



Kono District Development Association

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His Excellency Mr. Edward M. Turay
Sierra Leone High Commissioner to United Kingdom
41 Eagle Street
Holborn
London WC1R 4TL

12th September 2013

Dear Sir,

RE: KDDA RESPONSE TO THE LETTER DATED 29TH AUGUST 2013 FROM THE MINISTER COUNSELLOR/HEAD OF CHANCERY MR. S.P. DEMBA.

We are in receipt of a letter from the Head of Chancery Mr. S.P. Demba dated 29th August 2013. In response to this letter, the Kono District Development Association (KDDA) United Kingdom Executive have met on 7th September 2013 and have resolved to notify you of our grave concerns at the very slow pace and direction of the mediation process.

Since the public mediation meeting that you chaired on 20th April 2013, there has been little progress. We understand representatives from both parties have met separately at the High Commission to state their positions, which was a positive move. However, mediation has been beset with delays and no mediation meeting between all parties' representatives has been set. We have sent you two letters dated 24th June 2013 and 19th August 2013, expressing our concerns at the conduct of the mediation process, including our objections to your co-option of mediators other than yourself and Mr. S.P. Demba which is beyond your remit. To date we have received no reply from you and our letters remain unaddressed and unacknowledged.

We would like to reiterate for the record that the Kono District Development Association is a properly constituted, legitimate and functioning association with a properly elected Executive and members, all of which must be recognised if negotiations are to commence. The association's members determine who represents our association.

In his letter dated 29th August 2013, the Head of Chancery Mr. S.P. Demba describes splinter groups but made no acknowledgement of the members and Executive of the KDDA. The content of his letter is misleading, disingenuous, worrying and acts outside the remit of agreed mediators as per the Tomlin Order dated 16th October 2012.

Mediation is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial person helping two or more individuals or groups reach a solution that is acceptable to everyone. The mediator never takes sides or imposes solutions,

but can talk to both sides separately or together. It is apparent that the mediators have strayed from this procedure in this case.

The Kono District Development Association is not a splinter group but a progressive and legitimate association which has been actively engaged with the Sierra Leone High Commission, the Sierra Leonean communities in the United Kingdom, Sierra Leone and internationally, and with British communities and organizations, for over two years. Our recent delivery of a twenty feet container of medical equipment to Kono District on 11th July 2013, our strong advocacy on issues such as the withholding of funds to the Koidu New Sembehun City Council by the Sierra Leone Minister of Local Government Madam Diana Konomanyi, the serious environmental and social impact of the diamond industry, arbitrary detention and other issues, are all clear manifestations of our progressive attitude towards the development of Kono District and Sierra Leone in general. At the mediation meeting you chaired in April 2013, the current KDDA elected Executive were introduced to you and you requested that the KDDA Executive nominate three of the association's members to represent our association in working out modalities for our next elections. It is manifest that you now acknowledge the legitimacy of the association, our members and our beneficial development activities.

The mediators in this matter are not empowered to impose a "Steering Committee" on our association as proposed by the Head of Chancery Mr. S.P.Demba. This would be tantamount to removing the governance of the association from the members and conducting the affairs of the association without the consent of the members, both of which would be unlawful. This would also be contrary to the Tomlin Order of 16th October 2012, which clearly described your role as follows:

(3) "The High Commissioner of Sierra Leone, His Excellency Edward Mohammed Turay together with the Head of Chancery of Sierra Leone High Commission, The Honourable Sahr Prince-Demba, have agreed to arbitrate between the parties to this claim as to date, place, terms, and conditions of the new elections of the Association"

And

4(ii) "The High Commissioner and Head of Chancery shall mediate with regard to the date, place, terms, and conditions of the said election."

This makes it clear that your remit does not extend to imposing solutions, but is restricted to helping the parties to reach a solution.

We are further dismayed at the intransigence of the Head of Chancery's attempts to impose the Deputy High Commissioner Mr. Tamba Mansa Ngegba as mediator. We had emphasised this point to Mr. S.P.Demba during our meeting at his office on 19th July 2013. The participation of Mr. Tamba Mansa Ngegba was debated at Lambeth County Court by both parties and firmly ruled out. His disqualification from this process was accepted by His Honour Judge Blunsdon and by all parties. Mr. Tamba Mansa Ngegba had been previously named by Mr. Tamba Opel Sam Sumana as his number one witness at court, which made him inappropriate for the role. His inclusion will be an impediment to progress. His impartiality in this process is therefore questionable.

We are most concerned that the mediation attempts by you and Mr. S.P.Demba, though most welcome, have nonetheless extended well beyond the time envisaged by ourselves or the court.

It is also our intention to inform you that our concerned brothers and sisters from the United States of America have also attempted to guide us towards a peaceful and united solution. In their final recommendations, their mediation committee urged all parties to recognise the legitimacy of the present KDDA Executive, and advised that we hold elections based on the 1998 constitution of KDDA. They also recommended that the new Executive put in place a review process whereby both the 1998 and 2013 constitutions shall be consolidated into a single document among other recommendations. The full deliberations will be provided on request.

Nevertheless, we are united in our resolve to conduct a free and fair election guided strictly by the 1998 Constitution of the Kono District Development Association before end of October 2013.

We thank you for your attention and look forward to hear from you.

Yours Sincerely,

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(On behalf of the members and Executive of the Kono District Development Association)
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CC: Mr. S.P.Demba, Minister Counsellor/Head of Chancery, Sierra Leone High Commission,
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