



**National Assembly, New Assembly Building,
Reginald Pye Lane, Banjul, The Gambia**
PARLIAMENTARY DEBATES
[HANSARD]

OFFICIAL HANSARD REPORT
FIFTH SESSION – FIRST MEETING
MONDAY 6th APRIL, 2020

SESSION – 2020



**National Assembly, New Assembly Building,
Reginald Pye Lane, Banjul, The Gambia
P A R L I A M E N T A R Y D E B A T E S**

[HANSARD]

OFFICIAL HANSARD REPORT

VOLUME: 5

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Fifth Meeting of the First Session of the Fifth Assembly
of the Second Republic of The Gambia.

Proceedings of the Sitting of Monday 06thApril,
2020.

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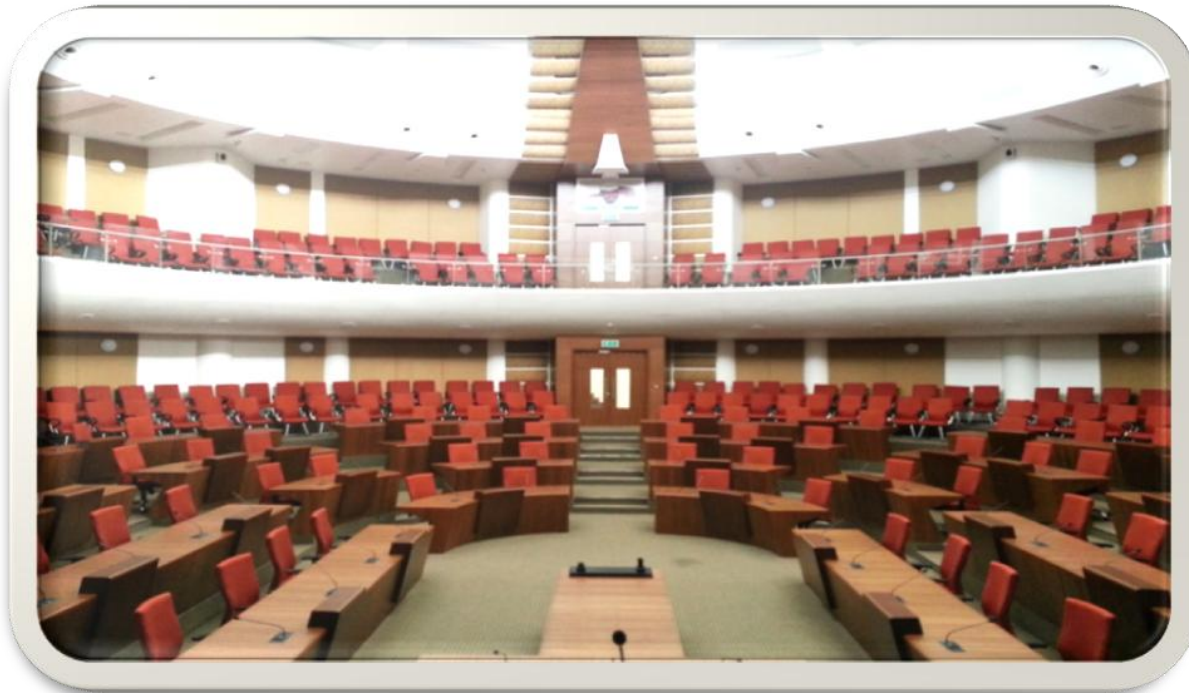
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6. MOTION

Motion on the Adjournment Debate

“Be it RESOLVED that this august Assembly do stand adjourned *Sine-die* [By Hon. Majority Leader]



**THE CHAMBERS OF THE NATIONAL ASSEMBLY OF THE
GAMBIA
OFFICIAL HANSARD REPORT OF THE PROCEEDINGS OF THE
HOUSE**

**FIFTH SESSION – FIRST MEETING
OF THE FIFTH ASSEMBLY
OF THE SECOND REPUBLIC**

MONDAY 06th APRIL, 2020

1. PRAYERS:

[The Speaker, Hon. Mariam Jack Denton, Reads the Prayers].

*[The House met at 10:00 a.m. in New Assembly Building, Reginald Pye Lane,
Banjul].*

[The Speaker, Hon. Mariam Jack Denton, in the Chair].

The House was called to Order

2. Correction and Approval of Record of Votes and Proceedings of the National Assembly Sitting of Friday 03rd April, 2020.

THE SPEAKER: Thank you very much, good morning Honourable Members. The Record of Votes and Proceedings of the National Assembly Sitting of Friday 03rd April, 2020 is before us for correction and approval. Can any Honourable Member please move that the said Record of Votes and Proceedings be corrected and approved?

HON. BILLAY G. TUNKARA [KANTORA]: I so move, Madam Speaker.

THE SPEAKER: Any Seconder?

HON. ALHAGIE H. SOWE [JIMARA]: I so Second, Madam Speaker.

THE SPEAKER:

[Question Proposed Put and Agreed to]

Any issues or observations from Honourable Members starting with page 1? Wuli East, anything on page 1? Lower Fulladu West, page 1? Tumana, anything?

HON. SUNKARY BADJIE [FONI BREFET]: Thank you Madam Speaker, it is not a major observation as I said the last time, the spelling of my constituency does not correspond with the tag, although I suspect that the spelling on the list is the right way, so whether the Authority will help me change that to correspond with what is on the paper which is the right spelling of my constituency.

THE SPEAKER: Thank you, we will correct it.

HON. SIDIA S. JATTA [WULI WEST]: Page 3 Madam, I think it is very important that we indicate why the seat is vacant instead of saying the following National Assembly seat was vacant. I think it should be indicated why?

THE SPEAKER: It was raised the last time, somebody raised it and it was not captured but it will be taken care of. Thank you

HON. SUWAIBOU TOURAY [WULI EAST]: Page 4, when you go down where you have "Question Put and Agreed to" and then below that, let us put "August" for the Assembly to read August Assembly.

HON. OUSMAN TOURAY [SABACH SANJAL]: On the same page, second paragraph those in favour please say "Aye" those not in favour the word "please" is omitted.

HON. SAINY TOURAY [JARRA EAST]: Page 4, below laying of Papers and Report, the Report of the Standing Committee on Human Rights and Constitutional Matters on the Motion for the extension of the period "of" State of Public Emergency. Thank you

HON. ALHAGIE H. SOWE [JIMARA]: Page 4, the second paragraph, those in favour please say 'Aye' and those not in favour, there is no 'please' it is just saying say 'No'.

THE SPEAKER: Thank you but it is being corrected earlier on.

HON. ALAGIE JAWARA [LOWER BADIBU]: Page 5, after we have those in favour please say 'Aye' and those not in favour please say 'No' under that continuation of the debate on the motion, it is supposed to be 'the' debate not 'ath'.

HON. ALAGIE DARBOE [LOWER FULLADU WEST]: Sorry for going back to page 4, the last line before laying of papers and report, April 2020 was approved with amendments.

HON. MUHAMED MAGASSY [BASSE]: Thank you, page 5 continuation of, let us check this word it should be 'the' to read 'the date under motion'.

HON. FATOUMATA NJAI [BANJUL SOUTH]: Is just for consistency, No. 11, Honourable Sunkary Badjie, Foni Brefet and on page 2, it says Foni 'Berefet'.

THE SPEAKER: He has drawn our attention to it and we will correct it. We will check the system and make sure it is corrected once and for all.

HON. SUWAIBOU TOURAY [WULI EAST]: Page 6, the second to last line before ensuing debate, the Assembly continued to sit beyond.

HON. SAINÉY TOURAY [JARRA EAST]: Sorry for taking you back, page 5 Hon. Momodou LK Sanneh, Hon. Speaker in Chair. I am not comfortable with it, should it be on 'Chair' or is it in 'Chair'?

THE SPEAKER: We were on page 7, we now move to page 8.

HON. OUSMAN TOURAY [SABACH SANJAL]: Page 8, the sentence on top of 'Question Put and Agreed To', the 'Ayes' have it, the report was 'adopted' not 'adopt'

THE SPEAKER:

[Question Proposed, Put and agreed to]

[That the Record of Votes and Proceedings of the National Assembly Sitting of Friday 03rd April, 2020 be approved with amendments]

Before we proceed, I just want to invoke clause 40, sub clause 3 of the Standing Orders dealing with the order of business to change the Order Paper to allow Her Excellency, the Vice President to move her motion which is the second item on the Order paper.

MOTION:

'Be it Resolved' that this august Assembly do consider and confirm the appointment of Mr Bakary Sanyang as Ombudsman in accordance with Section

164[1] of the 1997 Constitution of the Republic of the Gambia. **[By Her Excellency, the Vice President of the Republic of The Gambia]**

HER EXCELLENCY DR. ISATOU TOURAY [VICE PRESIDENT OF THE REPUBLIC OF THE GAMBIA]: Good morning everyone, thank you very much Madam Speaker. I move that this august Assembly do consider and confirm the appointment of Mr. Bakary Sanyang as Ombudsman by His Excellency the President of the Republic of The Gambia with effect from 1st April, 2020 for an initial term of 5 years in accordance with Section 164[1] of the Constitution and Section 2[3] of the Ombudsman Act 1997 and following consultation with the Public Service Commission.

Madam Speaker, we may recall that this nomination of Mr Bakary Sanyang as Ombudsman followed an earlier nomination of Mr Babucarr Suwareh by His Excellency, the President which was duly rejected by this august Assembly.

Therefore, incoming with this replacement, due regard has been made to Section 164[1] of the Constitution which stipulates that: 'provided that where the National Assembly rejects a person nominated by the President, it shall not again reject the person nominated to replace him'.

In doing so, may I once again humbly draw the attention of this august Assembly to the provision of Section 64[2] of the Constitution which states that: In making an appointment under the Section, the President shall have regard to the need of person exercising the functions of Ombudsman to have substantial administrative or professional experience?

In addition, due regard has also been made to the report of Public Appointment Standing Committee on the appointment of Mr Babucarr A. Suwareh as Ombudsman.

Honourable Speaker, the curriculum vitae of Mr Bakary Sanyang which has already been forwarded to this august Assembly for perusal, adequately meet the above cited requirements of the Constitution and the Ombudsman Act 1997 for appointment as Ombudsman.

Mr Bakary Sanyang has had over 42 years of experience in Gambian Public Service. He rose through the ranks of Income Tax cadre to the position of Commissioner General at Gambia Revenue Authority before his exit from the Gambian Public Service in 2012. Between this period and 2018, Mr Sanyang served as Income Tax Consultant under the ECOWAS Commission. He was subsequently appointed on contract as Governor, West Coast Region in January 2018, an appointment he is currently holding. Mr Sanyang is therefore, a person with substantial administrative and professional experience who is highly expected to effectively execute the functions of the Ombudsman.

Hon. Speaker, in tabling this appointment for confirmation, the attention of the august Assembly must also be drawn to Section 2[3] of the Ombudsman Act which stipulates that: 'the appointee shall hold office for a period of 5 years and shall be eligible for reappointment and Section 3[1](a) and (b) which subscribe the functions of the Ombudsman.

Madam Speaker, in light of the foregoing, I recommend this appointment to this august Assembly for confirmation and do hereby move that this august Assembly do consider and confirm the appointment by His Excellency the President of Mr Bakary Sanyang as Ombudsman in accordance with Section 164[1] of the Constitution of the Republic of The Gambia.

Honourable Speaker, I beg to move.

THE SPEAKER: Thank you very much. Any seconder?

HON. SIDIA S. JATTA [WULI WEST]: Thank you Madam Speaker. I rise to second the motion and in doing so, I refer to Section 164[1] which was amended in 2001 and by doing so has made the job very easy. I so move Madam.

THE SPEAKER:

[Question Proposed]

Point of Observation

HON. SIDIA S. JATTA [WULI WEST]: If I understood her well, the Vice President indicated that the gentleman is still in Public Service which means that he has to resign from the Public Service in order to be able to assume this responsibility. That is the constitutional provision.

THE SPEAKER: Thank you. May I invite interventions from Honourable Members?

HON. ALHAGIE S. DARBO [BRIKAMA NORTH]: Madam Speaker, as the Honourable Member for Wuli West rightly stated, the amendment has actually made our work very easy. However, we noted that the person who has been duly nominated to serve as Ombudsman going by the profile, is somebody who has acquired substantial administrative and professional experience, 42 years of working experience with GRA and then at Income Tax and as Consultant with the ECOWAS Commission and finally as Governor of West Coast Region for the past 2 years or so. I think the person that has been duly nominated, has got the required qualifications to be the Ombudsman. From his latter office, that is the office of the West Coast, we will be missing him greatly and we wish him good luck in his new endeavour as the Ombudsman of Gambia and at the level of West Coast. We also hope and pray that his successor would execute the function of that office in the manner that Governor Bakary Sanyang did. That office under his leadership was never seen as a political office, it was purely an administrative office and I must emphasize, we hope that is going to continue to make that

office purely administrative but not somebody who is there only to represent the head of State. Be there for everybody despite any political angle you may come from. On that I thank you Madam Speaker.

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Thank you Honourable Speaker for giving me the floor. I want to start my intervention with the first nomination that was made, that is Mr Suwareh. After revoking Mr Suwareh's confirmation in this Assembly, the Select Committee on Local Government and Ombudsman found out that the office was occupied by Mr Suwareh. I think the Executive should try to see the Assembly as a partner as we always emphasize. The reason for all these coming to the National Assembly is very clear and we should try as much as possible to set a pace for this Gambia, the Gambia that we are all working towards to because we have made an investigation and realized that after revoking the nomination of Mr Suwareh, he was still going to the office which was very unfortunate.

Coming to the confirmation or appointment of Mr Sanyang, that is the document before us here, ---*interrupted*

Point of Order

HON. SAIKOUBA JARJUE [BUSUMBALA]:

THE SPEAKER: In fact, we are not discussing Mr Suwareh. What is on the floor is the confirmation of Mr Bakary Sanyang not Mr. Babucarr Suwareh. He is just making an observation.

HON. SAIKOUBA JARJUE [BUSUMBALA]: That is why I want to observe Madam Speaker.

THE SPEAKER: No, I am not giving you the floor Honourable Member for Busumbala, I just wish to draw the attention of the Honourable Member for Bundungka Kunda that the Motion on the floor is the appointment of Mr Sanyang,

so if he can restrict his intervention just to that. You can make reference here and there but not the substance of the previous discourse, thank you.

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Thank you Madam, I would have completed that if you had not stopped me.

Madam Speaker, Mr Sanyang's appointment as we all know that according to the Constitution, we cannot do anything at this point but all what we want to emphasize here is that, the Office of the Ombudsman is an office where Gambians who are either wrongly treated in their work places rely their hopes on. We want to emphasize so that Mr Sanyang, as alluded to by the Honourable Member for Brikama North that we hope his appointment at this office will give a new facelift to this department, which we all know that in the past people lost confidence in it. We are hoping that his coming will give a new face of this department which those who feel they are unfairly treated in their work places can trust this department and can go there with the expectation that they will be given their due, because it is the department that is set aside to treat those matters. So, we are hoping that his appointment will be a game changer.

Thank you, Madam Speaker.

HON. MAHTARR M. JENG [LOWER NIUMI]: Thank you very much Madam Speaker. I just want to bring to the notice of this newly appointed Ombudsman that he has a lot of problems on his table and should be mindful perhaps of the oaths he is going to take. He should be a very effective person in that office because of the lapses and period of dysfunctionality that this office went through. So, I would wish him very well as alluded to by the Member for Brikama South, I would wish him well and urge that he works not for any side. Thank you.

HON. SAIKOUBA JARJUE [BUSUMBALA]: Thank you very much Madam Speaker. Our work is being made easy by the Constitution Section [164] but notwithstanding, Mr Bakary Sanyang is serving us as a Governor and with the

curriculum vitae presented to the Assembly, we went through it, through theory we have seen his achievements in life and personally the quality he has.

I want to commend and thank the government for the right choice that they took to assign Mr Bakary Sanyang to the Office of the Ombudsman.

Office of the Ombudsman is similar but bigger than West Coast Governor. This office, he is going to be responsible of all the civil servants in the country and we know that we are aware of issues that employers and employees are going through in the country. So, I am very much sure with the personal quality and integrity he has, he will man this office because Bakary is somebody that nobody puts anything into him which is not according to the law. When you come to him for your problem he will make sure he directs you to the rightful and legal procedures to follow the due process.

So, on that note, I want to thank the Government for doing that and I also want to thank Bakary for accepting the portfolio and also wish him well as he serves us as Governor of West Coast where I and others come from.

Thank you, Madam.

HON. LAMIN FM CONTA [KOMBO EAST]: Thank you very much Madam Speaker. I will also join my colleagues in thanking the government of the day for giving the bold initiative by appointing Mr Bakary Sanyang as the Ombudsman. It is absolutely a step in the right direction.

Mr Sanyang is a well academic person, excellent and very much dedicated and committed to executing his responsibilities, therefore, I have no doubt that Mr Sanyang will definitely live up to expectation and I sincerely hope that he will do his utmost to ensure that he executes his duties with due diligence.

On that note Madam Speaker, I thank the government through the Vice President for bringing this very important motion and I believe all the Honourable

Members will no doubt agree on it enormously as stipulated in Section [164] of the Constitution. Thank you and I beg to take my seat.

HON. ALAGIE JAWARA [LOWER BADIBU]: Thank you Honourable Speaker for the floor. Mine will just be an observation not necessarily a debate, we have heard the Vice President informing us that Mr Bakary Sanyang has 42 years of experience in Public Service and also served as the Commissioner General at GRA.

Madam Speaker, we would like to refer this august Assembly to Section [164], we talked about the nature of Bakary Sanyang, that is his integrity is unquestionable, his willingness to work for this country, and so if we talk about his integrity and his principled nature, I think this august Assembly also should guard our integrity jealously.

By going to Section 164[4], it says 'a person shall not be qualified to hold office as Ombudsman or Deputy Ombudsman if he or she is a member of the National Assembly, a Minister or holds any other public office and the Vice President has just informed us that Mr Bakary Sanyang is the Governor of West Coast Region which is a Public Office. So, we are just saying this for the purpose of records in this Assembly so that the Vice President can know that, the Constitution has given the President the power but it is the same Constitution that says any person that holds Public Office is not qualified to be in the Office of the Ombudsman. So, here is my bone of contention Madam Speaker.

THE SPEAKER: I think that is an issue that was earlier raised by the Honourable Member for Wuli West for the Vice President to take note of. It does not appear to be very contentious so I think we can---

Point of Observation

HON. HALIFA SALLAH [SEREKUNDA]: Honourable Speaker our hands are not tied and we must never allow our hands to be tied and the lesson is very

clear as mentioned by the Member for Wuli West and rightly quoted by the Member for Lower Badibu.

Honourable Speaker, it is very clear from Section [164] that if we reject the first, we cannot reject the second but still the Section remained that 'the person shall appoint an Ombudsman and his or her Deputy in consultation with the Public Service Commission subject to confirmation by the National Assembly that is there regardless of first or second subject to confirmation by the National Assembly'. Should we confirm everything? We can reject or we may not be able to reject but confirmation is our right and that can never be negated.

Madam Speaker, under Standing Order [114]: 'It shall be the duty of the Public Appointment Committee to scrutinize, consider and advise upon all appointments to a Public Office to be made by the Executive and subject to the confirmation of the National Assembly'.

Madam Speaker, I will still move that we suspend the debate, I would say so after I lay the principle that we should still send this appointment to the Committee today to look at it because the issue is not only being qualified, the other issue is being disqualified that is what the scrutiny requires and both the Honourable Members for Wuli West and Lower Badibu had already mentioned the Section which quite a number of members had in fact engaged in consultation about and what was to be confirmed is whether he is still a Governor and the Vice President did indicate that he is still a Governor.

So, that committee by consultation with the individual could advise because when we scrutinize, we invite them and the authorities and through that consultation, if there are disqualification clauses, then the person must be required to go and resign and send the letter of resignation to the Committee and the Committee should be able to come back and say well, we are satisfied even though we cannot reject but now we will confirm but unless that happens,

if we confirm that we are complicit, we are aiders and abettors of the violation of the Constitution, this National Assembly must never be found guilty of that.

In that regard Honourable Speaker, I will move the motion that under Standing Order 53 [c] that we adjourn the debate and refer this matter to the Public Appointment Committee for proper scrutiny, proper consultation so that the appointment will be duly made as required by the Constitution. Thank you.

THE SPEAKER: Okay, there is a Motion on the floor, any seconder?

HON. ALHAGIE MBOW [UPPER SALOUM]: Thank you Madam. I so second the motion that this particular issue we have before us to be referred to the Public Appointment Committee.

Honourable Speaker, we need to be principled Members of Parliament and we have our own regulations and we have to make sure that we follow every single thing we have in here to the letter.

So, I really support the motion that is raised by the Member for Serekunda that this must be given due attention and so the right thing is to refer the document to this Special Committee that is the Public Appointment Committee. Thank you.

THE SPEAKER:

[Question Proposed Put and agreed to]

[That the Motion be referred to the Public Appointment Committee for proper scrutiny and after to report back to the Plenary]

MOTION

'Be it Resolved' that this august Assembly do consider and approve the Motion to establish a Special Select Committee to perform oversight and monitor the Implementation of the State of Public Emergency for

45 days approved by the National Assembly. [By: Hon. Majority Leader and Member of the Committee of Selection]

HON. KEBBA K. BARROW [KOMBO SOUTH & MAJORITY LEADER]: Thank you very much Honourable Speaker, I rise to move a motion to establish a Special Select Committee to perform oversight and monitor the implementation of the State of Public Emergency for 45 days approved by the National Assembly.

Madam Speaker, it could be recalled that the National Assembly at its sitting of Friday 03rd April, 2020 approved a resolution extending the state of public emergency for a period of 45 days. During the consideration of the said motion, the Assembly under Standing Order 95[5] directed the Committee of Selection to come up with a motion before this august Assembly to establish a Special Select Committee to perform oversight and monitor the implementation of the state of public emergency.

Honourable Speaker, this motion is made in accordance with section 95[5] of the Standing Orders which provides: 'that special select committees may be established to deal with any specific time-bound matters on a motion setting out the terms of reference thereof and table by the Committee of Selection'. The proposed Special Select Committee, if established will exercise oversight and monitor the implementation of the state of public emergency. It is therefore imperative that this august Assembly approve this motion to establish the Special Select Committee.

Madam Speaker, Mandate of the Committee:

The mandate of the proposed Special Select Committee if approved, will perform specific task of oversight and monitoring of the state of public emergency as outlined under the terms of reference effective 03rd April, 2020 to the end of period of the State of Public Emergency.

Terms of Reference of the Committee:

Honourable Speaker the terms of reference of the Special Committee are:

1. To scrutinize the regulations made in pursuance to the state of public emergency and monitor their implementation.
2. To ensure that the implementation by the Executive of state of public emergency is within the remit of the law
3. To ensure that the government provides the necessary mechanism for the implementation of the regulation
4. To advise the National Assembly if there is the need for revocation of further extension of the state of the public emergency.
5. Requiring periodic updates from the Ministries of Justice, Trade, Health, Finance, Transport, Tourism such other Ministries and or agencies the Committee considers appropriate regarding the situation and or the implementation of the State of Public Emergency
6. Any other task that the Committee considers necessary for the effective execution of its mandate
7. Submit a report at the end of its mandate to the National Assembly with issues and other matters considered during its operations

Members of the Committee:

In accordance with Standing Order 96[1c] the membership of the committee shall consist of a Chairperson and 6 other members in pursuance to Standing Order 96[2].The following members are hereby nominated as members of the Special Select Committee.

- | | | |
|-----------------------------------|---|-------------------------|
| 1. Hon. Alhagie Mbow | - | Chairperson |
| 2. Hon. Dawda Kawsu Jawara | - | Vice Chairperson |
| 3. Hon. Ya Kumba Jaiteh | - | Member |
| 4. Hon. Ousman Sillah- | - | Member |
| 5. Hon. Omar Darboe | - | Member |

- 6. Hon. Salifu Jawo** - **Member**
7. Hon. Sunkary Badjie - **Member**

Powers:

For the purpose of effectively performing its functions, the committee shall have all the powers, rights and privileges as are gazetted in the High Court at the trial in respect of:

- A. Enforcing the attendance of witnesses and examining them on oath affirmation or otherwise
- B. Compelling the production of document
- C. The issue of a commission or request to examine witnesses abroad

Meetings of the Committee:

The committee shall determine its time and period of meetings in order to perform the specific task assigned to it

Honourable Speaker, in accordance with clause 95[5] of the Standing Orders, I beg to move that this National Assembly approve the Motion to establish a special Select Committee to perform oversight and monitor the implementation of the State of Public Emergency for 45 days approved on the 03rd of April, 2020.

Madam Speaker, I beg to move.

THE SPEAKER: Any Secunder?

HON. LAMIN J SANNEH [BRIKAMA SOUTH]: Thank you Madam Speaker, I rise to second the Motion and seize the opportunity to debate on it.

Madam Speaker, I think this is one of the most important things we will do at this trying moment with regards to the pandemic. I only want to thank the Members for their nomination and let them be rest assured that there is lot of hope in them in trying to monitor every bit of this thing and be reporting accordingly, more especially if you look at the composition, I am quite

comfortable with that but the periodic meetings are very important and I definitely would urge the Office of the Clerk to be supporting them in the area of facilitating their meetings or the whole operation because this is very essential at the moment.

We know the Corona-Virus is a real one and is a big problem and if you look at the level of adherence is another problem and for them to be functional, reporting is very key. By thoroughly monitoring, they will be able to update us and they will also be able to give us advice on what to take and what to do.

The other key issue which I want to emphasize is with regards to the Committee's operations, I would also advise if the committee can even embark on certain tours within the country so as to be very much sure of what is happening and also advise the relevant ministry as far as the issue of curbing the Covid-19 is concerned, more especially within our borders. Those are very key because we still have some inflow of people in and out of the country and again the level of compliance.

I also want to lay emphasis on the area of compensation, without which I do not think the state of public emergency is going to be effective. So, if the office of the Clerk can facilitate them to be moving around so as to be on top of things, that will also help a lot, other than that, I still want to thank them for their nomination and I hope and strongly pray that they will live up to expectation. The whole Gambia and the National Assembly of this country are relying on you for constant update about the status of this issue. Thank you very much.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Thank you Madam Speaker--

Point of Observation

HON. ALAGIE JAWARA [LOWER BADIBU]: Procedure, he just seconded the Motion

THE SPEAKER: Yes, thank you very much you are right. I now put the question

[Question Proposed]

Any Honourable Member who wishes to take the floor can do so now but first the Hon. Member for Janjanbureh.

HON. MOMODOU S. CEESAY [JANJANBUREH]: Thank you Madam Speaker, I want to thank the Committee for the selection of the National Assembly Members for this special task. I am very honoured and I hope they will live up to expectation.

Madam Speaker, I just came from Janjanbureh on Saturday and I think people misunderstand this Public Emergency Act. The Minister stood here and said that it does not mean that people should not continue with their businesses, all what they are trying to avoid is crowd but the police in Janjanbureh are going about telling the shopkeepers to close their shops, this is what is happening there. So, I am happy that this Committee is formed so that they will be liaising with National Assembly Members who will be updating them as to what is happening in their constituencies. I just want to say this so that I think Janjanbureh will be the first place they should intervene into and inform the police that the state of public emergency does not mean that people should not go about with their businesses. Thank you.

HON. MUSA AMUL NYASSI [FONI KANSALA]: Thank you very much Madam Speaker. First of all, we must commend the Committee for coming up with a timely move in ensuring that this particular Select Committee is in place. But again, I want clarification as per the procedure in terms of selecting people to this particular task.

I want to take an example from the party I come from, we have the Assembly Business Committee which we all know is a very important committee and we have Honourable Badjie in that committee, you come to the Subsidiary Legislative Committee again he is also part of that committee and this is the third committee in a row in which the committee have brought him onboard. So, it is

important we try to ensure that in the selection process, we exhaust all avenues because these are committees that when they clash where will he be? If the selection work was based on partisanship, then let us look in and outward it is very important and not limit our scope to only one direction otherwise in the long run, it may bring clashes within the people that are coming from the same party.

So, I want to caution the Selection Committee to be cognisant and always make reference to the previous committees in which individuals are serving. I can tell you, you have 1 or 2 from the party that are apart from the committees in 2017, they are not in any other committee, so it is important for us to look across the board and ensure that we bring people to the same level. That way, it will definitely help us and will try to promote the unity and spirit instead of being a party to creating division within the people. Those are my observations Madam Speaker and I beg to take my seat.

Point of Observation

HON. SUNKARY BADJIE [FONI BREFET]: The Honourable Member has mentioned 3 committees but I am not in the Subsidiary Legislative Committee. He has made mention of that and I am not part of that committee.

HON. SAINÉY TOURAY [JARRA EAST]: Thank you Madam Speaker, I rise to throw my weight behind the motion. Madam Speaker, the composition of this Special Select Committee is purely informed by the interest that the Selection Committee attaches to Covid-19. It will go a long way in keeping Covid-19 at bay having this Committee in place.

We are not in an ordinary time and therefore, it requires extraordinary measures. Covid-19 is a serious disease and is real taking into account the death toll that it has registered since it started. I think it will go a long way Madam Speaker in fighting Covid-19.

I have no doubt in the composition of the Honourable Members that are part of the Committee. I believe all of them are Honourable Members that have mature judgement, integrity and I have no doubt that they will deliver the goods. I will urge the newly composed Committee to be rolling out from time to time to assess the state of compliance with regards to regulations that we have passed in the House. I will also urge the office of the Clerk to help in facilitating them so that they can go even to the hinterland to see what obtains with regards to keeping Covid-19 at bay, which will help us a lot.

I am also concerned about the trickledown effect and I believe fervently that the Committee will help us to know what obtains through progress report and assessment of the state of compliance throughout the length and breadth of the country. But more importantly Madam Speaker, the funds that are earmarked for the beneficiaries must trickle down and that is very key. The trickle down effect must be felt by all means and I believe the Committee will not spare any efforts in keeping us posted about development concerning disbursement and spending of these important funds.

I will also urge the committee to go as far as border villages because this is very important so that they can know the influx of people coming and going because that will also go a long way in telling us whether the regulations are being violated or not.

Madam Speaker, apart from that, I thank the mover for a job well done. Thank you very much.

HON. OMAR CEESAY [NIAMINA EAST]: Madam Speaker, the motion before us is to set up a committee that will be doing the monitoring as long as the Corona-virus is concerned and as it was suggested by some Honourable Members during the last debate.

In terms of the composition, as long as my party is concerned, I have no problem with the composition but in addition to the responsibilities of the

committee. When we started the issue of Corona Virus in this National Assembly, the Health Committee submitted a report in this House and in that report, there were some recommendations outlined in it. I think this Committee will also take it upon themselves in consultation with the Health Committee to see that the outlined points that are recommended in that report are also fulfilled at the end of the day.

Again the Human Rights and Constitutional Matters Committee of course, we expect all these individual committees to follow up the recommendations that are outlined in each of these reports but now the fact that a Special Committee is set up purposely for the Covid-19, I think they can take it up with the Committee of Human Rights and Constitutional Matters and the Committee of Health to ensure that all the recommendations that are outlined in each of these reports are fulfilled at the end of the day, that is very important.

Madam Speaker, the most important part of the selection of this Committee is as a result of Covid-19 and the monies that are of course coming and we want to see that the money is properly utilised, that is why we are coming up with this Special Committee. The fact that we approved the extension of the State of Public Emergency for 45 days, knowing fully that our people already started suffering and one of the recommendations that was captured by the Human Rights and Constitutional Matters is to ensure that the Finance Minister or the government at large to have a relief package for the jobless, hopeless, voiceless and other people especially the most vulnerable people in our society. I hope since the Minister indicated very clearly that in as much as the money that is available is concerned, then there is no package for now and they are looking into the matter. So, I would advise or urge the set up Committee to ensure that the recommendations that the Human Rights and Constitutional Matters Committee outlined in their report is actually and properly followed up to ensure that these monies or our people are kind of help because the Ramadan is coming and people already started suffering. Every National Assembly Member here

Madam Speaker is receiving calls from all angles, left right and centre people calling seeking for help.

So, I would hope with this relief package, if the Committee should make that follow up, then we will be relieved, the Ministers will be relieved, the National Assembly Members will be relieved and our people out there also will be relieved at the end of the day.

This is what I actually want to urge the Members to follow up. Thank you very much.

HON. BAKARY NJIE [BUNDUNGKA KUNDA]: Thank you very much Honourable Speaker for giving me the floor. Honourable Speaker, on Friday when we left here I found some of my people at my door waiting for me just to ask me what we have agreed on.

Honourable Speaker, the motion before us today is a committee, a Special Committee that has been set that will be mandated to perform an oversight and monitor the implementation of state of public emergency for 45 days as approved by us. Some of our people, things are not clear to them as to what exactly we agreed on, but I think today everything will be clear to them. Honourably Speaker National Assembly members, I think we are all doing our quota to make sure we represent our people better. Sometimes it is hard we all know our people sometimes do not see our effort, when actually all National Assembly members here if I may say we all know that we are representing our people but sometimes it is difficult our people do not engage us and they only stand to blame us and sometimes we should take it upon ourselves and make them realized that we are here for them and we are here to address their issues with the Executive. We are not here to represent ourselves, sometimes I think we need to blow our own trumpet under your leadership as we are also doing our utmost best to make sure that the fear of our people are addressed. This 45 days, I think Gambians should know that we do not give the Executive 45 days,

we give them 45 days but they should be rest assured that there is a committee we are confirming today that is selected by the Selection Committee which will be looking into every aspect of the fear of our people so that there will checks and balances so that whatever their address is will be looked in to. I think people also should understand that. Looking at the composition of the members, I have no problem with that, I think In fact every honourable member here is equally concerned about their people and everybody in this committee will definitely look in to issues to make sure that whatever is the problem of our people will be thoroughly looked in to. Honourable Alhagie Mbow as the Chairperson fantastic, Dawda Kawsu Jawara vice chairperson, ya kumba jaiteh, I think the selection of these people is definitely recommended. Honourable Speaker, this 45 days is not an open 45 days, it is also clear that, this Committee will also look at things in case it is necessary, in case we know that it is no longer necessary, it can be revoked and this committee will look in to it and if it is necessary will give a necessary advice to make sure that we will not Infact reach to this 45 days. For that being the case, let Gambians know that we are here for them, we are not just here for ourselves or to represent ourselves. There are many recommendations that we made and we know that this people that are selected will look in to all those things. And there is only one thing I want to advise the Committee, that is to make sure that let them not sit-down let them work very hard to work with the executive, to work with the Ministry of Finance, to work with Ministry of Health intensively to make sure that everything is properly scrutinized and properly check for the benefit of our people who are very pessimistic about this whole 45 days that has been agreed on. Though we have different days but finally we agreed on 45 days and this 45 days does not mean that whatever, it has to go up to 45 days, it depends on the circumstances or on the conditions. So, on that note Honourable Speaker I thank you very much and I would like Gambians to know that we are here for them thank you very much.

HON. HALIFA SALLAH [SERREKUNDA]: Thank very much Honourable Speaker. We have accompanied the country and we should make the country to understand what is happening in the National Assembly. The reason why we have decided to look into this matter of oversight in a special way is because of the consideration that we are dealing with a special issue now before us. Some may believe that the National Assembly has given license to the Executive to impose a state of emergency in the country for 45 days, but what should be clear is that a declaration was made and actions were being taken and nobody knew where it would stop. It is this National Assembly that made sense of the proclamation, without it people will still be hiding and feeling that anything can happen anytime anywhere. And the nation should recognize that, having an institution which is independent and given a separate responsibility to manage how the country is governed is fundamental to democracy. And the nation should realize that it is the responsibility of the Executive to execute and the proclamation is only the president's power, he has power to exercise that and he did but the Constitution established restraint Honourable Speaker, that within 7 days it lapses if we are sitting and that is why they had to come to us and maybe next time we have given the lesson, you can see that there will be a break to lapsing and declaring, so the National Assembly exercise its powers to enable the Executive to know that there are bounds and those bounds are now clear Honourable Speaker that if we are sitting within 7 days, they could come to us and we can extend the state of emergency by resolution. And by resolution Honourable Speaker, we have seen that the Executive on Section [34 -3] is capable of revoking a proclamation before it expires but we are also given power under subsection 4 to pass resolution to revoke any resolution that we may have allowed to pass to extend the state of emergency, so these are two controls Honourable Speaker. Our committee if we do establish I support its establishment, would have to look at this Constitution Honourable Speaker and I draw your attention to it and to the members at large. Section 34(5) Honourable Speaker, it says that a resolution of the National Assembly passed for the

purpose of this section shall remain in force for 90 days or such shorter period as may be specified there in, provided that any such resolution maybe extended from time to time by a further resolution supported in the case of the first extension by the votes. Honourable Speaker that is where it stops. It goes no further and I have checked many versions and I have not seen anywhere that is mentioned votes of 3 quarter, 2 quarter nothing goes there, so something is wrong with the printing Honourable Speaker and we should get the Attorney General to rectify this as quickly as possible so that we can get the authentic copies because we do not know what powers we have. It goes further Honourable Speaker, that in the case of the first that is where it stopped and then going to roman figure 2, in case of a subsequent extension by the vote of not less than 3 quarter. So Honourable Speaker, it means that we will not just be raising hands, we must be doing a roll Call so that we count to get the 3 quarter otherwise we are not respecting the Constitution. So it means that our Committee should look at all these and then we move to the action that we should take. Honourable Speaker, where I would want to end my submission is that the role of this committee is to carry out oversight of the regulations. It should not extend its bound beyond what it is mandated to do, we have by virtue of the Act and you can see that the Attorney general is extremely skilful and Honourable Speaker, I was raising my tag but we felt that he had offered us. We said 45 days he stood and said well since you have offered me 45 even before we made the decision, then is okay and he included the resolution in his motion and Honourable Speaker, you can see that Section 5 of the Emergency Powers Act is very clear. It says Honourable Speaker, that emergency regulations shall not have effect during a period when an emergency proclamation is in force by virtue of having been approved by a resolution of the National Assembly under Section [34] of the Constitution extended by the resolution of the National Assembly under Section [34] of the Constitution unless the National Assembly has by a large resolution in such case affirmed that those resolutions shall have effect during that period. And that is the motion he made Honourable Speaker.

So, it shows that we have power not only to limit the proclamation but also to control the regulations and that is the duty and the mandate of this Committee to look at the regulations, educate the masses to know what is in the regulation, educate the authorities to know what is in the regulation so that we all know what is in the regulations because it is not known. It is not uniformly applied throughout the country so, it means that this is a mammoth task of ensuring that the regulations are fully understood and if we see that the regulations do not serve the people, those regulations must be challenged. So it means that, we must work hand in hand with the Executive in terms of the implementation of the regulations and to do proper impact assessment to call for the institutions that are necessary to be able to effect those impact assessment. We have seen that they are trying to control the public's space whether is transport, whether is halls wherever the population congregate is what they are trying to control in such a way that Covid-19 will not be allowed to spread, that is the mission and the nation should understand that. That is the battle for their lives, it is not simply a state of emergency for state of emergency sake. Yesterday Honourable Speaker, I was asking some people who talk about 45 days, I said 45 days about what because the Executive came to us and explained the situation, people talk about shutdown and some are even saying that they are slow to control borders, do you do so just unilaterally? We make recommendations and when it moves to that, the population shout instead of explaining, we cat blay that is what must stop Honourable Speaker. We must have one mission, the mission to do the right thing at the right time. What is necessary is when the airport receives people that you check their temperature and you would be able to quarantine them. I said you move them in to protective custody so that you find out to save their lives but you cannot do that unilaterally, there must be a law enabling that to be done so that you will not violate Section 19 of the Constitution. You just cannot stop people and arrest them, you cannot stop people's movement so, in short to restrict those movements, you are violating right but if they are reasonable restrictions to be able to save life, this is what we are looking for. Restrictions

that are reasonable and justifiable to be able to fight the pandemic and save life that is what we want to see by way of regulations and that is what we should explain to the population to understand so that we have the same mind. Where it affects people, then we should know the impact assessment and come back with the Executive and said well, this is what needs to be done to be able to address those people it is impacting on. For example Honourable Speaker, now the market you find people who are selling food can open but those who are not selling food have to close their shops. What happened to them that is what they are asking and we cannot just keep quiet about that. We must sit with the Executive as to what new measure is there to reorganize the market so that they will be able to sell without violating decongestion rules in the market. Those who are outside over 100 meters, what happens to them after you found out that they closed their shops and others would come and sell there who may not be respecting this 2 meters. What do we do about all these? Because they feel that their rights have been violated. They closed their shops but others are selling and they are not maintaining the 2 meters, this is the difficulty of enforcement and then when the police come drive and arrest them, we say well you are violating their rights. So, political partisanship must disappear. Let us not utilize this for any gain because our lives are threatened. Let us agree that for this matter we are now together in it to ensure that what we do would be an example in the world that will achieve the goal of proper safe spacing that must be achieved. Hand washing should become a culture everywhere people can wash their hands before they get into any public space. Thermometers everywhere to check at the gate of all markets. We can still help check lot of people. We may not able to do universal checking but in all public spaces, we can continue to do the checking. This Honourable Speaker, is what the National Assembly should accompany the Executive to do and where they falter, we should take a stance and ensure that they do, but we must not give promise that we will be giving sugar, we will be giving rice, we will solve the problem of our constituencies or tell them we have a committee that will now monitor 500

million that will ensure that this money comes to you. We do not know what this money is all about, we need to find out how it is to be spent and we need to know, quantify to see whether in fact, it is fit for purpose. 500 million, what can it do buying machinery or equipment, labs in all the regions, how much will that cost? What should be the priority? So, we want the Executive to come and tell us the priorities and now is the opportunity for this Committee, I support its establishment and if we do establish it and the rest of the committees, be they Health, the Trade, the Environment, Local Government all committees are in it together and this Special Committee should be able to consult all these committees and work together in their own domain that is really the task Honourable Speaker, and if we perform that task and educate the nation properly they will see that this National Assembly is now the eyes and the ears of the nation and that we are performing our role to the best of our ability thank you Honourable Speaker.

HON. ALAGIE JAWARA [LOWER BADDIBU]: Thank you very much Honourable Speaker for the floor, Honourable Speaker first and foremost, I will like to thank the members who were nominated for this specific task ahead of us. Honourable Speaker, I do not have any doubt about the members of this Select Committee from the Chairperson to the Vice to other members, am very much comfortable, the calibre of people that are in this Committee but just to remind ourselves that Honourable Speaker, when this thing happens that is the Corona virus pandemic, the Health Committee lay a report before this august Body and that report captured only Greater Banjul Area, some part of West Coast and some part of North Bank. The Member for Sandu complained about it. Gambia is not only about Banjul, KMC or West Coast, this is a national duty and it has to be treated with a sense of nationalism and I will urge the Chairperson and his committee members, let them go to the length and breadth of this country and let the Office of the Clerk provide the necessary materials that this Special Committee will need. It is not business as usual where in when committees

want to go for oversight, they will be going today, tomorrow, today, tomorrow, I think the office needs to take a very good caution on that because we are dealing with an emergency situation and therefore it needs an emergency attention. Honourable Speaker, having said that, I will also urge the committee members to put their eyes, their lens on the monies that are coming in to the country, let them ask what is the purpose of these monies that are coming in to the country because we are here for the people, when grants or other stuffs are coming into the Gambia, it has to be clear to the ordinary Gambians through us. What is the purpose of these monies that are coming in to this country? And also the allocation which was approved by the Executive for this pandemic, how are they going to execute this? The Committee should be able to furnish this august Assembly after this exercise. The reason why I am saying this Honourable Speaker, we all know that money is money, let me stop there. But a big 'but' because I have seen the signs the time that we went to buy this PA system, I would not go far but just to give you the details, what happens at that place. The Chair of the Health Committee was there and some members of this august Body had it been that the members of this Assembly were not in that place, the nation may lose up to around 1 million plus, why? Because people spend as they do not care because it is public fund. Honourable Speaker, I think this Committee, the confidence and trust that this august Assembly have for these members, I do not have any doubt in this and I believe they are going to do their work as expected. And also as I said and I will re-echo this again, the office of the Clerk, let them provide the necessary materials for these people. It is not like they are going today, tomorrow or whatever, they need resources, they cannot do their oversight function on this issue without resources and that they must be captured. Honourable Speaker, having said that, we know that we are dealing with an emergency situation but also we need to communicate to our people, let them understand the nature that we are in right now because some people do not still believe that this pandemic is true. They will tell you all sort of excuses that these people are just playing politics, this is that, this is not true and the

purpose of us as National Assembly is to clear their conscience that this is reality, this is what is happening. So, as I said Honourable Speaker, I do not have much to say but just to re-echo and emphasize my position again to the office of the Clerk, please do everything possible to make sure that our members go for their oversight function as we expect them to do so thank you so much.

HON. MAHTARR M. JENG [LOWER NIUMI]: Madam Speaker thanks once again for giving me the floor. I want to highlight a situation that occurred on Saturday when I returned home. I was called by a market vendor who was panic by the way the police entered the market and sent the people out. Madam Speaker, I would ask the Committee to help us in driving away points to people in such a way that they would not be seeing it as very oppressive. The police could be over doing things just by virtue of the fact that they are empowered to do that. The other part I would ask for is Madam Speaker, very soon we will be within the Ramadan and that the time given for the opening and closure of the market is from 6:00 to 2:00. Could consideration be given that, this time it would be from 6:00 to 5:00 giving credence to the importance of the situation as a preventive measure but notwithstanding, extension could be done for people to come up with their time. I would urge the Committee to help in to that area thank you very much. I applaud and support the Committee and very much satisfied by the brains that have been selected to compose it, thank you very much.

HON. BILLAY G. TUNKARA [KANTORA]: Thank you very much Honourable Speaker for giving me the floor. Honourable Speaker, before going to the motion proper, I did stand here during the extension of the mandate and reiterate the need where discussion should be channelled, where the line of debate should be is still regulation versus emergency situation. Once that is done directly or indirectly, we are educating, enlightening our people to understand the rationale behind the extension of the public emergency. When debate were centered on the polices drafted by the government, how it reflects on the lives of our people

directly or indirectly will make the advocacy level very easy for a literate to understand that these are some of the policies that government intend to do to control the menace of this particular pandemic virus and also to test on the policies and regulations to see that they stand the test of time and they are in line with curtailing the deadly virus that is the corona virus. Having said that, Honourable Speaker is by no mistake, this particular Committee is called a Special Committee and all and sundry here are in agreement that this is a national issue and must be treated with that national character. I went through the motion for the establishment, I haven't seen the methods, the guideline that was used by the Selection Committee to arrive at this name. Honourable Speaker, if you follow previously, suitable Assembly names have been selected to steer the affairs of Public Petition Committee, the Constitutional Matters Committee and we are still a replica of those things. I would have loved the Selection Committee to take this pandemic as a national issue and used a national character representation of the Committee hence is one to seven in doing so, every region is represented, it must have that national representation, it must have that national character and it is through that it can stand the test of the adjective which says that it is a Special Committee. If that is done, you would not have had Members complaining about replica on party lines of individuals that are being seen representing their party in different committees. If that is done, it would even be seen as political because it wears the cloths, it wears the uniform of national character so, I would still recommend if it is agreed by the Selection Committee that such committee must be established to bear or to portray the national character, national representation hence is a national issue thereby minimizing the issues of presumed partisan politics. This Committee is not active, it is having an oversight over a particular portfolio ministry no, its work will be very effective on the much needed information, the much data they receive and this could be done by all the members heading them supplying them with relevant information in their various regions and I believe when we adjourn today, many of the MPs would be in their regions and they would be updated

with the day to day affairs going on in their regions, and if this Special Committee represents that national character, it will beautify a job well informed in terms of decision making. However, the method or guideline is not spelt out by the Selection Committee, it is everybody as there is no bad brain here or good brain, it is a National Assembly, it is a National representation and therefore consideration must be given to everybody not picking head of committees bringing them together as a Special Committee. So, I am reiterating this point, it is a national issue and should be treated nationally thank you very much.

HON. SUWAIBOU TOURAY [WULI EAST]: Thank very much Honourable Speaker. I do not have much to say but I want to make a comment on few one or two areas. Honourable Speaker, because of the confusion, I have taken up my own time and translated the regulations to my people and this has gone through WhatsApp and many other methods because of the confusion. I believe that the Special Committee should work hand in hand with the Executive especially on the plan that they intend to come up with, the holistic plan that will involve the politics, the socio economic and other matters to encompass as well, most of the recommendations that we have made here. I think that will be useful and the suggestion that was made that other committees like Human Rights and so on can work with the Committee. I think that is a good recommendation. Honourable Speaker, the proclamation is not exactly spelling out how this is going to go on. The regulations that are specific for example, if you read the proclamation is saying shops that are not far from the market or that are within the market and are not selling essential commodities should not open. But the regulation is saying specifically 100 meters, all shops that are away from the market by 100 meters should open but those who are within that 100 meter radius should not open. At least, we have specificities in some of these places. Honourable Speaker, coming up to the terms of reference for the Committee, I was looking at where it is saying requiring periodic updates from the Ministries of Justice, Trade, Health etc. Regarding the situation and or implementation of

the state of public emergency so, I believe that if the Committee gets this periodic update from these groups, they should be able to have a method of informing us, updating us as well is not just collecting it and keeping it to themselves, when you go to the last term of reference, it says submit a report at the end of its mandate to the Assembly dealing with issues and other matters considered during its operations. I am with the belief that we do not have to wait for the end of the mandate, maybe even during the period as and when necessary, the Committee should be able to come up with a report to inform the Assembly or to advise the assembly as to how we can move on. I think that is the contribution I want to make Honourable Speaker thank you.

HON. DEMBO MK. CAMARA [ILLIASSA]: Thank you very much Madam Speaker. I have no objection with the committees. I am very much happy with the selection of the Committee. I think I am in the same foot with the Honourable Member for Janjanbureh but what I should say is that let the Interior Ministry try to communicate with the people at Farafenni so that at least, the police or the security officers should try to respect the rights of the people because you cannot store somebody inside his or her house without giving food that would be impossible because I was at the provinces the time I was distributing this water tanks to my people, I had a call from somebody but I am saying that I maintain it at my age there is nobody on this earth who can call me and threaten me if the government refuses or cannot provide food for the people, they will go out for themselves and I said this and I maintain it. If they cannot provide food for the people, they will come out and find food for themselves. I have said this and I maintain it. It is not necessary for me to mention his name but what am saying at my age there is nobody on this earth who can threaten me thank you very much Madam Speaker.

HON. OUSMAN TOURAY [SABACH SANJAL]: Thank very much Madam Speaker, I think am going to be the most brief. I will be very brief just to say that I am really happy with the coming of this initiative. However Madam

Speaker, I have few observations that I want to make. The first issue I have Madam Speaker, is the Committee on Standing Order 96(4) is mandated to select the Chairperson of the Special Select Committee but not the Vice Chair. I think that is according to what we have, the Vice Chair and the Chair is already identified by the Selection Committee procedurally, I do not think that is necessary. The other point I want to make Madam Speaker is, this Committee must also have to understand and observe the fact that there is already a portfolio committee for this particular issue which is Health, Disaster and Humanitarian Relief. So much as the parliament come up with a Special Select Committee for this particular situation, I want to suggest that they work hand in glove with the Health Committee because if you look at the situation at the outset, they were the very people who step on and do all necessary facilitation to members and everybody. So, I think it is important they are taken on board in the whole process that is what I observed. Madam Speaker, I have no problem with the composition of the Committee, it is very good but this point I made, I would like them to consider it. Finally Madam Speaker, I think this committee also has an extra mandate or extra term of reference which is communication and in fact, by way of their function, they should take that responsibility to sensitize the people. Key among the sensitization programs, should be the media, the social media. The social media is portraying a lot of false information to the public and this is why many people do not even believe in this Covid-19 because in the radios, in the newspapers, you never hear it or it is never written that there is no Covid-19, it is false or it is politics but if you go to the social media you tend to see this thing and some people believe in it. I think the committee should also use those social media to sensitize the public and where they see all these kind of false information, they come up with their stuff. I think this will help us in this fight that is what I want to put across Madam Speaker thank you for giving me the floor.

HON. ALH. MOMODOU LK. SANNEH [DEPUTY SPEAKER]: Thank very much Madam Speaker for giving me the floor. Madam Speaker, let me congratulate the Selection Committee for doing their job ably and wisely in selecting these parliamentarians to this very important Committee. Madam Speaker, I thank them for the job well done but Madam Speaker, the motion to establish a Special Select Committee to perform oversight and monitor the implementation of the state of public emergency for 45 days approved by the National Assembly, Madam Speaker, their role is to do the oversight and of course monitoring, but their role in my own opinion, I do not think they would be able to educate the Gambian populace. Madam Speaker, yesterday in my contribution, I made it very clear in the face of the Justice Minister that they have a big role to play with regards to giving out information to the Gambian people to clear the doubt with regards to the regulations. I said the Minister of Justice in collaboration with the Minister of Information should go on radio program to inform the Gambian people about the regulation. It is the Minister of Justice which is an institution that has the right because they prepare this document to go to the Radio Gambia or any other radio station be it GRTS to inform the Gambians about the regulations. So, if they failed to do that, this Committee would not be able to do that. It is a responsibility on them to do that so that Gambian people can know because these regulations have some legal implications and they have to clear the doubts as to the spacing and which shop to open? Where would people be? That is my contribution before the Justice Minister Honourable Speaker and I stand by that. Let me thank the Committee of Selection for having select these people and of course the mover thank you very much Madam Speaker this is my comment and I beg to take my seat.

THE SPEAKER: Thank you very much Honourable Members. I think it is only fair for Honourable Members to indicate their intentions so that we take the names and manage rather than waiting until the end then we start raising tag individually. We had called for interventions almost an hour ago until we manage

the time to the end, now I see tags coming up. I think next time let us try to be fair and just indicate our intentions thank you.

HON. MOHAMMED MAHANERA [SANDU]: Honourable Speaker thank you very much. I just want to appeal to Honourable Members and also to reiterate what Honourable member for Serrekunda said. Honourable Speaker, I think in this critical moment, we should also join government to inform and educate our people with the correct information. We are here for the people and we should make sure that the day that we approve these regulations, the first thing in the morning what I did I went to the page and update my people and also go to king FM and talk to my people to differentiate between the state of emergency and the lock down. So, if we stand here and give impression to our people that this is a lock down and government should provide food, we are creating anger in the people. So, what we need to do please, we all have a stake on this, educate our people let them understand the difference between the lock down and state of emergency and what the regulations entail. So, with that we help ourselves and we also help the people. When we think that may be everything will boil down to government, you as a politician you go and give impression to your people, at the end of the day they did not see, they realize again what you told them was not the truth so, definitely you are locking yourself. So, Honourable Members let us give the right information to our people and we all stay safe in this country thank you.

HON. MAJANKO SAMUSA [NOMINATED MEMBER]: Thank you Honourable Speaker for giving me the floor and also I apologise because I came late that is why I was not among the lot to raise their tags before, thank you very much. Honourable Speaker, I have no doubt about this Committee, in my view Honourable Speaker, this Committee should really be commended. This is what is expected from the Assembly. There are a lot of talks, lot of comments concerning about this D500 million, half a billion to take charge of the Corona pandemic. So, it is very important for this Parliament to have a Committee like

this to monitor know and update the Assembly stage by stage as they are moving, they are updating us so that we will be able to as Member for Sandu has said inform people, our electorate properly so that they can understand. Honourable Speaker, I said it here last time when I was making my contribution. I said state of emergency has nothing to do with the regulation. State of emergency even that, but that does not stop that. That does not mean that when you declare a state of emergency, I said so many state of emergencies have been happening in this country here. Never at any time people ask government to pay them because there is state of emergency but because of the restrictions, but now these restrictions, we cannot say the government will pay everybody, has to pay the public. People are moving now, Infact what the restriction is saying, you go out today am just from Serrekunda market, I went round but the life is normal not beyond 100 meters, everywhere you go is all the same Honourable Speaker. We resumed back to life, the activities are going so what is important for this Committee is to monitor the money that has been approved. And also this Committee must consider that the activities of the oversight function on this operation is not part of our budget. The budget allocated for the National Assembly. So, you must make sure that this D500 million, this committee must make sure that we have our quota in any expenses that is going to be incurred,we should have ours, not from our national budget that we have approved for this National Assembly. This Committee must face that because otherwise we are going to be the loser. We will be working honestly for our nation but at the end of the day one day inside, the Assembly will be tangled. We will not be able to do other functions. We have other functions which has been approved in the national budget, but this one is an emergency fund it is different from the budget that has been given to us to my understanding it is already approved.If this one,the operationstarts going, let them support the National Assembly. Madam Speaker on that note that is what I have, am really thankful to the Select Committee for selecting the people because people like me have done our quota these are young people, they can

run from here to Basse, they can go in and out. Now is time when the responsibility comes we give it to young people to head, give them, we are here to guide them guide you, and tell you and share our experience with you. What is left, it is you now, it is your country, it is your National Assembly, it is your nation, I am 60-70 almost so obviously, I cannot live for another.... I have gone beyond my half it is yours, do it with honesty and not allow to be carried by other people at the other corner, be very careful. You are picked out of 58 and the whole nation is watching. People are saying all kind of things on this money please do it diligently and honestly for the country and yourself thank you Honourable Speaker.

THE SPEAKER: Thank you very much Honourable Speaker, I am sure the Selection Committee must have taken in to consideration age as well. When they were selecting the members because we are outside the perimeter, so we are at risk and am sure they must have taken in to consideration age and that is why we have a group of young people since we are at a higher risk, thank you.

HON. ALHAGIE S DARBO [BRIKAMA NORTH]: Thank you very much Madam Speaker. I just want to note that I think the Honourable Member for Serrekunda did indicate if that can be added as part of the mandate of the Committee that is to sensitize and educate the masses on the regulations, that is very key. There are a lot of misconceptions surrounding the state of public emergency as well as the regulations so, to limit the function of the Committee by scrutinizing the regulations made in pursuance to the state of public emergency and monitor their implementation may not be enough. These are exceptional laws that are made to guide and protect the people against the disease. It is not just made to punish, therefore, in order to realize the objective of the laws that people should know it to their fingertip, they should be well sensitized and I do not think only the Ministry should be in position to be doing that in as much as we have a Committee, let us mandate them to do that job for us. And then to scrutinize the regulations, I also want to note as earlier on

indicated by the Honourable Member for Niamina East, the country to take note of the recommendations made by both the Health Committee and the Human Rights Committee earlier on. I spoke to the Vice Chair of our committee to make sure all those recommendations are compiled and then can forward them to this particular Committee. Madam Speaker, on the regulation, the closure of the non-food retail outlet in the markets, this, there was a concern raised, the closure of the non-food retail outlet in the markets, if it can be considered for them to be opened to a specific time as the food products are opened from 6am to 2pm for the total closure of this outlet may create a lot of havoc for those businesses. I think this was part of the recommendations that is very key and then the closure of non-essential public places in the regulation. This part mentioned the public gathering of more than 5 people whereas I do not know how this will be reconciled with the declaration made by the president, their additional measures were highlighted in the declaration and then the two of them. All public places of worship shall be immediately closed, I do not know how that would be addressed in the regulation in relation to this particular portion. Public gathering of more than 5 people as well as the number of people attending social gatherings such as the wedding, naming ceremonies and funerals shall be restricted to the maximum. This additional measure is in the president's declaration and that of the regulation. I think should be looked in to as it is creating a lot of confusion in the society. And then the other one is the reduction of the passengers and the fares, these are also highlighted. If you also reduce the passengers at the same time, the fares is creating a lot of losses for the drivers and at the end the drivers would even cease to operate and that is going to create problem to the ordinary people because if there are no vehicles, there will be no movement. If we can only have the passengers reduced for the social distancing to be created and maintain the prices, I think it would be better rather than both the passengers reduced and then the fares as well. And finally on the composition, in as much as there was nothing as heading regarding the methodology applied, one would observe that the methodology is actually in place on the basis of the

representation of key committees that are very relevant as far as this matter is concerned. That was recommended in yesterday's deliberation or Friday that key committees like Health, Trade, Tourism, Regional Governance, FPAC, now that we do not have in the absence of the Subsidiary Legislature, Human Rights Committee should be part of this Committee. I can see that all those committees are captured and I think that is part of the methodology as well as the political party representation. Obviously, in as much as it is a National Assembly, there are different political groupings that we cannot divorce from the Parliament and I could see that almost all political parties are represented except for one political party, this is a Special Committee for a special matter. It will be important we have all the political groupings be represented and that particular party that is not captured, I would suggest be added also. I think that is the PPP. And by virtue of the competence of the people who are representing the different groups, we have no doubt that the Committee would live up to expectation thank you.

HON. SAINY JAWARA [LOWER SALOUM]: Thank you Honourable Speaker for giving me the floor and also my intervention will be very short. Honourable Speaker, I want the Committee also to take note, the minister as alluded to here during the time he was in parliament on the emergency issue and where we are as at now, my problem here is whether we the people living in the provinces are part of the Gambia or not? In a sense that today if you go to the Kaur Health Centre, there is no protective gears that is taken to Kaur Health Centre, mask and isolation rooms, here I will ask them to take note of this issue because I went there personally to see whether these protective gears are there or not and I found out that there was no material that was taken to Kaur Health Centre and I know that not only Kaur Health Centre is suffering from this. They only put everything in the urban areas, nothing goes to the provincial areas and I am asking the Committee members also to look on this issue whereby they can facilitate the provinces and take note on issues that are going there. Honourable Speaker, the Minister of Interior and the Director of Immigration, this is an issue

of concern during the laying of papers of this emergency in the plenary. I have not seen the Minister of Interior and the Director of Immigration because we have borders in our end and these are remote borders. Today our neighbouring country that is Senegal they are coming in to take our essential goods to Senegal. I do not know what the Interior Minister is doing about that and again if you ask them too to go through the border end, they will complain about fuel, there is no fuel given to them. So this is why it is essential for them also to come and listen to the NAMs and take note whereby they can facilitate free movement of their public servants to the nearest borders because I know in Kaur all the length of Kaur is border, you go to Panchang the same thing. The fuel that was given to me here to make my own sensitization, I give that fuel to these police officers with the immigrations because we cannot say that we will stop this Covid 19 while our borders are opened because if a person is affected in Kaur, the people in the urban areas will be affected too. So, I do not see any reason why they would close the main borders and the remote ones they leave as something like that. People are going in and out, they should look on that issue too. The third thing here is although the Select Committee has made a tremendous achievements whereby they took various members from the political parties but here we are in the emergency issue too. Honourable Amadou Camara is his field of study whereby we all acknowledged that is the area that he studied too, if we can add up to 8 Infact 9 because Honourable Member for Brikama north also alluded that PPP is not mentioned in the composition of the committees if we can .***Interruption***

Point of Order

HON. MUHAMED MAGASSY [BASSE]: Can I raise a point of order? Madam Speaker thank you very much. My point of order is Standing Order [96-c], the membership of a Special Select Committee shall normally consist of a chairperson and 4 other members and in any event not more than 7 members in total, thank you.

HON. SAINY JAWARA [LOWER SALOUM]: Thank you Honourable Member for Basse. I know that he has an expertise in the area, this is why I mentioned his name. It is alright Madam Speaker. What I am trying to say here is that we need advice from them because they are the health personnel too and now it is their day. That was my submission Madam Speaker, thank you.

HON. OUSMAN SILLAH [BANJUL NORTH]: Thank you very much Madam Speaker. I should not have even spoken because I am part of the Committee, but I believe that there are certain things that are necessary to highlight.

To start with, I welcome the establishment of this Special Committee because of the special circumstances we find ourselves in. I think there is also need for clarification that the Committee is being established to ensure the effective implementation of the regulations. That is the purpose of the Committee.

Let me just tell Honourable Members that we are in a situation that is very critical. First starting with the population, yesterday I was on a radio program and there was some misunderstanding. Something is being portrayed which we would urge each and every one of you to be aware of. In fact, we heard it here on the floor of the National Assembly. Let us be very mindful. They are accusing us of being accomplices of the Executive, that we should not have approved the extension of the emergency powers. What we should have done is, we should have insisted that they provide relief first before approving it. This is the misunderstanding that is being portrayed and that is the reason we are accomplices. We are not caring about the plight of the people and this is causing a lot of suffering.

We are not calling for a lockdown and this is not a lockdown. The state of emergency is not about a lockdown at all. It is talking about physical distancing and also alleviating the economic suffering like transport fares. The objective of doing this as indicated by Attorney General, is to restrict movement. That is what they want to do as much as possible. This is what is being portrayed, which is

wrong. I think everyone is aware and also to clarify that, as alluded to by the Member for Serekunda who had dealt with that very extensively, I need not go into that in detail but this is what is being portrayed that we are accomplices.

The other point is that, we are really getting into a serious situation. I have got strong warning from medical doctors that, it appears that today is just like business as usual. We have gone back to pre-proclamation period which we need to address. People must observe physical distancing. It appears on the surface that Gambia has only one reported case which is under treatment and that there is no other reported case, but this disease is deceptive. It is such a disease that if we are not very careful, we are going to run into trouble. Medical doctors are really appealing to us to talk to the people to really observe the social distancing.

If someone can say in the radio program like I said a hungry man is an angry man, you cannot keep the person to stay at home. We are talking about our lives. In fact, I heard someone saying on the floor of the Assembly that a hungry man is an angry man. Let us not give them licence, people must observe physical distancing because we are facing a greater threat with this disease. I want to say that definitely this National Assembly had done what it is supposed to do. Of course, we vary in the duration of the emergency, some wanted a shorter period but the Assembly finally agreed on 45 days, so we have to go by it.

I have been telling them at the radio program that the National Assembly still have powers to revoke this. If the Executive can do it at any stage, the National Assembly can also do it at any stage. That is the importance of this Committee, that we would be reviewing this to look at the impact it may have on the population and then if there is need for us to shorten it, we do so. I think we are vigilant.

Coming to the mandate of the Committee, like I said there is something that is missing. The establishment of this Committee does not preclude the existence or operation of other committees. The Health Committee is going to continue its

oversight and I guess the Trade Committee should also do so because it is touching on commodities. What I believe this Committee should be doing and that is what is missing in its Term of References (TOR)/mandate is for this Special Committee to be requesting and receiving reports from Select Committees whose mandate has something to do with the effective implementation of these regulations: Health, Trade, and Transport are all among them. I think that is missing. I think we can add that there, that this Committee is open. For instance, there is no regulation on the health facilities. The Health Committee should be going to these holding/isolation centres and even hospitals and then report. If there is anything that has something to do with these regulations, we can share it with the Select Committee.

Honourable Speaker, I wanted to say that we are in a dire situation, we have to help the population. Our duty is to represent them, promote their welfare and protect them. There is no protection more than observing the recommendations of WHO and the Ministry of Health of The Gambia i.e. social distancing. The issue of relief can come.

It has been highlighted here that those that are within the market, the 100 meter radius and are dealing or trading in non-essential commodities have to close their shops. What sort of recommendation can the Committee come up with? The Councils have shops that they are renting, shops in private properties. What can we recommend? Is the Council going to ask them not to pay rent or is government coming to support them because they are closing them down?

These are the things this Committee should be considering because it is impacting on them. We are also asking the drivers to reduce the numbers, the objective is to restrict movement but they have to survive as well. Are we going to encourage government to reduce the pump price of gasoline and petrol so that they will reduce the numbers and then maintain the fares as they are, not to reduce it as it has been proposed by the regulations? The Committee can come up with this: let us revise it upwards, maintain the fares and then also

reduce the pump price so that those passengers that are dropped from their vehicles will be taken care of by the reduction of the pump price of fuel.

These are the things that we should be pondering over, other than that, we should not be promising them of relief because we are not in charge of the money. This is what I was telling them, it is the Executive that will come and propose. When they tell us that we have D10 and we want to spend it here, the National Assembly cannot tell them to spend D11. We can suggest that this D10 be spent this way and that way but it is up to them. However, we are going to ensure that the D10 goes where we agreed as National Assembly. We are going to perform oversight on them to ensure that those Dalasis are spent where we agreed as National Assembly. We have the appropriation budget and we are working on that.

Honourable colleagues, Honourable Member for Sabach Sanjal, the Committee on Health will be really on board. We share our recommendations as suggested by Member for Niamina East. They have set the tone, pace and the basis for work. Government has been picking here and there so this Committee can engage them to look at it and then implement it as it is.

On my final note, the medical personnel need attention. The frontline security also need attention. Whatever we are doing, let us make sure that government fast-track the allowances given to those in the frontline because they are staking their lives. In The Gambia, we have defence force [Gambia Armed Forces] but the threat that we are under cannot be defended by any security other than those at the frontline. There are securities included but those at the frontline are the medical personnel. On that note Madam Speaker, I beg to take my seat.

HON. FODAY N.M. DRAMMEH [TUMANA]: Thank you very much! In fact, I think he already spoke my mind. This is something I felt is just left out, so I just wanted to buttress on it and some other few points. I just do not intend to take the floor but then during the course of the interventions, I feel that there are

some points that are missing or they are not adequately addressed. This is why I raised my tag.

There is another thing that we, especially this Committee have to put at the back of our minds. The regulations should be clearly understood by those who are supposed to implement them. The case of the security aspect, they are there to protect the lives and the properties of our citizens. If along the line they did not understand the content of these regulations, they might be offending or tampering with the rights of the individuals whom they supposed to protect. This is something that we also have to look into.

The other things is the Committee again, like the sensitization aspect. These people should be appropriately funded and resourced so that they can also help in the sensitization. National Assembly Members can equally help the Executive in trying to talk to our people, to sensitize them about the dangers of Covid-19. In fact, these are the realities on the ground that everybody is seeing. Thank you very much.

HON. SAIKOUBA JARJU [BUSUMBALA]: Madam Speaker, thank you very much. I thank the Assembly for coming up with this Committee, a very important Committee. I want to start with the Member for Banjul, the Honourable Chairperson of the Health Committee. There is a very serious misconception in the country that the National Assembly is being blamed for. I think it is necessary for us to clear that the 45 days is not a lockdown but a state of emergency, giving power to the Executive [President] to come up with regulations where necessary to respond to situations. If there are rights being seized, compensation could come in.

We need to understand and I think it has to come from us here because there are so many comments on the manner the 45 days was passed in the Assembly. It was not fair blaming the Speaker and some Members saying they do not support it. I think this was a general consensus from the National Assembly

that we want to give. If at all we are not clear on what we are giving the 45 days for, we would have made ourselves clear so that we can portray and disseminate good information to the people. It is not a lockdown but a state of emergency and you agree that there is a state of emergency in the world.

Madam Speaker, there is a problem. We need to have a committee to be able to monitor the implementation of the regulations and also the funding aspect of it. We are in a situation that we all need to know the regulations that the Executive is coming up with. It is never in the interest of anybody to tamper with somebody's rights but because the situation calls for it and it is necessary for the Executive to come. So we need to support them on that.

There is an outbreak of a disease, a virus that nobody is controlling, nobody can see it and there is no cure for it. We are seeing what is happening in other countries. For a small country like Gambia with poor medical facilities to allow what is happening in other countries to reach here, I think it should be everybody's responsibility to do anything that one can do to support anything that will stop, avert or prevent us from having what is happening in other countries.

Madam Speaker let us make it very clear to ourselves and to the people we represent that Covid-19 is real. Let us tell our people that this disease is real. Some say it is not real, it is just a political agenda. Let us tell them that from the advice of the medical/health personnel and what we have seen outside, it is very real.

The Committee is going to be responsible, given the mandate to scrutinise the regulations that we have and the regulations that are going to come. I want to put it to them that as it is now there are queries about the existing regulations: maybe it is not well defined, the population is not sensitized and they have this misconception about a state of emergency and lockdown. This is what we need to be careful of.

Madam Speaker, I have been confronted this morning. When I left, there was a group of people that came who need to be given clarification and this is the same misconception that people have. They took it upon themselves to come to the National Assembly. They did not come to me but to the National Assembly. When they approach me, I told them you cannot see Members because we are on session but I took it upon myself to listen to them.

Madam Speaker, there is one contradiction in the proclamation and the regulations we have. In the proclamation gazetted by the President, it says public gathering of not more than 10 people. In the regulations, we are having 5 people. I think we need to have correlation between what is in the gazette and what the regulations are going to talk about.

Since we are talking about public places, I want to suggest, let us be specific with places that we talk about. It has been mentioned that gathering like wedding, marriage ceremonies and the like are given as examples but the biggest problem that people are having now is our worshiping places, churches and mosques. This is not clear to the people. So I think we need to have it as a responsibility upon ourselves to make it clear to the people. I want this committee to have engagements. Every regulation that comes, we believe it is going to come with the interest of The Gambian people. Gambians need to be well informed about it and then you hear from them too. I know every individual or a greater percentage of people have realised that this disease is real and that what government is doing is to the best interest of the people. When they are consulted they could also give some ways which will not hinder or tamper on their rights to a greater extent and they will also partake in the execution and implementation of the recommendations.

I want to specifically talk about schools, public places in the proclamation. In the verbal proclamation of the President, it was mentioned that all worshipping places will close so that needs to be made clear. People believe only Allah can protect us from this diseases as there is no cure but only to seek protection from

it. They have this belief that if they are allowed to gather and pray, something positive can come from the fight of this disease.

I want to suggest to the Committee that if recommendations or regulations could be given, let say for example mosque gathering because they gather for some time, if a mosque that has the capacity of 50 people can come with 25 and you have preventive measures like washing facilities to be provided ...

THE SPEAKER: Honourable Member, the Point of Observation depends on what you want, is it a No? It depends on what you want, is it a Point of Observation or Point of Order?

Point of Observation

HON. HALIFA SALLAH [SEREKUNDA]: Honourable speaker, I have not seen anywhere in any regulations that talk about the mosque and the church. To mention it here, we must be misleading the nation. We should look at what is in the regulations not what others talked about. So I have not seen anywhere to say that the mosques are closed, so we should not really be saying that. The regulation does not say it anywhere, I have not seen it and we should not be talking about that. We should go instead to find out what is happening and how to guide those who execute, to execute properly so that they are in line with the thinking of the people.

HON. SAIKOUBA JARJU [BUSUMBALA]: I really accept this observation and this is the same point that I want to bring up because mosques are not mentioned in the regulations that are given to us and then mosques are closed and Imams are arrested. I want to make it clear, the regulations that we have do not cover worshiping places. It was not on the verbal proclamation of the President and then mosques were asked to close. Until today, some are praying, some are not praying, some are calling for prayers, some are not calling for prayers and Imams are being arrested.

Let me make it very clear to the Committee to put to the Executive that if they want to bring regulations, let it be constructive on what they mean, but if it is vague like this there will be problems created. From the proclamation of the President and the real regulations we have here, mosques are not being included. The question is, should they open mosques because there is no regulations for that?

In public gathering, examples were given: wedding, naming ceremonies and marriage ceremonies. Honourable colleagues, this is a concern that I want to put and I want the relevant authorities to look into it. Worshipping places are so sensitive and when they want to make regulations, let them be clear on that. I have it with me the proclamation from the president and the recommendations. This is just a gazette and an announcement by the President from the gazette. In the real regulation, there is no mosque mentioned. So I am talking on this.

Madam Speaker, I am also happy that I am seeing some members of the Security Committee. I believe somebody made mention of the security to be included. They need to be included and provided with resources to do their job.

Madam Speaker, I want to emphasize to this Committee, the Executive and everybody because as a member said, if you go to the market today, it is as nothing is happening. People do not even care because they have other things in their minds. People are working and it seems that they do not believe that there is a virus in the country. I want the Executive to strengthen our borders, our uniformed men at the borders need to be provided for so that they will not allow anyone to come in.

Madam Speaker, somebody I missed a lot called me yesterday and told me 'I am just arriving from Senegal'. I asked him 'How did you come to Gambia when the borders are closed? He said you know it. You know it means there are malpractices happening at the borders. Let them not compromise the borders and let them strengthen the borders. I want to put to the Committee to look into

that seriously. Let the Ministry or Executive strengthen the borders and involve the securities into it. Somebody mentioned about putting the regulations very clearly to the security or else they might over do something which is not part of the regulations.

Madam Speaker, these are genuine points from my people and I never want to see my people going against the regulations of the government because otherwise they could be arrested and taken to police for something they feel they are not being informed about. I want people to observe anything being said by the President and any regulation that comes up the way they should observe it. On that note Madam Speaker I thank you very much.

THE SPEAKER: Your points are well noted and I have exhausted my list. That was all I had on the list of Honourable Members who wanted to raise issues. I would now call on the Majority Leader to respond to issues that have been raised by Honourable Members and equally wind up the debate.

HON. KEBBA K. BARROW [KOMBO SOUTH/MAJORITY LEADER]: Thank you very much Honourable Speaker. I want to thank all Honourable Members who have contributed in the debate on the Motion and I have just summarised some of the key issues that were raised and I will try to put all of them together.

On the issue of the selection criteria and how we come to arrive at the list, as alluded to by some of the Members who have just mentioned some of the key issues that are very relevant to Covid-19, that was also our view and we started the nomination and identification of the candidates and based on that, we were able to come out with a list. If you look at the list, we have Honourable Alhagie Mbow who is playing double role in the Committee based on his expertise on ICT and other communication issues and he is also a member of the FPAC. We also have Honourable Dawda Kawsu Jawara, who is a member of The Security Committee. We have Ya Kumba Jaiteh, who is also a legal practitioner and a member of the Trade Committee. We have Honourable Ousman Sillah, who is

the Chairperson of the Health Committee and Honourable Omar Darboe dealing with the Environment. I think people are not talking much about the environment but it is very key in fighting Covid-19. That is why we have people like Omar Darboe from the Environment Committee. We also have Honourable Salifu Jawo and Honourable Sunkary Badjie.

We also looked at all the political parties and if you look at the list, the PPP was consulted and they said because of their number they do not think they can be part of this committee, we allow other parties to be represented in that. So that is why PPP was not listed but all the other political parties were included. The leader of the opposition and minority group also give assurance to the Committee to concentrate on the key committees that are dealing with and relevant to Covid-19. That brought us to the list of 7 not going beyond as specified in the Standing Orders.

A lot of people also talked about the misconception and information sharing. I think this is very key and we had said it over and over. The Ministry of Justice, Information, Trade and Defence should sit down with the Ministry of Justice to take the lead in the interpretation and development of messages to be aired on the communication channels that are going to be used so that everybody dealing with these issues are speaking and passing the same message to the people.

I think this Committee is also very relevant and it is a Special Committee specifically for Covid-19. If the pandemic can be controlled in the next three to four months, this Committee is going to be squashed off. It is the responsibility of the Clerk and his office to give priority to the Committee in this trying time. As much people alluded to, we are urging the Clerk to give priority to this Committee so that they are helped to do their work. This will not stop other committees also to do their regular committee work so that they can be able to feed on their reports and suggestions to the Committee as they go along.

Some Members have also talked about the reports by the Health and Human Rights Committees. The Committee is going to request from these two committees to do a summary of the key recommendations that were laid before the House here and then put them together with the report. That will help them to be able to check and see where they go from here, what are some of the results and the findings that they need to share with relevant Ministries, Department and Agencies? All Department and Agencies that are relevant in this fight against Covid-19 will ensure that they play their role and they will be put in the centre to be participating in the fight. Somebody talked about Disaster Management Agency. Disaster Management Agency is under the purview of the Health Committee. It is not only Health, but Health, Refuges, Disaster and so on, so they are captured. Any other work that is going to be done is going to be linked with the Disaster Management Agency because it is under the purview of Committee on Health.

Members were also talking about consultation, I think it is very key. We would be able to deal with issues and sensitize or educate our people in a proper way that they understand. They must understand that whatever we are doing is in the best interest of the people and the population as in Section [102] of the Constitution. They should trust us as their representatives, that whatever we are doing there is a global fight against this pandemic and The Gambia cannot be a vacuum in the whole world.

The WHO has warned countries, especially Africa. The Gambia as we all know, we are vulnerable looking at the situation on the ground. Let us not allow ourselves to be dissuaded away by comments coming from people. We need to tell them what the reality is. The world powers are crumbling down. If Gambia as small as it is with no endowment and very limited resources, do not take the issue very seriously and adhere to the principles and the advice coming from health personnel and WHO, we are going to put this country at risk. These are

issues that we need to be able to continue on a daily basis, to sensitize our communities, people and electorates so that they can understand.

The issue of these borders is something we need to look at. Those people who are concerned have to make sure that borders are controlled. This is because all these issues and problems that are coming are caused by the movement of people. When people stay at one places, the virus will not spread.If people are still coming into this country, we are opening another problem for the country. These are issues that we need to look at.

The regulations and emergency situations are also issues that we need to look at. I think the Committee should scrutinise these regulations, monitor their implementation and report to the relevant institutions,departments and agencies. We need to be able to tell them the realities on the ground so that we can move the agenda forward.

The issue of mosques and churches is something that the Committee should first look at because as alluded to by Members who have spoken earlier on, the closure of mosque and churches are not mentioned in the regulations,so what do we?The Committee needs to look at those things .These are trying times, how do we do physical distancing in worshipping places? These are issues that need to be discussed with the Gambia Christian Council and the Gambia Supreme Islamic Council to betterunderstand and downsize our worship centres and also ensure that we go ahead with our worshipping procedures and these are key issues that the Committee needs to take up.

Members also talked about working hand in hand to ensure production of reports. I think these are issues the Committee needs to do so that there is a continuity in doing their work, feed the Health Committee with the reports that they have so that they would be able to table it with all the relevant stakeholders and the Executive.

I think it has been said again, many people have talked about the stand point that the Justice Ministry have to do because they are the one coming up with these regulations and more regulations are going to come. They should be ready and the team should be expanded to make sure that they pass this information to all their offices in all the regions. They have their officers in all the regions so they should be expanded with all the relevant information so that they work with the committee throughout the length and breadth of this country to make sure that the message gets to the people of the country.

As alluded to by some members, the expansion of the activities of the Committee has to go into the rural areas and that the first point they need to do is to make sure that they do a general tour in the rural areas so that more sensitizations are done through the community radio stations, ensuring that people get on board.

I have to say that the Regional Health Directorates are doing very well. We at the level of West Coast Region had a meeting with the Regional Directorate and they have given assignment to the community radio stations for the next three months to be broadcasting special messages that are going to be related on those community radios by the Public Health Officers. Our role there as National Assembly Members is to buttress the speech and information and messages that are being relayed on those community radios so that people understand the need to adhere to all the advice that are coming from the health experts. I think that can be replicated in all the other regions using the community radios, other channels of communication and traditional communicators to enable them pass on these messages for people to understand the issues that are affecting the lives of the Gambian people.

As I said, this is a trying moment for all of us. As Gambians and people's representatives, we need to work very hard to ensure that we work with all the agencies, health committees and other institutions so that we make sure that these messages are put in the right places and it is communicated very well to the people.

When it comes to the funding, the Committee is going to do a lot of monitoring, and scrutinise these policies so that they will report back to the Executive on the impact assessment that they are going to do. That is why in my deliberation, I said the role of the National Disaster Management Agency in this is very key. It is the coordinating body of disaster programs in this country including health. They should be at the forefront, doing the impact assessment, doing a vulnerability test and ensuring that what people need in their communities so that in case of rebate and also tax waving, those information can be passed to the relevant institutions especially the Ministry of Finance to consider the issue of refunding and supporting the vulnerable people who are affected in this public emergency which is not a lockdown. As I said, these are issues that need to be clarified. A lot of stress is being made on how best do we ensure that we put our hands together as a country and follow the reports and the advice from our health personnel, especially those coming from WHO so that we can join our hands together to fight this pandemic.

On that note Madam Speaker, I want to urge this Assembly to approve the setup of this Committee with amendments so that they can start their work tomorrow. Thank you. *[Applause]*

Point of Clarification

HON. SAINÉY TOURAY [JARRA EAST]: The mover made a mistake, Honourable Omar Darboe is not a member of the Environment Committee. Thank you.

HON. KEBBA K. BARROW [KOMBO SOUTH]: Noted.

[Question Proposed, Put and Agreed to]

[Assembly do approve the motion to establish a Special Select Committee to perform oversight and monitor the implementation of the State of Public

Emergency for 45 days being adopted as amended by the suggestion of National Assembly Members]

MOTIONS:

MOTION WITHOUT NOTICE:

Standing Order 68 [4] Motion to extend the committee stage of the following Bills:

- 1. [By: The Vice Chairperson of the Standing Committee on Human Rights and Constitutional Matters on the National Human Rights Commission Amendment Bill 2019]**

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you very much Honourable Speaker. Under Standing Order 68(4), I rise to move that this august Assembly do allow the Standing Committee on Human Rights and Constitutional Matters an extension on the Constitution Amendment Bill 2019 and report back to the plenary. Thank you.

THE SPEAKER: Any seconder?

HON. SAINÉY JAWARA [LOWER SALOUM]: I so second, Madam Speaker.

[Question, Proposed, Put and Agree to]

[To extend the committee stage of the Bills entitled the Constitutional Amendment Bill 2019 until next session of the Assembly].

- 2. [By: Vice Chairperson of the Select Committee on Health, Women, Children, Disaster and Humanitarian Relief on the Sexual Offences Amendment Bill 2019].**

HON. OUSMAN SILLAH [BANJUL NORTH]: Honourable Speaker, I rise to move the motion for the extension of the Sexual Offences Amendment Bill 2019.

THE SPEAKER: Any Seconder?

HON. OMAR CEESAY [NIAMINA EAST]: I rise to second the Motion.

[Question Proposed, Put and Agreed to]

[To extend the committee stage of the Bill entitled Sexual Offences Amendment Bill 2019 until next session of the Assembly].

[By: Chairperson of the Select Committee on Education Training and ICT on the Access to Information Bill 2019]

HON. YAYA GASSAMA [KIANG EAST]: Honourable Speaker, I rise to move that this august Assembly approve the Motion to extend the committee stage of Access to Information Bill 2019 until next session.

HON. AMADOU CAMARA [NIANIJA] I rise to second the Motion.

[Question Proposed, Put and Agreed to]

[To extend the committee stage of Access to Information Bill 2019 until next session of the Assembly]

[By: Vice Chairperson of the Standing Committee on Human Rights and Constitutional Matters on the Constitutional Amendment Bill 2019]

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you Honourable Speaker. Under Standing Order 68[4], I rise to move that the august Assembly do extend the committee stage on the Human Rights Commission Amendment Bill 2019.

HON. NDEY YASSIN SECKA [NOMINATED]: Thank you Madam Speaker, I rise to second the Motion.

[Question Proposed, Put and Agreed to]

[To extend the committee stage of the Bill entitled Human Rights Commission Amendment Bill 2019 until next session of the Assembly]

[By: The Vice Chairperson of the Finance and Public Accounts Committee on the Gambia Anti-Corruption Bill 2019]

HON. SIDIA S. JATTA [WULI WEST]: Madam Speaker, in compliance with Standing Orders 68[4], I move that the committee stage for the consideration of Anti-Corruption Bill 2019 be extended.

THE SPEAKER: Any seconder?

HON ALHAGIE SANKUNG JAMMEH [FONI JARROL]: Thank you Madam Speaker, I rise to second the Motion.

[Question Proposed, put and Agreedto]

[To extend the committee stage of the Bill entitled the Gambia Anti-Corruption Bill 2019 until the next session of the Assembly].

[Vice Chairperson of the Standing Committee on Human Rights and Constitutional Matters on the Mutual Legal Assistance in Criminal Matters Bill 2019].

HON. SUWAIBOU TOURAY [WULI EAST]: Thank you Madam Speaker. As per Standing Orders 68[4], I rise to move that this august Assembly do allow extension of the Committee Stage on the Mutual Legal Assistance in Criminal Matters Bill 2019 and report back to the Assembly.

THE SPEAKER: Any seconder?

HON. MAHTARR M. JENG [LOWER NIUMI]: Madam Speaker, I rise to support the Motion.

[Question, Proposed, Put and Agreedto]

[To extend the Committee stage of Mutual Legal Assistance on Criminal Matters Bill 2019 until next session of the Assembly]

MOTION TO WITHDRAW BILLS:

- I. Standing Orders 76:** Motion to withdraw the Women Amendment and Discriminatory Law Bill 2019 [by the Hon. Attorney General and Minister for Justice]

THE SPEAKER: Honourable Members, earlier on we received a notice from Attorney General and Minister for Justice that he intends to withdraw two Bills that were tabled during the previous session. On that note, I will now invite the Honourable Attorney General to move a Motion respectively.

HON. ABUBACARR M. TAMBEDOU [ATTORNEY GENERAL AND MINISTER FOR JUSTICE]: Thank you very much Madam Speaker, Honourable Members, Madam Speaker, may I be guided in terms of the motion? Should I move both Motions together or one at a time?

THE SPEAKER: One at a time.

HON. ABUBACARR BA TAMBEDOU [ATTORNEY GENERAL AND MINISTER FOR JUSTICE]: Madam Speaker, I move to withdraw the Women Amendment and Discriminatory Laws Bill 2019. The reason for this withdrawal motion is to enable the Ministry to adopt a different approach to the tabling of the different legislations that are captured in this Bill before the House. So we are coming back in a different way but we wanted to withdraw this Bill as a first step before we do that. Thank you

HON. OMAR DARBOE [UPPER NIUMI]: I so second the motion.

[Question proposed, put and Agreed to]

[To withdraw the Women Amendments and Discriminatory Laws Bill 2019].

- II. To withdraw the Information and Communication Amendment Bill 2019 [by the Hon. Attorney General and Minister for Justice]**

HON. ABUBACARR M. TAMBEDOU [ATTORNEY GENERAL AND MINISTER FOR JUSTICES]: Madam Speaker, I move to withdraw the Information and Communication Amendment Bill 2019. The reason is that the Ministry of Information and Communication Infrastructure wishes to consult further on this and I believe the consultation include the Select Committee on ICT of this House in order to provide an opportunity for that consultation to take place so that any feedback could be incorporated in the Bill to be presented back to this House. That is the purpose of this motion. I respectfully request therefore that this House approve the withdrawal of this Bill. Thank you Madam Speaker.

HON. SAMBA JALLOW [NIAMINA DANKUNKU/MINORITY LEADER]: I rise to second the Motion.

[Question, proposed put and agreed to]

[To withdraw the information and communication amendment Bill 2019].

MOTION ON THE ADJOURNMENT DEBATE

Be it resolved that this honourable Assembly do adjourn *sine die*?

[By: Honourable Majority Leader and Member for Kombo South]

THE SPEAKER: Honourable Members, you will observe that it is rather unusual to start the adjournment debate at the last minutes of the sittings of the Assembly. However, as we all understand, we are in extraordinary times which require extraordinary measures. It is for that reason and in consultation with the Assembly Business Committee that we start with the adjournment debate today.

Therefore, in accordance with the provision of the standing Orders 13 [5], I will invite the Honourable Majority Leader and Member for Kombo South to move the motion for the Assembly to adjourn *sine die*. I will therefore appeal to Honourable Members to take note of the said provision of the Standing Orders regarding the adjournment debate and also to take into consideration the fact that so many issues have been discussed during this session. I would therefore

invite the Honourable Majority Leader to move the Motion for the Assembly to adjourn *sine die*.

HON. KEBBA K. BARROW [KOMBO SOUTH/MAJORITY LEADER]: Thank you very much Honourable Speaker, in accordance with the standing Order 13[5], I move that this august Assembly do stand adjourned *sine die*. In moving this motion, I would like to give this Assembly a summary of what transpired during this First Ordinary Session for the period 16th March to Monday 6th April 2020.

Honourable Speaker, during the course of our deliberations, we considered and adopted Records of Votes and Proceedings of the daily sittings of the National Assembly. Unfortunately for the first time, we could not proceed with our Questions for Oral Answers with the various Honourable Ministers. However, we would urge the Office of the Clerk to ask Honourable Ministers to provide copies of the answers to the various parliamentary questions for Members' record.

The undermentioned reports were tabled, considered and adopted by the Assembly:

- ✓ Report of the Committee of Selection on the nomination of membership to the following Committees of the National Assembly: **A.** Public Petition Committee and **B.** Subsidiary Legislation Committee by Honourable Kebba K. Barrow, Member for Kombo South and Majority Leader.
- ✓ The report of the Auditor General on the Audited Financial Statement of the Central Government of The Gambia for the year ended 31st December 2017 tabled by Honourable Minister for Finance and Economic Affairs. This was referred to the Finance and Public Accounts Committee for further scrutiny.
- ✓ Honourable Speaker, the oral Ministerial Statement on the implementation and monitoring of the annual budget by the Hon. Minister for Finance and Economic Affairs was deferred until next session on the request of the Honourable Minister. The Minister of Health made an oral ministerial

statement on The Gambia's state of preparedness regarding the Covid-19 pandemic.

MOTIONS:

During the course of this session, the following Motions were tabled, considered and approved:

- ✓ The motion for the extension of a period of state of emergency in the whole Gambia in accordance with section 34 [2] of the 1997 Constitution for a period of 90 days starting in April 2020 by the Attorney General and Minister for Justice.
- ✓ The motion to confirm the appointment of Mr Bakary Sanyang as Ombudsman in accordance with Section 164 [1] of the 1997 Constitution of the Republic of The Gambia by Her Excellency the Vice President of the Republic of The Gambia. It was referred to the Public Appointments Standing Committee for scrutiny.

BILLS:

In accordance with the Standing Orders, the committee stage of the under mentioned Bills were extended until next session:

- ✓ The Constitution Amendment Bill
- ✓ Gambia Anti-Corruption Bill
- ✓ National Human Rights Commission Amendment Bill 2019
- ✓ Sexual Offences Amendment Bill 2019
- ✓ Access to Information Bill 2019
- ✓ Legal Mutual Assistance in Criminal Matters Bill 2019

Honourable Speaker, the undermentioned Bills were withdrawn from the Assembly by the mover Honourable Attorney General and Minister for Justice in accordance with the Standing Orders:

- ✓ Information and Communication Amendment Bill 2019
- ✓ Women Amendment and Discriminatory Laws Bill 2019

Honourable Speaker, this august Assembly is here today to commence the Motion on the adjournment debate for the Assembly to stand adjourned sinedie. On behalf of both sides of the National Assembly, I wish to seize this opportunity to express the solidarity with the people of The Gambia during this trying moment due to the Corona Virus pandemic. We assure them of the Assembly's continued resolve to serve the supreme interest of The Gambia and to ensure proper scrutiny of Gambia government's action in the implementation of the state of public emergency.

Honourable Speaker, I would like to thank you for all your foresight and dedication to duty during the course of this session. I would also like to thank the Clerk and Staff of the National Assembly Service for all the support and services rendered to the Honourable Members during this session.

To conclude Honourable Speaker, in this extraordinary and trying time of the country, I want to suggest that we adjourn the Assembly sinedie without further debate. Thank you.

HON. MUHAMED MAGASSY [BASSE]: Madam Speaker, in compliance to his advice, I just want to second the motion and beg to resume my seat. Thank you.

[Question Proposed]

Point of Observation

HON. HALIFA SALLAH [SERREKUNDA]: Honourable speaker, we know that Section [164] obliges us to consider the confirmation of the appointment of an

Ombudsman within 7 days of presentation, but in this instance we have seen that our hands are tight. Section [108] of the Constitution, what we do in the National Assembly cannot be in terms of application of our Standing Orders which requires the submission of the appointment to our Appointment Committee for scrutiny that cannot be really questioned in any court. In this regard, we know what the Constitution says but there is a disqualification clause which evidently came from the actual statement of the Vice President that the person is still a Public Officer and in that regard confirmation would be a breach of the Constitution and by virtue of that fact, we should take real notice of what is said in Section [164] about the 7 days but by virtue of this situation too, we cannot move into another illegality and in that regard, we may not be observing that particular Section. Just in case it emerges tomorrow, someone raises questions about it.

THE SPEAKER: Can we have a way out, to delegate the Committee and we do the adjournment *sine die* tomorrow morning and the Committee will report? I am just thinking aloud but the procedures have already been followed. We will take note, thank you. You remember the last time it came up, we had that issue and we had to reconvene an extraordinary session just to beat that deadline of that 7 days.

HON. HALIFA SALLAH [SEREKUNDA]: Well, I think the Member should know whatever decision we make is our decision. We can revoke our *sine die* and come up with something else by a Motion. So it is left to us really and Honourable Speaker we should do things properly.

THE SPEAKER: The key concern there as we always say, is to make sure that things are done properly. Maybe instead of putting the question to adjourn *sine die*, we are all brainstorming. Would it be legal for the Assembly to delegate to the Committee to look into the appointment and make sure that the nominee is not a public servant that is, he has resigned and then they will give approval on

the authority of the delegated power? I think we better be on a safe side. I just want to hear views.

HON. MAHTARR M. JENG [LOWER NIUMI]: Madam Speaker, if the suggestion, motion or observation was before you declared the sinedie, then it was going to be possible for us to sit but you had already declared sinedie and it was moved and approved.

THE SPEAKER: The question is not put, so if I put the question you can vote against sinedie.

HON. SAMBA JALLOW [NIAMINA DANKUNKU/MINORITY LEADER]: We can withdraw the Motion of sinedie because just recently, we have withdrawn series of Motions here that were considered by the Assembly. I think it is better to withdraw the sinedie tomorrow for the Committee to work on this and tomorrow we come back.

HON ALHAGIE MBOW [UPPER SALOUM]: Thank you very much Madam Speaker. This motion for the sinedie has already been confirmed. You in fact, asked the question that those in favour please say "Aye" and those not in favour please say "No" and you confirmed that the "Ayes" have it. Which means that one has actually closed because you already put the question.

THE SPEAKER: Usually the procedure is for that question to be put, allowing Honourable members for their interventions. Then if there are no interventions, then we come to the final stage of the question.

I think what we can compromise legally is to take note of what the Honourable Member has suggested. The Committee will meet and then we will take a decision bearing in mind those provisions but then we will adjourn sinedie. Before adjourning sinedie, we will take a vote. Order please!

[Question Proposed, Put and Agree to]

[To adjourn the Assembly sinedie without further debate]

ADJOURNMENT

The House stands adjourned sine die