



REPUBLIC OF LIBERIA

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JUDICIARY BRANCH



OFFICE OF THE DIRECTOR
JUDICIAL PUBLIC INFORMATION

FOR IMMEDIATE RELEASE

SUPREME COURT OF LIBERIA REACTS TO CPP's STATEMENT ON ELECTION CASE

The Supreme Court of Liberia takes note of a recent statement issued in Monrovia by the Collaborating Political Parties (CPP), in which the CPP accused the Court and the National Elections Commission (NEC) of “a deliberate and unjustified violation of the Liberian Constitution” regarding the election case which emanated from Grand Cape Mount County involving CPP's Candidate, Simeon B. Taylor, and the Coalition for Democratic Change (CDC)'s Candidate, Victor V. Watson.

The Supreme Court considers the statement reckless, irresponsible and without any iota of truth, as the Court has in no way violated any provision of the Constitution. The statement of the CPP is yet another attempt by politicians to unduly draw the Court into politics, set the people against the Court and undermine respect for the rule of law.

While the Court does not usually dignify false reports of its decisions and/or actions in the media with a response, it is however constrained at this time, due to the high level of deliberate misrepresentation contained in the CPP's statement, to set the record straight as follows:

1. The Supreme Court has the constitutional duty to hear and decide all appeals from the Board of Commissioners of the NEC in election cases to ensure that the true desire of the people, through their votes, is protected and upheld. In all such cases, fairness is the prime objective. And in executing this constitutional mandate, the Court has the exclusive power to affirm, reverse or modify decisions of the NEC; the Court may also reverse and remand cases with instructions to the NEC to conduct further investigations in such election cases where the Court determines that the investigations conducted by the NEC were not thorough and conclusive for a fair decision.



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2. An appeal from the ruling of the Board of Commissioners of the NEC in the referenced case was taken to the Supreme Court by the CDC; the case was argued, and the Court rendered an opinion within the constitutional timeframe of seven (7) days after hearing. In the said opinion, the Court reversed the final ruling of the Board of Commissioners of the NEC and in its Judgment, remanded the case to the NEC and instructed the NEC to take seize of the matter and conduct further investigation into the case. Here is an excerpt of the Judgment of the Supreme Court:

“...it is the law in this jurisdiction that the subordinate courts (administrative fora) should decide all pertinent issues squarely raised before them; that there were serious allegations [in this case], such as pre-marked ballots, stopping of poll watchers from entering polling places and forgery of poll watchers’ signatures on the senate records of count made by the appellant in this case which warrant thorough investigation by the hearing officer and which the hearing officer did not pass upon, for if indeed there are merits in these allegations, they could be grounds for rerun in the affected areas.

That this court has consistently held that the NEC is an administrative forum for fact finding and summary investigation; hence being the sole custodian of all records made in this case, it was incumbent upon the NEC to have investigated all of the appellants’ allegation and taken appropriate decision;”

3. On the mandate and instruction of the Supreme Court, the NEC resumed jurisdiction over the case for full investigation, especially in those areas as indicated in the Court’s Judgment. The case was therefore removed from the Supreme Court back to the NEC. And since that time, no party has filed a complaint with the Court regarding the execution of the mandate given to the NEC by this Court; neither has any party come back to the Court on an appeal. So, what is the basis of the CPP’s assertion to the Liberian public and the whole world that the Supreme Court is delaying this election case thereby threatening the peace and security of this country?



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The Supreme Court is particularly concerned about the constant threatening statements by politicians against members of the Court and subordinate courts. It has become common in Liberia today for politicians, knowing the vulnerability and gullibility of the Liberian people, to denigrate the Court, incite members of the public to violence, chaos, and instability whenever cases are not decided in their favor. These actions of politicians have brought members of the Liberian Judiciary, including Justices and Judges to personal danger in recent times.

The Chief Justice and Associate Justices of the Supreme Court of Liberia and judges of subordinate courts, being cognizant of the fact that the fair and impartial administration of the rule of law is *sine qua non* to democracy, peace, and prosperity of the Liberian Nation, have, and will always uphold, protect and defend the Constitution and laws of this Republic, no matter who or what is involved.

Signed: 

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