

National Vision Party of Liberia, represented by and thru its National Chairman, Mr. Washington S. McGill, Rehab Road, Paynesville, Montserrado County 1st Respondent, **National Union for Democratic Progress**, represented by and thru its National Chairman, Mr. Victor G. Barney, Wroto Town (Around the ERU Headquarters), Monrovia 3rd Respondent, **Citizens Unification Party**, represented by and thru its National Chairman, Mr. Momolu Freeman, 11th Street Sinkor, Monrovia 4th Respondent **Freedom Alliance Party**, represented by and thru its National Chairman, Rev. Wilfred Wade, Mamba Point, Monrovia 5th **Respondent Original Congress Party**, represented by and thru its National Chairman, Rev. Victor S. N. Saylee, Chelley Compound, J.J. Y., Gardnersville 6th Respondent Acting National Chairman, Mr. Isaac G. Kabakollie, T. B. Annex, Congo Town, Monrovia 7th Respondent **Progressive Democratic Party**, represented by and thru its National Chairman, Mr. Nathaniel D. Sawyer, I, Clay & Benson Streets, Monrovia 8th Respondent **Liberia Destiny Party**, represented by and thru its National Chairman Mr. P. Warkie Gmah, Congo Town (After Old Moroccan Embassy) 9th Respondent **National Reformation Party**, represented by and thru its National Chairman, Maxmillian T. W. Diabe, Duala Market Bushrod Island, Monrovia 12th Respondent **National Democratic Party** of Liberia, represented by and thru its National Chairman, Mr. George Dweh, Johnson Street, Monrovia 13th Respondent Liberia **Reconstruction Party**, represented by and thru its Acting National Chairman, Mr. A. Kaifa Dunor, Jr., Chicken Soup Factory, Gardnersville 14th Respondent **National Social Democratic Party**, represented by and thru its National Chairman, Rev. Robert T. Brown, II., 26th Street Sinkor, Behind Sam Barbeque 15th Respondent **Liberia Equal Rights Party**, represented by and thru its National Chairman, Mr. Chancy Chea Bolo, Logan Town Broad Street, Bushrod Island 17th Respondent **Majority Party of Liberia**, represented by and thru its National Chairman, Mr. Joseph O. Lathrobe, Camp Johnson Road, Monrovia 18th Respondent **Progressive People's Party**, represented by and thru its National Chairman, Mr. William N. T. Gibson, Caldwell, New Georgia Bushrod Island 19th Respondent Appellants Versus **The National Elections Commission of Liberia (NEC)** By and thru its Chairman, Cllr. Jerome G. Korkoya of the City of Monrovia, Republic of Liberia Appellee

LRSC 25

APPEAL

JUDGMENT

When this case was called for hearing, Counselor J. Laveli Supuwood of the Supuwood & Associates law firm appeared for appellants. Counselor Joseph N. Bliidi of the National Elections Commission appeared for appellee.

Having carefully reviewed the records, heard the arguments and contentions advanced by the counsels representing both parties and considered the laws cited and relied upon, it is hereby

ADJUDGED

That all of the appellants a) failed to file their respective statements of assets and liability with NEC on or before September 1, 2013 as required by Article 83(d) of the Constitution of Liberia; b) failed to maintain headquarters within the capital of the Republic of Liberia as required by Article 79(c)(i) of the Constitution of Liberia; and c) failed to maintain a minimum balance of Ten Thousand United States Dollars (\$10,000.00) or its equivalent in Liberian Dollars in their respective bank accounts, as required by Part II, Chapter IV of the Guidelines Relating to the Registration of Political Parties and Independent Candidates. Based on the assertions of both the appellants and the appellee, we hold that there are no genuine issues of material facts in dispute to warrant trial in this case, therefore summary judgment, as a matter of law, was properly granted in favor of appellee, NEC. We further hold that the violations committed by the appellants are punishable by the revocation of their respective registrations and accreditations.

Accordingly, the ruling of the trial judge revoking the registration and accreditation of the appellants, the fifteen (15) political parties is hereby confirmed affirmed. The fifteen (15) political parties whose registration and accreditation are revoked are: 1st respondent, National Vision Party of Liberia, the 3rd respondent, National Union for Democratic Progress, the 4th respondent, Citizen Unification Party, the 5th respondent, Freedom Alliance Party, the 6th respondent, Original Congress Party, the 7th respondent, Liberian Empowerment Party, the 8th respondent, Progressive Democratic Party, the 9th respondent, Liberia Destiny Party, the 12th respondent, National Reformation Party, the 13th respondent, National Democratic Party of Liberia, the 14th respondent, Liberia Reconstruction Party, the 15th respondent, National Social Democratic Party of Liberia, the 17th respondent, Liberia Equal Rights Party, the 18th respondent, Majority Party of Liberia and the 19th respondent, Progressive People's Party.

However, we note that in the trial judge's ruling granting summary judgment he said: The respective registrations and accreditations of the fifteen Respondents, now Movants herein are hereby revoked, nullified, cancelled and set aside, declaring them no longer in existence as political parties. [Emphasis supplied].

The quoted excerpt of the trial judge's ruling, especially the use of the phrase "no longer in existence" seems to suggest that the appellants' existence as a corporate body and juridical person had been determined. We must therefore make this clarification. The object of the petition for the cancellation of the registration and accreditation of a political party is to withdraw the party's franchise, license or certificate to do political business and no more. The revocation of the registration and accreditation does not affect the existence of a political party as a corporate entity. Thus, while NEC has the authority to seek, through a court of law, the revocation of the registration and accreditation of a political party, based on proven

violation(s), such revocation of registration and accreditation do not affect the political party as a corporate entity. The corporate entity remains, though strictly prohibited from participating directly or indirectly in any and all political activities. To do otherwise would be tantamount to the dissolution of a corporate body. This was not the matter before the trial court, as dissolution of a corporate body is an entirely different matter.

The Clerk of this Court is ordered to send an order to the lower court and to the National Elections Commission mandating them to take appropriate step(s) to enforce the judgment revoking the registration and accreditation of the appellants, the political parties named herein. Costs are ruled against the appellants. It is so ordered.

GIVEN UNDER OUR HANDS AND SEAL OF THE SUPREME COURT OF LIBERIA
THIS 23RD DAY OF JULY, A.D. 2014

[Please see pdf for signatures]

Mr. Justice Philip A Z Banks, Ill, having traveled out of the country for health reasons did not participate in the hearing and determination of this case. Hence, he did not sign this judgment.