrative machinery, management and development of the Kamajors and the other civil defence groups, the provision of necessary logistics for their sustenance consistent with their recognition as organisations jointly engaged with the Armed Forces in the maintenance of the security and defence of the State, having special regard to the manner of distribution of such necessary logistics and sustenance as provided for the Kamajors and other civil defence groups, and to identify any flaws in such distribution and the persons responsible for such flaws.

(3) The Commission shall submit its report to the President not later than 30th May, 1997, or such later date as the President may approve.

3. (1) The Commission shall commence its proceedings as soon as may be after the publication of this Instrument and shall sit at such place or places as the Chairman shall determine.

Proceedings
of
Commission.

(2) The proceedings shall be held in public unless otherwise decided by the Commission in the interest of public safety or public order.

(3) Before assuming the functions of their office, the Chairman and each member of the Commission shall take and subscribe before the President, an oath that they will each faithfully, fully, impartially and to the best of their ability perform the functions of their office under this Instrument.

4. (1) The proceedings of the Commission shall be regulated by the practice and procedure in force in the High Court with such modification, adaptation and exception as are necessary to enable the Commission to elicit all such information as may be necessary for the performance of the functions of the Commission.

Rules of
procedure of
Commission.

(2) For the purposes of subparagraph (1), the Commission shall not be bound by the rules of evidence in civil or criminal proceedings.

Attendance
by witnesses.

5. (1) 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) Any person ordered to attend under subparagraph (1) shall attend at the time and place specified in the order and shall continue in attendance as directed by the Commission.

Secretary to
Commission.

6. The Commission shall have a Secretary who shall be Mr. Daniel Coomber, Permanent Secretary.

MADE this *5th* day of *May*, 1997.

ALHAJI AHMAD TEJAN KABBAH,
President.