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PENCHUM REEWMI

The National Assembly Newsletter



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**IN THE SERVICE
OF THE PEOPLE:
Sixth Legislature at work**

>>> THE NATIONAL ASSEMBLY AUTHORITY



HON. FABA KARY T. JATTA
Chairperson



HON. BILLAY G. TUNKARA
Member



HON ALHAGIE S. DARBO
Member



HON. ALHAGIE MBOW
Member



HON. MAIMUNA CEESAY
Member



MOMODOU A. SISE
Member/Secretary



NEW ASSEMBLY BUILDING



OFFICE OF THE CLERK



MOMODOU A SISE
Clerk



DANIEL CARDOS
DEPUTY CLERK, LEGISLATIVE
BUSINESS & PROGRAMMES



BUBA ME JATTA
DEPUTY CLERK
ADMINISTRATION & FINANCE



KALIPHA MM MBYE
DEPUTY CLERK LEGAL &
PROCEDURAL MATTERS

OUR MISSION

THE NATIONAL ASSEMBLY OF THE GAMBIA ASPIRES TO BE AN OPEN, TRANSPARENT AND DEMOCRATIC LEGISLATURE, BOUND BY THE PRINCIPLES OF GOOD GOVERNANCE, ACCOUNTABILITY AND PROBITY IN ORDER TO PROVIDE EFFECTIVE LEGISLATION, SCRUTINY/OVERSIGHT AND REPRESENTATION FOR ALL CITIZENS.

OUR VISION

TO BE AN INDEPENDENT, EFFECTIVE AND DEMOCRATIC LEGISLATURE SERVING THE PEOPLE OF THE REPUBLIC OF THE GAMBIA.



Core Values

1. Professionalism
2. Integrity
3. Openness
4. Fairness
5. Involvement/Participation
6. Accountability
7. Responsiveness and Supremacy of National Interest

From The Editorial Desk

A Year of Legislative Action at The Gambia National Assembly

The 2023 legislative year was marked by productive engagement, effective oversight, and a clear focus on serving the needs of the nation. Fourteen bills were successfully passed into law, reflecting the Assembly's commitment to enacting crucial legislation for the nation. International partnerships were also strengthened, with fourteen agreements examined and ratified.

Beyond new laws and agreements, the Assembly played an active role in shaping policy and holding the government accountable. Committees tabled and adopted twenty-nine reports, providing informed insights for decision-making. Parliamentary Questions ensured transparency, with 425 questions answered by Vice President and Hon. Ministers. Motions further solidified the Assembly's oversight role, with twenty motions debated and ratified. Additionally, Hon. Ministers provided detailed replies to committee reports, demonstrating commitment to accountability. Matters of the Day, two of which were addressed in 2023, further showcased the Assembly's responsiveness to urgent national concerns.

Strengthening Parliamentary Ties:

This edition features the welcoming a distinguished delegation from the House Democracy Partnership (HDP) of the United States House of Representatives. The visit, marked by insightful discussions, aimed at sharing perspectives on parliamentary structures, legislation, representation, and oversight mandates. This valuable exchange broadened the understanding of both Houses on the workings of the HDP and the National Democratic Institute (NDI).

Upholding Commonwealth Values:

The Speaker of the National Assembly, Hon. Fabakary Tombong Jatta led the Gambian delegation to the 66th Commonwealth Parliamentary Association (CPA) Conference in Accra. The conference, attended by delegates from across the Commonwealth, addressed pressing global challenges under the theme: "The Commonwealth Charter 10 years on: Values and Principles for Parliaments to Uphold." Our delegation, led by the Hon. Speaker, actively participated in critical decisions during the General Assembly.

Championing Peace and Justice:

Deputy Speaker Hon. Seedy SK Njie led the Gambian delegation at the 147th Inter-Parliamentary Union (IPU) in Luanda, Angola, delivering a passionate address advocating for urgent action on the Palestine issue. His powerful words resonated with the need for peace, justice, and strong institutions. Hon. Njie underlined the role of parliamentarians in legislating for peace and justice, emphasising alignment with Sustainable Development Goal 16.

Building Bridges through Parliamentary Diplomacy:

Our esteemed National Assembly Members embarked on a bilateral Capacity Building Training in China, fostering parliamentary diplomacy and cooperation.

Initiated through the Embassy of the People's Republic of China, this valuable exchange aimed at sharing knowledge and building collaborative relationships. Such initiatives play a crucial role in enhancing our national capabilities as we open doors to mutual growth and development.

Upholding Legislative Excellence:

In collaboration with the Ministry of Justice, a comprehensive two-day training program on Legislative Drafting was conducted. Supported by International IDEA and the European Union, this vital initiative exemplifies our commitment to strengthening legislative processes and democratic foundations. The National Assembly continues to uphold the highest standards in legislative practices, thanks to the dedication of our staff and parliamentary officials.

Learning from Peers, Sharing Best Practices:

The National Assembly hosted a delegation from the Parliament of Ghana as part of an ongoing exchange program. This initiative, aimed at sharing knowledge and best practices, contributes to enhancing the services of both Parliaments. Such collaborations are testaments to our dedication to fostering international partnerships and learning from the experiences of our peers.

Recognising Outstanding Contributions:

Two of our Members, Hon. Fatoumatta Njai and Hon. Modou Lamin Bah, have received international recognition for their outstanding contributions. Hon. Njai's commitment to women's empowerment and child welfare earned her a merit award, while Hon. Bah's nomination as the first President of the Global Youth Mental Health Forum showcases our Members' diverse and impactful roles.

Beyond the Spotlight:

These stories reflect not only the achievements of our Members but also the collaborative efforts with international partners. The National Assembly remains steadfast in its commitment to good governance, accountability, and the betterment of the lives of the Gambian people.

However, our focus remains firmly on serving the Gambian people. We delve into the crucial role of civil society organisations in shaping legislative landscapes and explore the impact of technology in strengthening parliamentary communication and accessibility. Each story reinforces our commitment to fostering an open and engaged dialogue with the public, ensuring that every voice is heard and represented.

The stories within this newsletter are reflection of a vibrant democracy at work. They showcase the tireless dedication of our members, the collaborative spirit that fuels progress, and the solid commitment to building a brighter future for all Gambians.



State of the Nation Address Features National Assembly Debates

The President of the Republic of The Gambia, His Excellency Adama Barrow, delivered the State of the Nation Address (SoNA) before the National Assembly on 8 June 2023, as mandated by Section 77(1) of the 1997 Constitution and Order 24 of the Standing Orders of the National Assembly.

The annual address is a constitutional requirement that provides an overview of the current state of the country, including its achievements, challenges, and the government's agenda for the upcoming year. It also serves as an opportunity for accountability, transparency, and communication between the executive and legislative branches of the state.

Following the delivery of the State of the Nation Address (SoNA) by the President, Members of the National Assembly (NAMs) engage in extensive and detailed debates. These deliberations are an integral part of the democratic process, enabling representatives to scrutinize the contents of the address, express diverse perspectives, and provide feedback on the government's policies and plans outlined in the SoNA.



Speaker Jatta pays tribute to Late VP Joof

January, 2023



On a sombre January day in 2023, the nation mourned the loss of a remarkable leader Dr. Badara Alieu Joof, the Vice President of the Gambia. The Honourable Speaker of the National Assembly, Fabakary Tombong Jatta, delivered a heartfelt eulogy that captured the essence of Dr. Joof's life and service to the Gambian people.

In his tribute, Speaker Jatta spoke of Dr. Joof as a man of deep integrity, unwavering commitment to public service, and an embodiment of the virtues of honesty, decency, humility, and steadfastness. He recalled their shared formative years as schoolmates at Armitage High School and college mates at Yundum Teacher Training College, highlighting the enduring bond of friendship they forged.

Speaker Jatta recounted Dr. Joof's dedication to the moral development of The Gambia, his unwavering optimism, and his ability to transcend ethnic, ideological, and sectarian boundaries to bring about harmony and understanding among his fellow citizens. He described Dr. Joof as a forthright, robust, informed, and academically grounded leader, whose contributions were underpinned by a unique urgency and always focused on the future, driven by a desire to leave a positive legacy for the next generation.

As Speaker Jatta concluded his eulogy, he paid tribute to Dr. Joof's exemplary life and the profound impact he had on The Gambia, calling upon those gathered to continue the work that Dr. Joof was passionate about, honoring his memory by continuing to serve the people and uphold the values he embodied.



Late Vice President,
Dr. Badara Alieu Joof

PARLIAMENTARY OPEN DAY

In a bid to bring the National Assembly closer to the Gambian public and foster a deeper understanding of the Legislature's role in their lives, the National Assembly hosted its second Parliamentary Open Day in February 2023. The event was an opportunity for citizens to engage with their elected representatives, learn about the legislative process, and gain insights into the Assembly's work.

The day featured a series of presentations, including an overview of the National Assembly's structure and functions, an explanation of the lawmaking process, and a discussion on the role of parliamentary committees in oversight and accountability. Members of Parliament were available to answer questions and interact with the public, creating a lively and informative atmosphere.

A highlight of the event was the certificate ceremony for the first batch of interns from The University of The Gambia. These interns had spent six months collaborating with the National Assembly, gaining valuable experience in the legislative arena. The ceremony recognised their contributions and acknowledged their commitment to public service.

The Parliamentary Open Day was a resounding success, providing the Gambian public with a deeper understanding of their Legislature and fostering a stronger sense of connection between the people and their elected representatives.





IMF, World Bank Representatives pay courtesy call on Speaker Jatta

In March 2023, Speaker Jatta convened a crucial meeting with representatives of the International Monetary Fund (IMF) and the World Bank to discuss the National Assembly's oversight role in ensuring sound fiscal management and accountability. The meeting focused on the Assembly's engagement with the government on fiscal matters, its review of audit reports, and its efforts to promote transparency in the allocation and use of public funds.

NA Authority exchanges notes with Kenyan Parliament

In a quest to learn from the best practices of a fellow African democracy, Speaker Jatta led a Gambian delegation on a week-long study tour of the Kenyan Parliament in February 2023. The delegation sought to gain insights into the Kenyan Parliament's legislative and administrative processes, particularly in the areas of oversight and government accountability.

The delegation was warmly welcomed by their Kenyan counterparts and engaged in a series of meetings and discussions with members of Parliament, parliamentary staff, and experts in various fields. They were provided with detailed briefings on the Kenyan Parliament's structure, functions, and challenges, and they had the opportunity to observe parliamentary proceedings first-hand.

The study tour proved to be a valuable learning experience for the Gambian delegation, offering them a wealth of knowledge and insights that could be applied to strengthen the Gambian Parliament's oversight role and enhance its effectiveness in promoting transparency and accountability.



The IMF and World Bank representatives commended the National Assembly for its active oversight role and its commitment to ensuring that the government manages the country's finances responsibly. They also emphasised the importance of the Assembly's continued engagement in these areas to support economic stability and sustainable development.

The meeting underscored the National Assembly's critical role in safeguarding the Gambian people's interests and ensuring that public funds are used effectively and transparently for the nation's benefit.



PARLIAMENT AND MEDIA PARTNER TO ENHANCE LEGISLATIVE REPORTING

The Director of Communications on behalf of the National Assembly presided over the launch of the Parliamentary Reporters Association Gambia (PRAG) in September 2023.

The association's formation marked a significant step toward enhancing transparency and accountability in legislative reporting while fostering strong partnership and collaboration with the parliament.

The launch event featured addresses from prominent figures in the media and journalism industry, who discussed the evolving landscape of quality and in-depth professional legislative reporting and the association's potential to strengthen the relationship between parliament and the media.

Following the launch, PRAG, in collaboration with the African Parliamentary Press Network (APPN), organized a one-day training on parliamentary reporting with support from the National Assembly. The training covered relevant areas surrounding procedures and processes of parliamentary reporting and the important role of parliamentary press groups in promoting democracy.

The establishment of PRAG and the subsequent training represent a positive step forward for The Gambia's media landscape and its role in supporting the country's democratic institutions.



NATIONAL ASSEMBLY MEMBERS EARN GLOBAL RECOGNITION FOR ADVOCACY AND LEADERSHIP

The National Assembly celebrated the well-deserved awards of two members, Hon. Fatoumatta Njai and Hon. Modou Lamin Bah, who have received international recognition for their outstanding contributions in distinct areas.

Championing Women and Children

Hon. Njai, National Assembly Member for Banjul South, has been awarded the maiden merit award by the Association of West African Legislative Correspondents (AWALCO) for her commitment to women's empowerment and child welfare. Recognised as a true champion, her instrumental role in securing resources for initiatives that uplift women and girls has not gone unnoticed.

At the same ceremony, Hon. Njai shared the stage with three colleagues from the ECOWAS Parliament, each commended for their dedication to regional advancement: Hon. Sidie Mohamed Tunis (Speaker), Hon. Awaji Abiante (Nigeria), and Hon. Vilane Abdoulaye (Senegal).

Leading the Charge on Mental Health

Hon. Bah, National Assembly Member for Banjul North, was nominated as the first President of the Global Youth Mental Health Forum. This prestigious role positions him to spearhead the youth platform, elevating mental health awareness to a global household topic.

The Forum, a U.N.-registered organisation based in India, aims to provide a strategic platform for addressing mental health concerns.

Hon. Bah expressed his profound excitement over the nomination, emphasising that mental health transcends the mere absence and lies at the very foundation of human well-being. He reiterated his commitment to serve the people and fulfil the weighty responsibility entrusted to him.



DS Njie is African Lawmaker of the Year

In April 2023, Hon. Seedy SK Njie, Deputy Speaker of the National Assembly of The Gambia, was recognised for his outstanding contributions to national development and good governance by the African Leadership Magazine with the 2022 African Lawmaker of the Year Award in Good Governance.

The award highlighted Hon. Njie's unwavering commitment to oversight, ensuring transparency and accountability within the government and judiciary. His efforts in sponsoring bills aimed at improving the education sector further solidified his reputation as a dedicated public servant.

The Deputy Speaker of the National Assembly, Honourable Seedy SK Njie presides over the launching of the Network of Parliamentary Monitoring Organisations - The Gambia (NEPMOG) on the first-year anniversary of the Sixth Legislature

In April 2023, Hon. Seedy SK Njie played a pivotal role in the launch of the Network of Parliamentary Monitoring Organisations (NEPMOG), a coalition of Civil Society Organisations (CSOs) established to strengthen democracy and good governance through the National Assembly.

Recognising the significance of this initiative, Hon. Njie emphasised the role of NEPMOG in fostering a stronger relationship between citizens and the National Assembly enhancing public confidence in the legislative body. He encouraged the network to hold the National Assembly accountable, ensuring that it effectively fulfills its mandate as the people's representatives.

Speaker addresses Africa Economic Summit

The Speaker of the National Assembly of The Gambia, Hon. Fabakary Tombong Jatta delivered Keynote Statement on 'What African Law Makers Must do to Strengthen Foreign Direct Investment [FDI] in Africa' during the Africa Economic Summit 2023 held in Accra, Ghana

Emphasising the importance of Foreign Direct Investment (FDI) in driving Africa's economic growth and development.



Hon. Jatta highlighted FDI's potential to enhance productivity, employment, foreign exchange, technology transfer, capital formation, and higher exports, all of which contribute to sustainable economic growth. He urged African lawmakers to actively engage in creating an environment conducive for attracting FDI, emphasising the crucial role of parliaments in aligning policy efforts and programs to make Africa an attractive destination for foreign and private capital investment.

CWPA Africa Region takes gender Advocacy to Banjul



In May 2023, Hon. Fabakary Tombong Jatta met with the Steering Committee of the Commonwealth Women Parliamentary Association (CWPA) Africa Region, reiterating his unwavering support for women's political participation and representation.

He encouraged the CWPA to engage more directly with women at the grassroots level to address the challenges they face in entering and succeeding in politics, acknowledging the persistent barriers posed by patriarchy. The CWPA delegation also engaged with the Gender Committee of the National Assembly and women-based Civil Society Organisations to discuss strategies for intensifying advocacy efforts to promote women's political participation.



WFD Trains NA Staff



In May 2023, the Office of the Clerk, in collaboration with the Westminster Foundation for Democracy (WFD), organised a two-day training for staff of the National Assembly on performance management and administration.

The training aimed to enhance the knowledge and skills of middle and senior-level staff, ensuring the effective and efficient use of resources and staff under their supervision. It covered essential management themes such as setting organisational, unit, and personal objectives and targets, utilising skills, tools, and processes to achieve results, and fostering team building, leadership, and performance appraisals.

These stories highlight the dedication and commitment of Hon. Fabakary Tombong Jatta and the National Assembly to promoting good governance, transparency, accountability, and the empowerment of women in The Gambia. Their efforts are crucial in advancing the nation's democratic development and ensuring a brighter future for all Gambian citizens.



IPU stages Global Conference on Interfaith Dialogue

The conference held in Marakesch, Kingdom of Morocco brought together Speakers and Members of Parliament, religious leaders, representatives of civil society, and other experts to engage in dialogue and share good practices around key issues standing in the way of sustainable co-existence.

The conference aimed to develop a roadmap for joint action ahead, framing this dialogue as essential not only to peace and inclusion but as part of a collective approach necessary for saving our planet.

It provided an opportunity for political and religious leaders, international experts, and organisations to share good practices and take stock of various initiatives that aim, in a holistic manner, to address major threats confronting the world.

Clerk Sise Calls for Strengthening the Institution Of Parliament

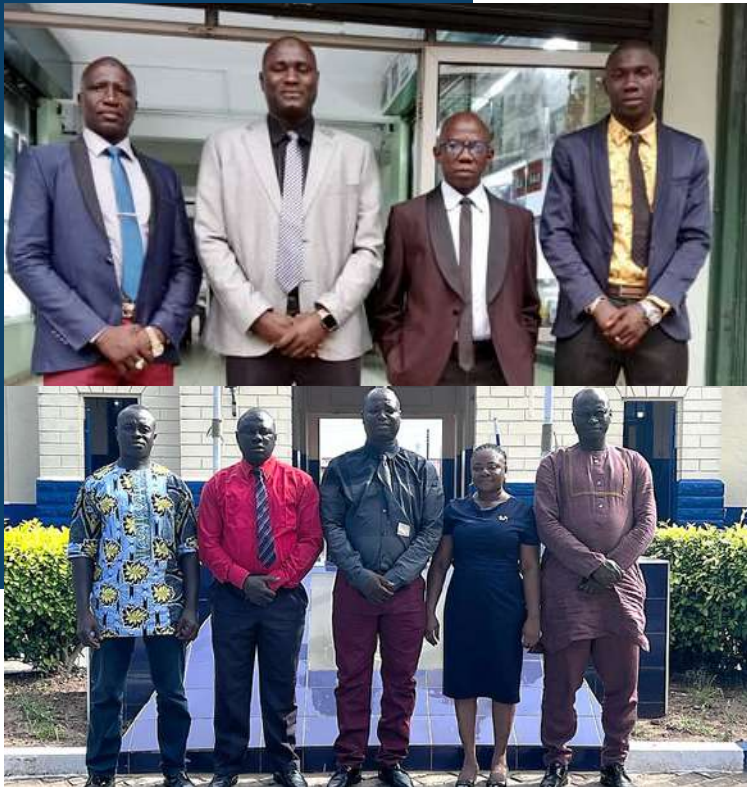
The Clerk of the National Assembly, Momodou A. Sise, has told his colleague Clerks of Parliaments to work hard to ensure that Parliamentary service is independent and apolitical to better serve the institution of the legislature. Clerk Sise made these remarks at an INTER PARES global peer-to-peer workshop held in Madrid, Kingdom of Spain.

Speaking on the theme, ‘Role of Parliaments in Strengthening Democracy,’ Clerk Sise reminded his colleagues that the institution of Parliament is the bedrock and lifeblood of any meaningful representative democracy.



He highlighted the critical reforms undertaken by the National Assembly of the Gambia to strengthen democracy, ranging from the National Assembly Service Act 2021 to the establishment of a robust committee regime.

According to him, Parliaments should be ready to bear the brunt, oppose any impediment, and support any cause to assure global promotion of democracy through sharing democratic achievements together with new and innovative means of resolving the challenges faced.



Office of the Sargent - At-Arms learns from Ghana, Kenya Parliaments

The Office of the Sergeant-At-Arms in July undertook a study tour to the Parliaments of Ghana and Kenya respectively.

The primary objective of the study visit was to benchmark the parliamentary security system of the two parliaments, seeking valuable insights and best practices to enhance our own security measures. The visit was a resounding success, providing a unique opportunity for an exchange of ideas and experiences between the Gambian and the sister parliamentary teams.

The study delegation had the privilege of exploring valuable insights into the implementation and management of robust security systems within a parliamentary setting.

The discussions revolved around protocols, training methodologies, emergency response strategies, and technological advancements, among other crucial aspects.

NAMs Get Mobility Boost



Honourable Members of the National Assembly have acquired new Toyota Prado vehicles through a revolving loan scheme.

Under this revolving loan scheme, each Member is responsible for financing half of the cost of their vehicle during their five-year term. This approach follows due process and is similar to practices employed by the government for public service and in parliaments worldwide.

From the moment of handover, Members are fully responsible for the fuel and maintenance of their vehicles.

The scheme also safeguards the dignity and integrity of the National Assembly by ensuring that Members are not gifted vehicles by special interest groups. It also reduces the burden on the state by removing the need for full procurement, fuel, and maintenance of vehicles for Members. It is anticipated that the scheme will become self-sustaining in the near future.

The provision of vehicles to Members of the National Assembly serves multiple purposes. It allows for efficient transportation, ensuring that representatives can effectively fulfil their legislative duties even at odd hours and engage with constituents across the country.



Make AfCFTA a reality

Speaker Jatta tells Parliamentarians

The Hon. Speaker, Fabakary Tombong Jatta, has called on African Parliaments to ratify the Africa Continental Free Trade Area Agreement and take concrete steps through parliamentary oversight to ensure that the governments honor the obligations and principles of the agreement.

Honourable Jatta made these remarks while addressing Speakers of Commonwealth Parliaments during the 18th Commonwealth Conferences of Speakers and Presiding Officers Africa Region.

“AfCFTA presents a historic opportunity for Africa to transform its economic fortunes and foster greater regional integration. However, to achieve this vision, the active participation of African Parliaments is indisputably required. Parliaments must play a central role in enacting legislation ensuring budgetary support, fostering public awareness, and providing oversight throughout the implementation process,” he told colleague Speakers.

The 18th Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) African Region held in Yaounde, Cameroon was officially opened by the Prime Minister of Cameroon Mr. Joseph Ngute on behalf of the President His Excellency President Paul Biya.

The conference held under the theme, "African Parliaments and Agenda 2063," underscored the commitment to advancing the welfare of the African people and aligning legislative efforts with Agenda 2063. The conference promised an excellent platform for diverse African delegations to engage in productive exchanges of ideas, strengthen existing relationships, and foster collaborations for future inter-parliamentary initiatives.



NAMs talk Nuclear Security

The National Assembly of The Gambia hosted a significant National Parliamentary Session on Nuclear Security, organised in collaboration with Parliamentarians for Global Action (PGA).

The Hon. Deputy Speaker, Seedy SK Njie emphasised the workshop's importance in familiarising Hon. Members with the international nuclear security legislative framework and relevant treaties. The Parliament of The Gambia has ratified several security-related international instruments, showcasing the Government's strong commitment to nuclear security and the potential benefits of nuclear technology in public health. Notably, The Gambia stands among the first African States to ratify the Treaty on the Prohibition of Nuclear Weapons.

Hon. Njie stressed that capacity enhancement on such topical issues is paramount for the effectiveness and efficiency of the National Assembly. He expressed gratitude to PGA for organising this engagement and expressed hopes for further strengthened cooperation. Florian Delsert, Program Associate, International Peace & Security Program, PGA, recognised the critical role of Members of the National Assembly in ensuring nuclear and radiological materials' security and preventing acts of nuclear terrorism.

Their legislative power plays a crucial role in promoting the universalisation of UNODC's International Convention for the Suppression of Acts of Nuclear Terrorism (ICSANT), strengthening international cooperation against nuclear terrorism.



Strengthening Bilateral Ties National Assembly Members in China

Honourable Members of the National Assembly underwent bilateral Capacity Building Training in China with the International Cooperation Centre of the National Development and Reform Commission.

This seminar, initiated in May 2023 through the Embassy of the People's Republic of China in The Gambia, is specifically designed for Members and staff of the National Assembly.

Hon. Amadou Camara, the National Assembly Member for Nianija, who led the delegation in May 2023, expressed his optimism that our Parliamentarians will learn from China's experience in enhancing development capabilities. "By doing so, we can chart a long-term economic and social development path that aligns perfectly with The Gambia's national condition," he said.

The second batch of NAMs to undergo the capacity building training was led by Hon. Abdoulie Ceesay, the Deputy Majority Leader and Member for Old Yundum. Whilst in China, the delegation fostered parliamentary diplomacy and cooperation, building new bonds for collaborative relationships.

Back in 2018, the former Speaker of The Gambia's Fifth Assembly and her delegation were honored with an invitation to visit China, further solidifying the partnership between our two Parliaments. We believe that this parliamentary diplomacy will not only promote friendship and cooperation but also foster a deeper understanding between our countries and parliaments.

NA, MOJ discuss Legislative Drafting



The National Assembly, in collaboration with the Ministry of Justice, organised a comprehensive two-day training program on Legislative Drafting.

This essential training initiative aims to bolster the capacity of our dedicated staff and parliamentary officials in supporting our elected representatives in their multifaceted roles.

The training was implemented by International IDEA with funding from the European Union under the "Consolidating Democratic Dispensation in The Gambia" project,

The training represented a significant step towards further strengthening our legislative processes and democratic foundations.

At the opening of this crucial training, the Clerk of the National Assembly, Mr. Momodou A Sise, underscored its importance in empowering our staff. He emphasised that well-informed and well-trained parliamentary officials play a critical role in assisting Honorable Members in their legislative duties.

Mr. Sise recognised the value of continuous training and exposure for our officers and staff. Staying abreast of the latest developments in legislative drafting ensures that they can provide competent and effective support to Honorable NAMS. As a dynamic organisation, the National Assembly is committed to upholding the highest standards in legislative practices.

The Office of the Clerk extends heartfelt gratitude to International IDEA and the European Union for their support in this endeavour.

Hon. Deputy Speaker Represents The Gambia at International Security Forum



Hon. Deputy Speaker, Seedy SK Njie, represented The Gambia at an esteemed two-day parliamentary intelligence security forum in London, United Kingdom. Organised by The Parliamentary Intelligence-Security Forum (PI-SF), the international gathering united Parliamentarians and government officials to strengthen global security awareness and forge actionable solutions to counter threats posed by adversarial nation states and terrorists.

Deputy Speaker Njie, who also serves as the Chairperson of the Defence and Security Committee took the stage to showcase The Gambia's progressive security achievements and its strategic significance in global geopolitics.

He emphasised the government's unwavering commitment to security investments and intelligence. Furthermore, he expressed Parliament's resolve to collaborate with the government and international allies in the fight against global security threats.

With 283 delegates from sixty countries, the forum offered a diverse platform for exchanging ideas and strategies to address today's security challenges.

Ghanaian Parliamentary Delegation Visits Banjul for Knowledge Exchange with National Assembly



The Business Committee of the Parliament of Ghana visited the National Assembly of The Gambia as part of an ongoing exchange program aimed at sharing knowledge, best practices, and capacity-building among Parliamentarians.

During their study visit, the members of the Business Committee engaged with the Leadership of the National Assembly and Principal Officers to exchange ideas and experiences on international best practices, contributing to enhance the services of both Parliaments.



Gambia partakes in 66th CPA Conference

The Commonwealth Parliamentary Association held its 66th Parliamentary Conference in Accra, Ghana under the theme: “The Commonwealth Charter 10 years on: Values and Principles for Parliaments to Uphold”.

The Conference was attended by over 600 delegates from the 56 National Assemblies and 111 sub-National assemblies of the Commonwealth countries including speakers, legislators, clerks of parliament, other parliamentary staff and observers.

The Hon. Speaker, accompanied by Hon. Amie Colley, Hon. Yunusa Bah and the Clerk of the National Assembly, Momodou A. Sise, was among delegates that took part in making during the General Assembly on the future of the Association.

The conference was aimed at fostering dialogue and cooperation among member countries to address pressing global challenges within the context of Commonwealth values and was climaxed with the 2023 Commonwealth Parliamentarian of the Year award.

National Assembly Hosts Delegation from the U.S. House of Representatives



The National Assembly was privileged to host a distinguished delegation from the House Democracy Partnership (HDP) of the United States House of Representatives.

This visit facilitated essential discussions aimed at the sharing of insights on parliamentary structures, legislation, representation, and oversight mandates.

During the visit, our esteemed guests interacted with Chairpersons from various committees of the National Assembly.

The discussion explored the important roles and responsibilities of parliamentary committees, reflecting the central role they play in effective governance. The discussions also offered National Assembly Members a broader perspective on the structure and programming of the House Democracy Partnership and the National Democratic Institute (NDI), a key implementor.

These collaborative initiatives exemplify the power of global cooperation, even when The Gambia is not a direct part of the HDP. The House Democracy Partnership carries a mission to work with countries across the globe, promoting best practices that support responsive and effective governance while strengthening democratic institutions.

The Gambia's engagement with this esteemed organisation aligns with the dedication to advancing democratic processes and ensuring good governance.



Deputy Speaker Advocates for Peace and Justice at 147th IPU General Assembly

The Deputy Speaker of the National Assembly, Hon. Seedy SK Njie, addressed the 147th Inter-Parliamentary Union (IPU) in Luanda, Angola, calling for urgent action on Palestine for peace, justice, and strong institutions.

DS Njie led the Gambian delegation which comprised Hon. Kebba Jallow, Hon. Fatou Cham, Hon. Assan Touray, and Hon. Musa Cham accompanied by Sainey Konteh, Principal Table Clerk. The global event brought together leaders from around the world to discuss crucial matters of peace, justice, and strong institutions.

In his address, Hon. Njie drew attention to the pressing humanitarian crisis in Palestine. He voiced deep concern over the loss of innocent lives and extensive destruction due to indiscriminate airstrikes by Israel. He urged the international community to act urgently, advocating respect for the two-state solution roadmap that would grant Palestinians sovereignty and bring lasting peace to the region.

Hon. Njie underscored the crucial role of parliamentarians in legislating for peace, justice, and strong institutions. He emphasised the need for laws and policies that support Sustainable Development Goal 16, which serves as a safeguard against conflict and injustice while fostering transparency and accountability in institutions.

Hon. Njie further discussed The Gambia's efforts in strengthening the autonomy of state institutions and security sector reform, highlighting the commitment to universal access to justice.

He mentioned ongoing actions against corruption, emphasising the importance of accountability and the protection of human rights.

The National Assembly Members Engage In Pre-Budget Retreat



National Assembly Members engage in a Pre-Budget review and analysis retreat in the wake of the tabling of the Draft Estimates of Revenue and Expenditure for the 2024 fiscal year.

The goal was to equip NAMs with insights to make informed contributions to the 2024 Budget, aligning it with Section 27 of the Public Finance Act, 2014, empowering National Assembly Members (NAMs) to scrutinise and potentially adjust the budget.

During the opening ceremony, Hon. Speaker Fabakary Tombong Jatta emphasised the important role of the training in nation development, urging NAMs to actively participate and contribute meaningfully to discussions.

The event featured notable speakers, including the Clerk of the National Assembly, Mr. Momodou A. Sise, the EU Representative, and the Country Director for International IDEA, who highlighted the impact of the training on national development. Over the three-day engagement, Hon. Members delve into the complex relationship between public policy and the budget.

They conducted comprehensive budget analyses across key sectors, including agriculture, works and infrastructure, education, and healthcare.



MID AND END LINE REVIEW OF SOCIAL SECTOR BUDGET EXPENDITURE

Honourable Members of the Select Committees on Education, Agriculture and Health with supported from UNICEF in September 2023 conducted a three-day stakeholder convergence for the Mid and End line review of budget executions relating to Agriculture, Education, Health, Women and Children programmes, implemented in 2022 and 2023 respectively.

The review also seeks to strengthen the Mid-Term Expenditure Review Framework on implementing and monitoring child and social protection programmes during the execution of the 2023 Budget.

This interactive and informative medium provided a platform to promote and enhance the knowledge base of the Portfolio Committees in sector budget executions, monitoring, and scrutiny.

This strategic method of budget scrutiny availed adequate means for the legislators to keep track of the shocks that impede the successful implementation of budget execution plans.

The review session Provided Honourable Members of the Social Sector Committees the unique opportunity through the consultative exercise, to monitor and assess the tangibles of the expenditures on Child Sensitive and Social Protection-related programmes with their attendant challenges.

The platform also provided as expected, the comprehensive presentations of relevant stakeholders on the issues affecting children, women, and vulnerable persons and informed stakeholders about the processes and priorities considered by government to address the constraints.

The National Assembly Committees were, therefore, expected to utilize the information to equally strengthen oversight and advocate for increased budgetary allocations specific to Child and Social Protection, as well as all other related programmes.



LAUNCHING PARLIAMENTARY NETWORK ON POPULATION

National Assembly Members Launched the Network of Gambian Parliamentarians on Population and Development (NGPPD) with a core mission to identify, promote, and facilitate population policies for sustainable development in The Gambia.

Led by Honourable Gibbi Mballow, the National Assembly Member for Lower Fulladou West, the executive body is committed to implementing key agendas like the ICPD Programme of Action, SDGs, AU Agenda 2063, and more.

This initiative follow a training on population and development, enhancing lawmakers' oversight role, organised by the National Population Commission Secretariat under the Vice President's office.

Deputy Speaker, Honourable Seedy SK Njie, highlighted lawmaker's potential to advocate for emerging population and development issues. He assured the Assembly's commitment to issues of population, health, women, and children.

Members pledge their dedication to fostering legal reforms in reproductive health, HIV/AIDS control, gender promotion, and ensuring appropriate resource allocation.





THE NATIONAL ASSEMBLY SESSIONS IN THE 2023 LEGISLATIVE YEAR

FIRST ORDINARY SESSION OF THE NATIONAL ASSEMBLY IN THE 2023 LEGISLATIVE YEAR: 06TH – 31ST MARCH 2023

During the First Ordinary Session in the 2023 Legislative Year of the National Assembly, the following Bills were considered and passed.

- Local Government (Amendment) Bill, 2023 – By the Hon. Minority Leader and Member for Brikama North
- Prevention and Prohibition of Torture Bill, 2023 – By Hon. Attorney General and Minister for Justice
- The Mutual Legal Assistance in Criminal Matters Bill, 2023 – By Hon. Attorney General and Minister for Justice
- The State-Owned Enterprises Bill, 2023 – By the Hon. Minister for Finance and Economic Affairs

SECOND ORDINARY SESSION OF THE NATIONAL ASSEMBLY IN THE 2023 LEGISLATIVE YEAR: 05TH – 22ND JUNE, 2023

During the Second Ordinary Session in the 2023 Legislative Year, the following Bill was considered and passed.

- The Labour Bill, 2023 by the Hon. Minister for Trade, Industry, Regional Integration and Employment

THIRD ORDINARY SESSION OF THE NATIONAL ASSEMBLY IN THE 2023 LEGISLATIVE YEAR: 04TH – 21ST SEPTEMBER 2023

The following Private Member's Bill by Hon. Members of the National Assembly were considered and unanimously passed by the Assembly.

- The Constitution (Amendment) Bill, 2023 by Hon. Alhagie Mbow – Member for Upper Saloum
- The Medicines and Related Products (Amendment) Bill, 2023 by Hon. Amadou Camara – Member for Niani

FIRST EXTRA ORDINARY SESSION OF THE NATIONAL ASSEMBLY IN THE 2023 LEGISLATIVE YEAR: WEDNESDAY 1ST NOVEMBER - THURSDAY 2ND NOVEMBER 2023

The following Bills by the Hon. Attorney General and Minister for Justice were considered and passed by the Assembly.

- The Victims Reparations Bill, 2023
- The Ban from Public Office (TRRC) Bill, 2023
- The Commission of Inquiry (Amendment) Bill, 2023
- The Former Presidents Bill, 2023

FOURTH ORDINARY SESSION (BUDGET SESSION) OF THE NATIONAL ASSEMBLY IN THE 2023 LEGISLATIVE YEAR: 17TH NOVEMBER – 21ST DECEMBER 2023

The Appropriation Bill, 2024 tabled by the Hon. Minister for Finance and Economic Affairs was considered and unanimously passed. The Act has been assented to by Your Excellency and accordingly dispatched.

The following Bills were considered and unanimously passed by the Assembly:

- The Anti-Corruption Bill, 2023 by Hon. Attorney General & Minister for Justice
- The Animal Health Bill, 2023 by Hon. Minister for Agriculture

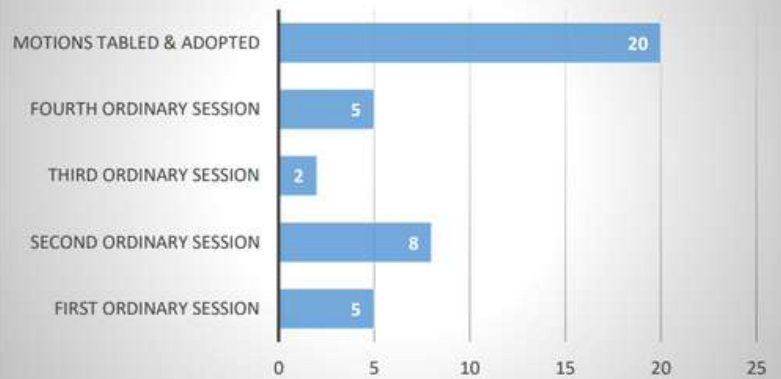


THE NATIONAL ASSEMBLY SESSIONS IN THE 2023 LEGISLATIVE YEAR

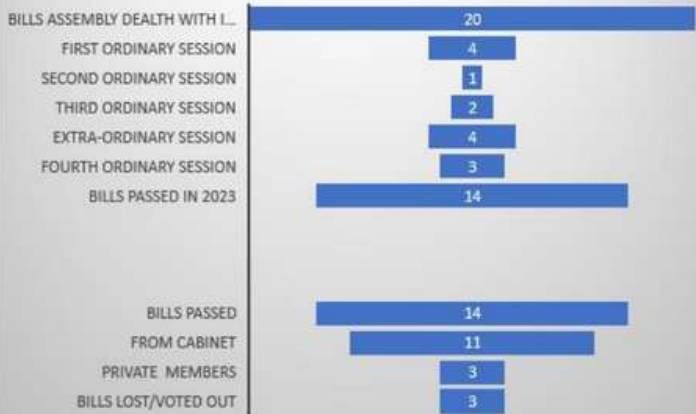
PARLIAMENTARY REPORTS *considered and adopted by the Assembly*



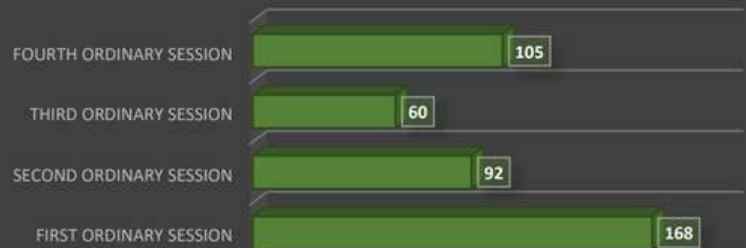
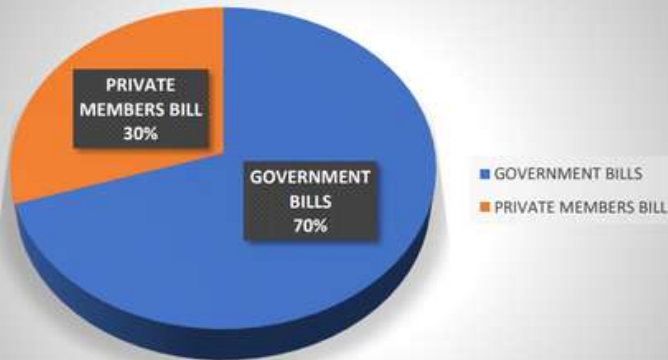
MOTIONS TABLED IN 2023



BILLS PASSED *law making*

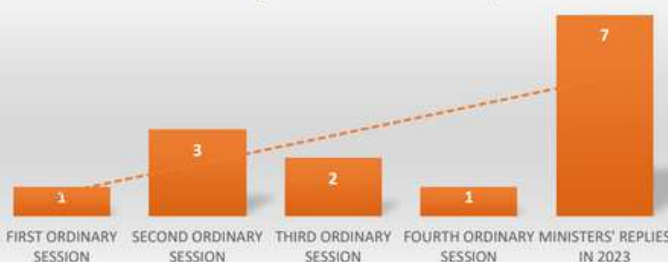


AGREEMENTS RATIFIED IN 2023



2023 PARLIAMENTARY QUESTIONS

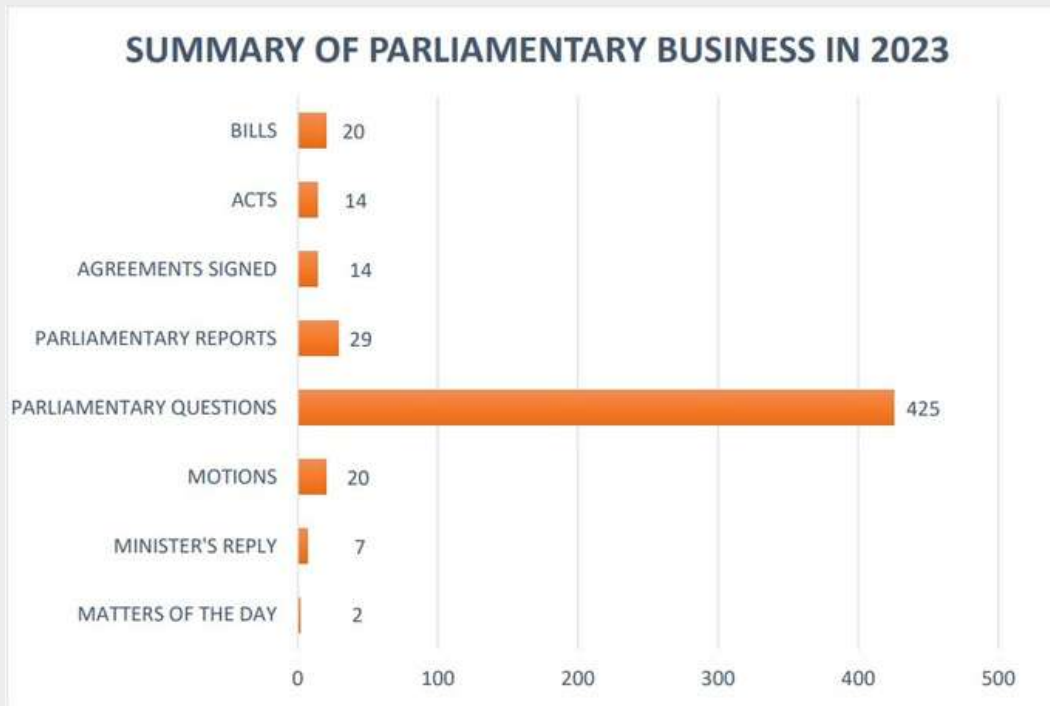
MINISTER'S REPLY TO PARLIAMENTARY REPORTS *pursuant to Orders 47,48 & 100*



Proposed Laws



THE NATIONAL ASSEMBLY SESSIONS IN THE 2023 LEGISLATIVE YEAR



During the 2023 legislative year of the National Assembly of The Gambia, the following summary outlines key activities and achievements.

BILLS: Twenty bills were tabled before the Assembly. Out of this total, fourteen bills were passed and subsequently accented to by the President of The Republic.

AGREEMENTS: Fourteen agreements underwent consideration and ratification by the Assembly.

PARLIAMENTARY REPORTS: A total of twenty-nine parliamentary reports, compiled by various Committees of the National Assembly, were tabled, considered, and adopted.

PARLIAMENTARY QUESTIONS: Over the period, 425 Parliamentary Questions were orally answered by His Excellency, the Vice President, and Hon. Ministers, addressing inquiries related to their respective Ministries.

MOTIONS: The National Assembly deliberated on and ratified twenty motions throughout the year.

MINISTERS' REPLIES: Various Hon. Ministers provided seven replies to reports from different Committees of the National Assembly. These replies were in accordance with Orders 47, 48, and 100 of the Standing Orders.

MATTERS OF THE DAY: Two Matters of the Day, raised by Members on pertinent issues of national interest pursuant to Order 51 of the Standing Orders, were considered.

- The Hon. Majority Leader and Member for Kantora made a statement addressing the unfortunate incident of the shooting of three valiant officers of The Gambia Police Force. He called on authorities to take measures to prevent the reoccurrence of such tragedies.

- The Hon. Member for Baddibu Central also presented a statement on the ban of Female Genital Mutilation (FGM) in The Gambia. He emphasized the need to decriminalize the act, citing various reasons rooted in religious and cultural considerations.

All these statements were deliberated on by Hon. Members in accordance with Clause 51(7) of the Standing Orders.



COMMITTEE OVERSIGHT



The Select Committee on Education, Training, and ICT conducted a nationwide oversight tour of schools, demonstrating their commitment to monitoring and improving educational and training institutions.

During the visit, the committee actively engaged with school administrations, education staff, and various stakeholders in the sector. These visits provided valuable insights, empowering the committee with firsthand experiences to make informed decisions.

Their mission is clear: to support and elevate educational institutions, ensuring the best possible learning opportunities for all students.

The committee remains dedicated to the continuous enhancement of education, training, and ICT initiatives in The Gambia.

The Select Committee on Monitoring of Government Projects with the support of IRI actively conducted a Social Audit and Public Hearing on the construction of key national infrastructures.

The focus was on the Ministry of Transport, Works, and Infrastructure, specifically the construction progress of the 22km Bertil Harding Highway and associated 50km Urban Road Projects.

The committee, joined by representatives from the Ministry, NRA, contractors, and consultants, were on-site for inspections. Key areas covered included the OIC 22-kilometre road from the airport junction to Senegambia and connected projects like Kombo coastal road, Sukuta-Wulinkama-Brufut-Ghana Town, Bijilo-Sukuta, and Nemasu-Latrikunda.

Engaging with the communities in these regions, the committee sought valuable feedback on the impact of these projects.

This comprehensive social audit not only ensures timely service delivery but also aims for transparency and accountability in the use of government funds for national development.



SELECT COMMITTEE ON EDUCATION, TRAINING AND ICT

Staff Achievements

In 2023, the National Assembly Service achieved notable milestones in staff development, showcasing a significant enhancement in the capabilities of our team.



Buba ME Jatta, Deputy Clerk Admin and Finance successfully completed a Master's in Public Sector Management from The Ghana Institute of Management and Public Administration (GIMPA).



Toney F Mendy, Senior Table Clerk successfully completed the Bar Professional Training Course, BL in 2023 at The Gambia Law School and is scheduled to be called to the Bar in January 2024.



Alhagie M Dumbuya, Director of Library & Research successfully completed a Master's in Public Administration (MPA) from the University of The Gambia (UTG).



Ebrima Ceesay, ICT Officer has been certified as a Cyber Security professional by the International Information System Security Certification Consortium (ISC2), a leading global association for cybersecurity professionals.



Ebrima Bah, Communications Officer was nominated by the Commonwealth Parliamentary Association (CPA) Africa Regional Secretariat to the Editorial Advisory Board for The Parliamentarian, CPA's flagship quarterly publication which is the Journal of Commonwealth Parliaments. He serves as the youth representative for CPA Africa Region.



Abubakarr S Kabbah, Director of Legal Affairs has his article 'Should the National Assembly of The Gambia oversee subsidiary legislation? A critique of standing order 80' cited in the Sixth Edition of Thornton's Legislative Drafting. The book, authored by Professor Helen Xanthaki, is a well-known and respected resource in the field of legislative drafting. The article was first published in the Loophole, an online journal of the Commonwealth Association of Legislative Counsel (CALC).



Lamin M Dibba, Senior Legal Officer was enrolled as Barrister and Solicitor of the Supreme Court of The Gambia after successfully completing the professional training required by the Legal Practitioners Act.



ROLE OF PARLIAMENTS IN PROMOTING DEMOCRACY

Paper presented by Momodou A. Sise, Clerk of the National Assembly at the Inter PARES Global Peer to Peer workshop for Clerk's of Parliament

I am indeed honoured and privileged to be accorded the opportunity to not only grace this important INTER PARES Global Workshop on Parliamentary Peer-to-Peer Partnerships but to also share my experiences on this panel bringing perspectives from the National Assembly of The Gambia, on how parliaments can work better together to further democratic values.

The National Assembly of The Gambia and indeed my humble self are very appreciative of all the efforts Jonathan and team are doing to strengthening Parliamentary institutions particularly in Africa.

Distinguished Panellists, Ladies and Gentlemen

It is obvious that the institution of Parliament is the bedrock and life blood of any meaningful representative democracy. I personally also believe that stable and successful democratic development primarily requires empowered and effective parliaments. It is however worth noting from the very start that for Parliament to function adequately in the due execution of its mandate and be able to generously contribute to the sustenance of democracy, it must be independent and adequately resourced.

There will be little or no disagreement on the fact that the legislative power assigned to Parliaments plays a crucial role in the consolidation of democracies around the world. Therefore, with the growing dominance of the executive branch in the political life of democratic societies, enhancing the role of Parliament is essential.

Distinguished Panellists, Ladies and Gentlemen

Having said that, allow me to also reveal that I probably come from one of the smallest parliaments in our midst today, the National Assembly of The Gambia. despite our size, the National Assembly of The Gambia is an embodies of our democracy as it is the institution through which people's will and aspirations are expressed, laws are passed, and government is held accountable.

My Office works on the firm principle that for the National Assembly to deliver on its core mandate, its Members must be elected and must be reflective and representative of all constituents, shapes and colours of society. Also, it must have the requisite powers and means to express consider 'people's will' through its law-making, oversight, representation and resource allocation functions.

in this regard and with the Support of partners like International IDEA, we conducted a comprehensive institutional assessment of the National Assembly covering both the human resources and procedural matters to identify gaps and develop mechanisms to ensure that the deliver on its core mandates.

Against this backdrop, my office, supported Members of the National Assembly in 2018 to pass a private members bill to expunge Section 91 (1) (D) of the 1997 Constitution. This section before its repeal indicated that National Assembly Members who are expelled by their political parties will vacate their seats in the legislature, thus constraining Members to perform independent of their political parties. This is now no longer the case and Members are free to debate based on their conviction and conscience.

We have also developed new Standing Orders in 2019 based on the assessment to give more clarity to parliamentary procedure and develop instruments that ensure that the National Assembly is can adequately scrutinize legislative proposals. Under this new Standing Orders, Bills undergo first, second and third readings before being passed. Bills are also committed to relevant committees for thorough scrutiny before they are read for a third time. This was in sharp contrast to the 2001 Standing Orders,

wherein legislative proposals can be introduced, debated considered and passed within a day.

We have also developed a robust committee system. We have established fifteen (15) oversight committees to hold the executive branch of government accountable. Prior to this development, the National Assembly had only one committee responsible for both Public Accounts and Public Enterprises which was largely ineffective.

Parliament must be independent of the Executive in every respect as this would allow it to perform its functions more effectively and judiciously. It is against this fundamental principle that the National Assembly passed the National Assembly Service Act, 2021 which has, for the first time in our history in express terms, enabled the institution of the National Assembly to take control of its own affairs and muster the legal, administrative, and financial resources it requires to execute its mandate efficiently and effectively.

To this end, this new status of the National Assembly gives the institution the necessary legal and legislative framework to effectively account for its administrative, operational, and financial independence from the Executive, in line with regional and international parliamentary standards and principles of parliamentary development.

Distinguished panellists', ladies and gentlemen,

It is praiseworthy to know that as part of its efforts to strengthen democracy, the National Assembly of The Gambia promotes knowledge of the Parliament among the citizenry by conducting a National Assembly Open Day each year. Radio talk show, school visitor programmes and live streaming of all proceedings of the National Assembly are also routinely conducted. These activities gives individuals, interest groups and the general public the rare opportunity to know anything and everything of interest about the Assembly.

Moreover, the Assembly builds partnerships with CSOs and interest groups as well as takes the initiative of strengthening representative institutions in the country in order to help protect human rights and spread the work of the National Assembly.

Similarly, the Assembly builds partnerships with sister parliaments in the subregion and beyond which, I must admit, is rewarding in our strive for collaboration.

As far as promoting parliamentary democracy is concerned, peer-to-peer learning is vitally important to parliaments and parliamentarians across the world.

I believe that these are useful means through which parliaments can positively contribute to promoting representative democracy worldwide.

Honourable Moderator, Illustrious Secretaries General, Expert Panellists, Distinguished Guests,

In conclusion, permit me to say that Parliaments should be more than ready to bear the brunt, oppose any impediment and support any course to assure global promotion of democracy through sharing democratic achievements together with new and innovative means of resolving the challenges faced. Besides, the best approach for parliaments to deal with these challenges is to learn from each other through peer-to-peer partnerships, and in forums such as this.

I would like to stress that the energy, the faith and the devotion that parliaments need globally will have to be strong and concerted. There is the obvious need for Parliaments to re-evaluate their operations and develop new ways in order to achieve spectacular success in the struggle towards strengthening democracy across the world.

I assure you that the National Assembly of The Gambia will continue to discharge its formidable role to promote democracy internationally.

Thank you all for your kind attention.



ENHANCING EFFECTIVENESS OF THE NATIONAL ASSEMBLY DURING CRISIS: LESSONS FROM COVID-19



Introduction

Legislatures are central to modern democratic governance as they hold governments to account and scrutinize legislation for effective public policy (R Gordon & N. Cheeseman, 2021). Yet in times of crises, Parliaments are often bypassed as Presidents prioritise rapid response. This is particularly glaring during the Covid -19 pandemic.

In March, 2020, when Covid -19 rapidly engulfed the world, most Legislatures around the world were confronted with the need to execute their constitutional mandate and support government measures to protect citizens from the deadly covid -19 Pandemic (A Lilly & H White, 2020). Most Parliaments such as UK and other European Parliaments adopted innovative ways to dealing with the Pandemic (J. Murphy, 2020).

Unlike other pandemics, Covid 19 had been gone on for over a year. The imposition of social distancing measures meant Parliaments could not sit regularly, Sessions were sometimes reduced or suspended and Parliamentary accountability of government actions has been brought to a halt due to state of emergencies imposed by states. This makes Covid -19 deleterious for Parliamentary accountability and effectiveness (ECPRD, 2020).

This paper assesses the effectiveness of the National Assembly of The Gambia during the Covid-19 crises. .

Legal Framework

Section 100 of the Gambia Constitution (1997) establishes the National Assembly and grant it Legislative and Oversight Powers in Sections 101 and 102 respectively. In addition, Section 34 (6) of the Constitution empowers the President to declare a state of emergency for 21 days when the Assembly is not in Session and 7 days when the Assembly is in Session.

The National Assembly can either extend or decide otherwise the state of emergency.

As will be discussed in the exceeding section of this paper, the National Assembly extended the state of emergency initially imposed by the President at the beginning of the pandemic but this process was stalled in the National Assembly as the pandemic got worse.

Parliamentary Business

In spite of the unexpected nature of the pandemic, the National Assembly was able to institute some swift innovative plans to ensure its effective functions during the pandemic. The first strategic measure taken by the National Assembly was to put in place the Covid response emergency committee which was charged with monitoring and implementation of Covid response strategies of the government. In a bid to minimize the rate of infection within the Assembly, staff of the Assembly Service were reduced by 50% and asked to work from home. Although this measure stalled the activities of the Assembly and impacted greatly on the session . OL & RS, (2020) revealed that most Parliaments around the world resort to virtual sittings to contain Covid -19. Limited technology and unreliable power supply prevented the National Assembly from sitting virtually. However, Session period and number of Sitting days were reduced by half. This though has a profound effect of the legislative mandate of the Assembly.

The restrictions and social distancing measures imposed as precautionary measures to curb the prevalence of the pandemic posed great challenges in the ways and manners the Assembly operate. It has greatly weakened the capacity of parliament in terms of oversight and accountability.

The First Ordinary Session of the 2020 legislative year was postponed and Parliamentary business piled up for the Second Ordinary Session. In the subsequent Sessions the number of Sitting hours were reduced and restriction was in place to limit the number of people inside the chambers sensitization of Constituencies on Covid 19.

The Gambia recorded its index Covid-19 case at a time that the National Assembly was convening its First Ordinary Session in the 2020 Legislative Year. Upon receipt of the news, the Assembly immediately suspended sittings and Hon. Members returned to their respective Constituencies to sensitize the populace about the global pandemic, its effects and how to prevent it from spreading. This was the first major public sensitization in The Gambia on Covid-19.

Hon. Members during the sensitisation campaign also engaged in a massive distribution of hand washing materials, sanitizers and detergents to communities.

These materials were installed at strategically in the communities for use by the population. The National Assembly however, received mass public criticism for suspending Sittngs when Covid just knocked on the door, although the Assembly justified its action as a representative institution of the people.

Extension of State of Public Health Emergency

In accordance with the Constitution of The Gambia, the National Assembly by a unanimous vote extended the State of Public Health Emergency initially declared by the President across the country pursuant to Section 34 (2) (6) of the Gambia Constitution (1997), to allow the government to put up measures to curb the spread of COVID-19 in the country. The State of Public Emergency enabled the Executive branch of government to utilize emergency powers vested by the Constitution on the President to combat Covid -19. Such powers included imposing restrictions on individual and collective freedoms by limiting social interaction, movement, public gatherings and closure of the country's borders. These powers enabled the government to place The Gambia under partial lockdown to effectively contain the spread of the virus.

As the pandemic worsened in the country, the need to extend the State of Emergency became even more necessary.

However, political fallouts prevented the passage of a motion for further extension of the Emergency Powers from being passed in the National Assembly, thus forcing the President to rely on Executive Orders to manage the country during the crise.

Establishment of a Special Select Committee to monitor the implementation of the Emergency Powers under the State of Emergency

In addition to an extension of the State of Emergency, the National Assembly pursuant to Standing Order 95(5), established a Special Select Committee with the objective of holding the Executive to account as it delivers on its commitment to the people during the forty-five-day period of the State of Public Emergency that was approved by the National Assembly of The Gambia. The mandate of the Committee was to, among others, critically scrutinize the regulations, monitor the effectiveness of their implementation and engage the relevant stakeholders on the Covid-19 pandemic.

Conclusion and Recommendations

An enormous lesson has been drawn from the novel Corona virus, since it struck unexpectedly, As such the National Assembly ought to be proactive in passing laws and act in the interest of the people. There is the need for institutionalisation of robust contingency plan to avert such occurrence

As a pillar of The Gambia's democratic system, the National Assembly continues to function to balance power, pass laws and represent the will of the people by engaging constituents, not only so they can understand public concerns, but also to ensure citizen priorities are adequately represented through meaningful reform.

During this Covid -19 crisis, the National Assembly has scaled up its activities to assuage public fears and ensure swift delivery of resources to communities in need - especially those who are underserved or marginalized. The Assembly has also enhanced its oversight function to guard against Executive branch power grabs, including sweeping emergency orders that restrict civil liberties or potential abuses of state resources.

Undoubtedly, the National Assembly has not been an exception to vast effects of COVID- 19, since it has paralysed and weakened its Parliamentary procedures and capacity in legislation and oversight. This has equally triggered unprecedented policy response within the Assembly, adjusting to the current realities that requires adopting the precautionary measures. It has profoundly created an enormous challenge in the interaction between the legislative and executive branch thus creating a temporal change in the oversight function of the Assembly. A broadening of the legal framework to enable the National Assembly take more decisive roles and actions during crises is desirable.

Author: Gibairu Janneh Director of Communications, ICT and Press of the National Assembly of The Gambia



Legislative supremacy vs Constitutional supremacy in The Gambia

Introduction

The term 'legislative supremacy' suggests that parliament enjoys unfettered, unconditional, and absolute legislative powers. Does the National Assembly of The Gambia enjoy unfettered legislative powers? To examine this question and the parliament's primary role in law-making process in The Gambia, it is important to evaluate the legislative power of parliament. According to the constitution of The Gambia, all power and state authority is derived from the people and the constitution.

Notwithstanding, section 100 of The Gambia's Constitution vests the legislative authority in parliament. Generally, while legislative powers are vested in parliament, those powers are only exercisable in accordance with the limitations imposed by the constitution. In *Bribery Commissioner v. Ranasinghes*, the court was invited to rule on limitations imposed on the legislative powers of parliament and it observed that: '...any bill which does not comply with the condition precedent of the proviso, is and remains, even though it receives the royal assent, invalid and ultra vires.

Legislative supremacy

The Gambia's parliament embodies the legislative jurisdiction of the state through bills passed by it and assented to by the president. In theory, presidential assent is required for a bill passed by parliament before it becomes law. Under the 1997 Constitution, this may be interpreted as a 'ceremonial role' of the president as he or she is required, within a timeframe to assent to a bill presented to him or her or return it with comment

requesting for reconsideration by parliament. Where parliament reconsiders the bill so requested and resolved by votes agreeing to the bill with or without the comments of the president, the bill shall be presented again to the president for assent and the president is compelled by law to assent to the bill within a shorter timeframe. However in The Gambia, the president has never refused to give assent to a bill passed by parliament. This practically indicates that the legislature is the law-making organ of the state; and the president's role is more of ceremonial, thus technically has no legislative authority.

Furthermore, the judiciary, through the supreme court, may check the legislative competence of parliament, but this does not imply that the judiciary can remove the legislative power from parliament. Instead, it is a constitutional duty of the court to ascertain the compatibility of the laws made by the legislature with the constitution or whether proper procedures were followed as prescribed by the law. This was established in *Jammeh v Attorney General*, where the supreme court struck down an amendment law made by parliament for failing to exhaust the prescribed procedure in the constitution.

The court held that the alleged amendment of section 1(1) and paragraph 13 of schedule II to the 1997 Constitution were made beyond the province of parliament conferred by the constitution and declared that portion of the amendment void. However, the court declined the request to set aside the amendment law, arguing that it cannot sever other parts of the law as those were within the province of parliament.

Thus, unless its act contradicts the constitution, parliament has a degree of legislative supremacy. Unlike in the UK, parliament's power over all matters and persons within its jurisdiction is limitless, while in The Gambia, parliament's legislative powers are controlled. For instance, Parliament of The Gambia has no mandate to pass a law to establish a one-party or religious state or to revise the judgement of a court in any proceedings to prejudice any party to those proceedings or deny retroactively any person of vested or acquired rights.

As highlighted, parliamentary supremacy gives the legislature supreme authority to make or change laws and it cannot be overruled by another organ of the state, in particular the court. For instance, in the UK where this doctrine is generally applied, parliament is the highest source of law and the law is applied by the courts since it is

made in accordance with the rules of procedure of parliament. According to Dicey, under the concept of parliamentary supremacy, parliament has 'under the English law, the right to make or unmake any law whatever; and, further, that no person or body is recognised by the law of England as having a right to override or set aside a legislation made by parliament.' This suggests that under the British constitution, no matter how vicious it is, or the public outcry attached to it the law made by parliament, the law remains valid, and the courts are, in theory, obliged to uphold the law. All Acts of parliament in the UK are regarded as binding on the courts unless repealed or amended by parliament in another Act.

Constitutional supremacy

In The Gambia, parliament is subservient to the constitution. The constitution is the supreme law of the land and any law or rule that contradicts it is void to the extent of the inconsistency. This suggests that parliament's legislative authority is exercisable subject to the constitution. For the UK, the judiciary is subordinate to the will of parliament unlike The Gambia where the supreme court can declare an Act of parliament unconstitutional.

Even though under the Human Rights Act 1998 of the UK parliament has granted power to the courts to declare a legislation incompatible with the Act, it still protects the legislative supremacy of parliament and that the court cannot strike down that provision of the legislation in question. In addition, ministers are given powers to make delegated legislation through statute, but parliament still reserve the right to control each type of delegated legislation.

Legislative supremacy in UK's context embodies principles of absolute legislative power of parliament. As understood and popularised by Dicey in 1885 through his arguments on the sovereignty of parliament, the legislative supremacy of parliament represents the constitutional acceptance that 'parliament has the right to make or unmake any law whatsoever; and further, that no person or body is recognized by the law as having a

right to override or set aside the legislation made by parliament.

'The principle is often characterised by three main features, namely: that one parliament cannot bind its successor; that courts are under a duty to apply legislation passed by parliament even if that legislation appears to be morally or politically wrong; and in some jurisdictions like the UK, the legislation cannot be challenged for unconstitutionality.'

However, in The Gambia, the supreme court in *Jammeh v Attorney General*, asserted that: In a country without written constitution but nonetheless governed by constitutional conventions as in the United Kingdom, the sovereignty and legislative supremacy of parliament is the norm.

By this supremacy it is meant that there are no legal limitations upon the legislative competence of parliament'. (See *Wade & Phillips - constitutional and administrative law* (9th ed) by AW Bradley at page 57.

The editor of this well-established treatise on British constitutional practice cites Dicey as drawing from such supremacy the fact that parliament has under the English constitution' the right to make or unmake any law whatever; and further that no person or body is recognised by the Law of England as having a right to override or set aside the legislation of parliament.

In the same vein, the court distinguished the UK and The Gambia by stating that: In The Gambia, with a written constitution based on the separation of powers, the position is different. Supremacy reposes in the constitution, whether or not such is expressly declared by that instrument and not with parliament or any other organ of state. Section 4 of the 1997 constitution provides for the constitution as the supreme law of the land.

It reads as follows: 'This constitution is the supreme law of The Gambia and any other law found to be inconsistent with any provision of this constitution shall, to the extent of the inconsistency, be void.

Furthermore, unlike the Parliament of the UK, which can legislate on any subject, the National Assembly of The Gambia has to exercise its legislative functions subject to the constitution and the limitations imposed by it. Thus, parliamentary supremacy in The Gambia is not absolute but limited by the constitution.

The 1997 Constitution of The Gambia limits parliament from passing any law: ‘to establish a one-party state; to establish any religion as a state religion; to alter the decision or judgement of a court in any proceedings to the prejudice of any party to those proceedings, or deprive any person retroactively of vested or acquired rights...

Procedure of law making

Parliament generally is empowered to make its own rules of procedure, and how to conduct its proceedings. Essentially, parliament is the master of its own procedure and dictates how its proceedings are conducted unfettered. Furthermore, unless the rule is inconsistent with the constitution or any other law, the courts are restricted to enquire into the ‘decision, order or direction of parliament or any of its committees or the Speaker relating to the Standing Orders of parliament, or to the application or interpretation of Standing Orders, or any act done by parliament or the Speaker under any Standing Orders’. This means that the rules of procedure of parliament and its application are not subject to interpretation or question by any court. Hence, procedurally, parliament is shielded.

However, it is imperative to emphasise that the legislative powers of parliament are procedurally restricted. Based on the constitution and parliament’s own standing orders, parliament must follow certain procedure in exercising its legislative functions. Such procedures are found in sections 101, 108(1), and 226 of the 1997 Constitution.

Section 101 describes the mode and the route to be taken in introducing bills in parliament, whilst section 108(1) empowers parliament to make its own standing orders, thereby prescribing and regulating its own law-making procedure. Section 101(4) of the constitution contains further restrictions upon parliament in so far as financial matters are concerned. Hence, it is clear from these constitutional provisions, parliament is confined in exercising its legislative functions.

Though the British parliament inspires the parliament of The Gambia to a great extent, it must be pointed out that The Gambia’s constitution contains fundamental features which distinguish it from the British system

The prominent peculiarity or feature of The Gambia’s system is the sovereignty of the people and the doctrine of constitutional supremacy.

The constitution entrenches the sovereignty of the people and the supremacy of the constitution, from whom and where all state organs derive their legitimacy and related powers to be exercised on people’s behalf and in accordance with the constitution.

Secondly, parliament’s legislative powers may be reviewed to ascertain its consonance with the constitution. Section 127 grants the supreme court the power to decide on whether a law was made intra or ultra vires. Essentially, in The Gambia, the validity of an Act of parliament can be challenged and struck down by the court if it is inconsistent with the constitution, whilst in the UK the court cannot declare an Act of parliament unconstitutional.

Conclusion

It is conclusive that the legislative powers in The Gambia are vested in the National Assembly, but not absolute, unlike the parliament of the UK which is generally unlimited in its legislative mandate. In the UK, a law made by parliament might be unjust or contrary to the fundamental principles of governance; but parliament was unconstrained, and if it erred, such errors may not be corrected by any other authority but only by itself.

The power of the judiciary to question the validity of an Act of parliament would not necessarily mean a breach of the fundamental principle of legislative supremacy, except the manner in which it is exercised by the court and parliament’s power to legislate.

For instance, in the case of Gambia Press Union and others v Attorney General, the court held that when the constitutionality of a legislation is challenged, the Act is presumed to be constitutional unless shown otherwise, and that the burden is on the plaintiff

Finally, it also settled that the independence of parliament is crucial in the discharge of its legislative functions and any attempt to impair this either from the executive or even the judiciary would grossly violate both the letter and spirit of the constitution and undermines parliamentary independence. Based on the letter and spirit of both the 1997 Constitution and the doctrine of separation of powers, parliament is immune and supreme in the execution of its legitimate legislative functions. It is against this backdrop that courts are cautioned not to act in any manner that appears to be judicial legislation as their role is purely interpretative.

Author: Kalipha MM Mbye is the Deputy Clerk, Legal and Procedural Matters at the National Assembly of The Gambia



UNPARLIAMENTARY LANGUAGE:

POINT OF LAW OF THE REVISED STANDING ORDERS OF THE NATIONAL ASSEMBLY OF THE GAMBIA (2019)

Introduction

Parliament is a forum where the views of a nation, through its elected (and where applicable, unelected) representatives, are freely expressed. It is generally recognised as the supreme legislative body in the country that makes and repeals laws for the common good, and exercises oversight of other arms of the state in the spirit of checks and balances. Members of Parliament could belong to a party, a coalition of parties, be independent candidates or, as in the case of The Gambia, some of them could also be nominated by the President or other authority empowered by law to do so.

Using a comparative approach, this article discusses the term ‘unparliamentary language’ in the context of the National Assembly of The Gambia, drawing reference from various sources. It may be argued that for there to be peaceful coexistence and healthy debate in Parliament, boundaries and limitations must be set in the form of rules on the use of certain words and expressions. Furthermore, these words or expressions largely depend on the degree of their acceptance in the cultural context of a given society.

What constitutes unparliamentary language and when can one raise a red flag for its use in Parliament?

In its Unparliamentary Language Handbook (2020), the Parliament of Zambia settles on the definition of unparliamentary language as any language that does not show good temper or moderation.^[ii] This definition conforms with Erskine May^[iii], which equally condemns the use of any language that tends to lower the dignity and integrity of the House.

Thus, as Erskine May emphasises, good temperament and moderation are fundamental comportment etiquette in a parliamentary debate. The UK Parliament defines unparliamentary language as a language that “breaks the rules of politeness in the House of Commons Chamber”.

According to P. D. T. Achary, a distinguished former Secretary-General of (the 14th and 15th) Lok Sabha at the Parliament of India, unparliamentary words are those that do not square with the dignity of the House and are, for this reason, expunged from the record of speeches (e.g. Hansard) by the Presiding Officer. This is to say that when a word is deemed unparliamentary, the Presiding Officer directs that the records do not capture it as being said by the Member; or where it is recorded, it is directed that it be expunged.

In The Gambia, the rules for the non-acceptance of unparliamentary language is provided for in Standing Order 29(4) of the National Assembly Standing Orders (2019), which states, “it shall be out of order to use offensive and insulting language about Members of the Assembly”.

Furthermore, Standing Order 21 (2) (d) directs that “[t]he Speaker or Chairperson may, after having called the attention of the Assembly or Committee to the grossly disorderly conduct of a Member who uses unacceptable language which he or she refuses to withdraw, order the Member to withdraw immediately from the Chamber during the remainder of the day’s sitting.”

The Parliament of Zambia trades the notion that a word could be regarded as unparliamentary depending on the context in which it is used. The Parliament also notes that codifying unparliamentary language could be impractical as it is the context in which words or phrases are used that the Presiding Officer must consider when deciding whether they are offensive and, therefore, be withdrawn or otherwise. Therefore, “in dealing with unparliamentary language, the Presiding Officer takes into account factors such as the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the level of provocation; and whether or not the words created disorder.”

In the UK House of Commons, it is incumbent on the Speaker to ensure that Members of Parliament do not use insulting or rude language, accuse each other of lying, being drunk or misrepresent each other’s words. In most jurisdictions including the UK and Zambia, Parliament compiles the words and expressions that are deemed unacceptable to use, and therefore, sanctioned. Equally, in the Lok Sabha, the Secretariat of the India Parliament compiles and periodically updates the compilations of unparliamentary words. These words and expressions are often declared unparliamentary by the Central Legislative Assembly, the Constituent Assembly, the Provisional Parliament, and the different Legislatures of the Lok Sabha. However, there is no such initiatives by the National Assembly of The Gambia where words and expressions that are deemed unparliamentary are recorded and periodically

updated and circulated to all the Members of the Assembly. As such, the Presiding Officer, using his or her discretion, determines whether a word or expression is unparliamentary and the outcome invariably depends on the context.

In this regard, it must be reiterated that the Presiding Officer is obliged by Standing Order 21 (2) (d) to ensure that a member who uses unfriendly parliamentary language withdraws it or leaves the National Assembly for the remainder of that day's sitting. A Member may also raise a Point of Order against a colleague who used language that could be considered profane, disrespectful or unparliamentary. That notwithstanding, the Presiding Officer must decide on the validity of that Point of Order in terms of the language used, including the context in which it is used. As was noted in the context of the Parliament of India, the "decision to expunge words is the prerogative of the Chair".

It must be pointed out that before the Presiding Officer requests the withdrawal of a Member from a sitting of the National Assembly or a Committee of the Assembly for using a word or expression that is deemed unparliamentary, the Presiding Officer must give the Member in question the option of withdrawing the word or expression. Where a Member refuses to withdraw as ordered, they may be asked to withdraw as requested, he or she can be made to withdraw from the Assembly voluntarily or by force if necessary by the Speaker, through the Sergeant-at-Arms.

There are a few instances where the Speaker has sent out Members from the Chamber during a debate for using, and refusing to withdraw, words that the Speaker deemed unparliamentary. For example, in February 2022, the Speaker of the National Assembly sent out a Member when he referred to a statement made by a colleague as "rubbish and political".

In October 2022, the Speaker requested a Member to leave the Chamber upon her refusal to withdraw a statement that the Deputy Speaker had "lied to the Assembly."

There are also instances where Members comply with the Speaker's request to withdraw comments deemed unparliamentary. For example, on 25 April 2022, a Member of the National Assembly withdrew his words describing the Deputy Speaker as a "security threat to the country".

The Speaker's decision to ban or sanction the use of a word or an expression in Parliament often generates controversy because Members loathe to restrict themselves to the extent of limiting their freedom of expression as guaranteed in the Constitution. In the Lok Sabha, for example, a huge row

erupted on 18 July 2022, when a 50-page compilation of words deemed unfit for use in Parliament of India was released by the Secretariat, with the Opposition regarding the unparliamentary word list as a 'gag order' meant to insulate the incumbent government against criticism.

Section 113 of the Constitution guarantees freedom of speech and debate in the National Assembly of The Gambia, whilst emphasising that this freedom shall not be impeached or questioned in any court or place outside the National Assembly.

It is however questionable whether the Speaker's decision to restrict Members from using words in the National Assembly would conflict with this constitutional provision. Section 108(1) grants the National Assembly the power to regulate its own procedures and, in particular, make Standing Orders for the conduct of its own proceedings. In principle, if Members of the National Assembly make and adopt rules in this context, their freedom and debate in the Chamber is not infringed.

According to one political commentator Liz Mathew, "whatever an MP says is subject to the discipline of the Rules of Parliament, the good sense of Members, and the control of proceedings by the Speaker". This is a cardinal principle in parliamentary law and practice, and the courts are in agreement that the proceedings of the Legislature cannot be inquired into, save if it is in conflict with the Constitution.

Conclusion

It is important to emphasise that documentation of rules helps in their enforcement. It could therefore be argued that Parliaments that already have a comprehensive list of words they sanctioned from use are less likely to generate controversy over the propriety of using certain words or expressions than Parliaments that do not keep a record of unparliamentary language. It is also important to emphasise that the degree to which words are culturally defined, the level of provocation from the Member of Parliament using them and the context in which they are used matter in the Speaker's determination of whether such language is unparliamentary or not.

Therefore, and as a matter of good practice, it is noted that the Office of the Clerk of the National Assembly of The Gambia continues to improve on the documentation of decisions and/or rulings in the Chamber for ease of reference.

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