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[OFFICIAL HANSARD REPORT]

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1. Prayers

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

[The Speaker, Hon. Fabakary Tombong Jatta, read the prayers.]

[The Speaker, Hon. Fabakary Tombong Jatta, in Chair]

The Assembly was called to Order.

THE SPEAKER: Good afternoon, Honourable Members. Eid Mubarak to everybody. May we witness many more, and may Allah 'Subhanahu Wa Ta'ala' continue to guide and protect us in our deliberations.

Clerk, may we proceed?

2. Corrections and Approval of the Record of Votes and Proceedings of the National Assembly Sitting of Tuesday, 17th March 2026

THE SPEAKER: Honourable Members, the Record of Votes and Proceedings of the National Assembly Sitting of Tuesday, 17th March 2026, is before us for corrections and approval. Can any Honourable Member please move that the Record of Votes and Proceedings be considered and approved? Yes, Honourable Member for Tumana.

HON NFALLY M. KORA [TUMANA]: Thank you, Honourable Speaker, and good afternoon. I so move. Thank you.

THE SPEAKER: Thank you, Honourable Member for Tumana. Any seconder, Honourable Members? Yes, Honourable Member for Foni Bondali.

HON PA DEMBO SANYANG [FONI BONDALI]: Thank you, Honourable Speaker. I so second the motion.

THE SPEAKER: Honourable Members, it has been moved and seconded, so I now put the question.

[Question Proposed].

Honourable Members, we all have the copies of the said Record of Votes and Proceeding. As usual, we will look through it page by page beginning Page 1 to be followed by your comments and observations. Page 1, Honourable Members; we move to page 2. Yes, Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Page 2, on the item two Consideration Stage. The first line is 'Communication Bill'. I believe it is "Communications Bill". It should not be pluralised. Thank you.

THE SPEAKER: Page 2, you said Number 2. What are you proposing?

HON SUWAIBOU TOURAY [WULI EAST]: The paragraph under is 'Communication Bill'.

THE SPEAKER: The first line?

HON SUWAIBOU TOURAY [WULI EAST]: The first line.

THE SPEAKER: The Consideration Stage.

HON SUWAIBOU TOURAY [WULI EAST]: For the Communications

THE SPEAKER: Do you mean the 's'?

HON SUWAIBOU TOURAY [WULI EAST]: Yes.

THE SPEAKER: Okay. Thank you very much. Any more on Page 2, Honourable Members? We move to Page 3. Honourable Members, we now move to Page 4. Okay, Honourable, we now move to Page 5. Honourable Members, we move to Page 6. Yes, Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Page 6, the line before Consideration Stage, Order 73. The Clerk read the subtitle of the Bills, which is pluralised but we have dealt with only one bill.

THE SPEAKER: You are right. The subtitle of the "Bill" instead of 'Bills'. Thank you, Honourable Member for Wuli East. Any more on Page 6?

HON SUWAIBOU TOURAY [WULI EAST]: Instead of continuing with the Bill, it said Bill with urgency. They skipped and brought the other, Civil Registration and Statistics Bill.

THE SPEAKER: I do not follow. Can you come back again?

HON SUWAIBOU TOURAY [WULI EAST]: If you go under, you will see Consideration Stage of the Whole Assembly, which is for the Civil

Registration and Vital Statistics Bill while we have not finished with the Bill that has Certificate of Urgency. Have you seen it? It should be connected.

THE SPEAKER: On Number 2, Consideration Stage, you are saying, Honourable Member, that instead of the 'Civil Registration and Vital Statistics Bill', it should be the "National Security". Yes, you are right.

Thank you, Honourable Member for Wuli East. Any more on Page 6, Honourable Members?

HON SUWAIBOU TOURAY [WULI EAST]: Yes. If we do it that way, that means when we come to Third Reading, you will see that the Clerk would read the subtitle of the Bill, and it would be deemed… So, we say, 'it was deemed to have been read'. The last line of*… [Interrupted]*

THE SPEAKER: Which page? Are you on Page 7?

HON SUWAIBOU TOURAY [WULI EAST]: No. I am saying if you connect it, it would be Page 6.

THE SPEAKER: What I am saying is, are you reading from Page 7?

HON SUWAIBOU TOURAY [WULI EAST]: Yes.

THE SPEAKER: Yes. Okay. If there are no more comments on Page 6, you can continue Honourable Member to Page 7.

HON SUWAIBOU TOURAY [WULI EAST]: Let us follow it that way. Page 7, the last paragraph on Third Reading before Order 73, the sentence should

have read "and it was deemed to have been read a third time and passed'. The word 'was' is missing.

THE SPEAKER: The Clerk read the subtitle of the Bill, and it deemed… 'was' is missing. Honourable Members, are you following? Okay. Thank you, Honourable Member for Wuli East. Any more on Page 7? Okay. Honourable Members, we move to Pages 8 and 9. Finally, Honourable Members, we look at Page 10. Thank you, Honourable Members.

[Question Proposed, Put and Agreed to]

[That the Record of Votes and Proceedings of the National Assembly Sitting of Tuesday, 17th March 2026, be approved with amendments.]

3. The Special Select Committee's Statement to the Plenary *[By Hon. Member for Old Yundum & Chairperson of the Committee]*

THE SPEAKER: Yes, Honourable Member for Old Yundum.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Yes, Honourable Speaker. Before we move, I just wanted to report to the Plenary that we were supposed to report back to Plenary on the 10th March 2026. So, I have a statement to put before the Assembly for your consideration if you give me the permission.

THE SPEAKER: You can continue.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Thank you, Honourable Speaker.

Honourable Members, this honourable Assembly had on the 10th day of March 2026 delegated the Special Select Committee the responsibility to consider the recommendations arising from its report and to bring forward appropriate resolutions for the Assembly's consideration.

In the course of executing this mandate, the Committee considered an opinion of the Clerk on the issue of formulating resolutions out of the report. The Committee wishes to draw the attention of this honourable Assembly to the opinion and to indicate that it agrees with the position set out therein. On that note, I wish to refer this honourable Assembly to the entirety of the opinion which has been circulated to all Members on your table for adoption.

Honourable Speaker, I, therefore, turn to other matters concerning the report of the Committee which was previously laid before this Assembly. Following the tabling of the report, it has come to the Committee's attention that a portion of the report was inadvertently omitted. The omitted portion relates to specifically the Committee's findings and recommendations on companies and equity holdings, and the category of asset classified as other assets. This omission was purely administrative and does not affect the substance of the work already presented, safe for the absence of this relevant section.

In order to ensure completeness of the Committee's work and to assist this honourable Assembly in its deliberation, the Committee hereby submit the omitted portion of the report for consideration alongside the main report. Thank you, Honourable Speaker.

The other items are circulated to Honourable Members. You can see it on your table. The recommendations for companies and equity holdings are also circulated to Honourable Members. Safe to say, let me just read the recommendations and just for you to follow.

Recommendations for Companies

1. All of the companies recommended for liquidation by the Commission and accepted by the Government must be liquidated most efficiently since most of these assets of the companies have been sold.
2. The Government should engage the Gambia Ports Authority to assess the cargo container and to see whether the country needs it to ease the work of the Banjul port. If the assessment shows that GPA requires the scanner, it shall be transferred to GPA for use. Should the assessment show that the scanner is not needed, it must be sold by the Ministry of Finance in the same manner as all assets are sold.
3. If the Gold Dust Refinery has not been sold by the Receiver at the time this report is tabled, then it must be handed over to the Ministry of Finance which shall then facilitate the sale of the refinery.
4. The Register of Companies must implement the provision of the Companies Act 2013 in dealing with companies in the register that do not comply with the filing of annual returns, resolutions among other things.
5. The Government must take active action to recover the loss incurred by the State caused by the former President and his close associates in their financial dealings, and it relates to these companies and their business ventures. The Commission of Inquiry has clearly identified and outlined the loss incurred and through whom it must be recovered, and it relates

to these companies. Therefore, the recommendations already accepted by the Government in its White Paper must be implemented.

Thank you, Honourable Speaker.

THE SPEAKER: Honourable Member**,** before you take your seat. What do you mean by the other items issued?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: The other items should also form part of the report. It was missing inadvertently like I said. So, we are just trying to bring it before the National Assembly for consideration because it should be part of it. The other items include the Montblanc ink. These are just small pieces of assets that were stored in one of the containers at the Ministry of Justice. They were recovered in a safe.

They are listed already Montblanc ink, 2 pieces; Michael Kors wristwatch, 1 piece; 5 Butut coins, 28 pieces; 10 Butut coins, 1 piece; West African coin, 1 piece; 2 GAM petroleum hard drive; 11 DVDs belonging to the former President with descriptions; 1 University of the Gambia Medal; 4 PAJEP Keys accompanied by a handing over note; precious metal necklace, 2 pieces; gold coins, 2 pieces; envelope marked G07; 4 pieces of stones; and samples of sands two type colours. These are the items that form part of the other items.

THE SPEAKER: In your motion, you seek for other items, the recommendations on the companies and equity holdings as well as the

Clerk's technical advice to be taken into consideration. Any seconder? Yes, Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Thank you, Honourable Speaker. I so second the motion. Thank you.

THE SPEAKER: Thank you, Honourable Member for Wuli East. Honourable Members, it has been moved and seconded, so I now put the question. … *[Interrupted]*

Honourable Minority Leader, I am putting the question. Do you want to come in before the question? I am saying whether you want to do it before I put the question or not.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Yes, before putting the question.

THE SPEAKER: Take the floor.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: I would not know technically how this will entail if a report is adopted inclusion of submission to be considered part of the report. Would it not require, in the first place, rescinding the adoption of the earlier report; thereafter, the move to include this submission can come in. Would that not be the procedure?

THE SPEAKER: Do you think it will be necessary? We are not touching anything on the original report. That is gone, and we are not amending anything on it. We are now bringing another thing to add to it.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: That is why I am saying. Before you add, will it not require rescinding the earlier one and then add? I think there were instances when we were doing reconsideration, we rescind earlier decision before we add any amendment.

THE SPEAKER: Usually, you rescind when there is something in the earlier adopted motion that you will add or delete. But now we are making a secondary one that was omitted, and we are adding it to the other one. Now, it becomes two and they should be incorporated. Yes, Honourable Member for Kantora and Majority Leader.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: You have already spoken my mind. That was the right thing. I was about to say that. Already, this is a new insertion that has nothing to do with the alteration of the previous report. If there is any alteration moving forward, we might move a motion to rescind the earlier decision on the report to alter anything in it. Thank you.

THE SPEAKER: Yes, Honourable Member for Foni Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: Thank you, Honourable Speaker. I do want to ask in regard to the said report. If for example, you have seen certain areas that you may want to propose to the Committee as an add up, is it feasible at this stage or after? I want to be guided?

THE SPEAKER: What is your question?

HON ALMAMEH GIBBA [FONI KANSALA]: I said, if one has suggestions to add as per the recommendations that were sent to the Committee, are we allowed to do that now or wait when you move then we come in?

THE SPEAKER: Yes, when the motion is seconded and I put the question, that is the time if any Member has anything to say or do, he/she can now get up and then ask or do anything. So, can I proceed with the question now?

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Honourable Speaker

THE SPEAKER: Yes, who is that? Yes, Member for Latrikunda Sabiji.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Thank you, Honourable Speaker. I just want clarity on this. When a resolution or recommendation is passed here on the floor of the National Assembly, any amendment attach to it means the previous report has changed and attracted debate. Will this amendment also attract debate, or are we only going to attach it to complete the report? I want to be very clear.

THE SPEAKER: Honourable Member, this is a proposed amendment, a motion for inclusion. Now, it is for Members to accept or reject it. In so doing, Members have right to make their comments or observations or ask for clarity on any issue after I put the question.

Honourable Members, we have two technical problems here. It looks like Members may want to have some clarity or comment on some issues. If I put the motion for adaption or inclusion, it means it closes it off. So, we

would put a question for consideration after let people to ask questions followed by your comments. We would put the motion for adoption. Do you follow? Unless you do not have questions to ask, then we would just put the question for adoption immediately.

[Question Proposed]

[That the Special Select Committee's motion for other items, recommendations on the Companies and equity holdings, and Clerk's technical advice be considered for inclusion into the report.]

Honourable Members, we have just put the question for consideration. Do any Honourable Member have any questions or need clarity on the issues? Yes, please.

HON SANEY JAWARA [LOWER SALOUM]: There is no seconder.

THE SPEAKER: You raise your tags. Honourable Member for Central Baddibu.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Thank you, very much. Honourable Speaker, I do not know whether it will be right at this juncture because he first read their stand as a committee in response to the advice being given by the Office of the Clerk. So, I want to comment on that and then make my observations on the added one.

Honourable Speaker, I tend to differ with the advice given by the Office of the Clerk on the resolutions and recommendations. Honourable Speaker, with your permission, a resolution is a formal decision or expression of the

will of the Assembly or an Assembly committee, and it has its characteristics. Official decision of the Assembly or committee recorded in notes or votes and proceedings can be binding, especially if it relates to internal Assembly matters.

Resolution has political and legal weights because Government is expected to respond and act on it. So, it has political and sometimes legal weights; example, resolution adopting a report or approving a budget or censuring a Minister or establishing a Committee. So, resolution carries institutional authority in parliamentary practice.

Whereas recommendation is an advice or a proposal or, course of, an action usually from a committee to Government or the National Assembly, and its characteristics are not binding. Recommendation found in Committees' report is not binding; Government may accept, reject or ignore. It is more of persuasion than compulsion. So, committees usually make recommendations and then National Assembly adopt the report by resolution. Recommendation, as I said, is more of advice whereas resolution is a decision. So, resolution is stronger than recommendation.

Honourable Speaker, on that note, we mandated or asked the Committee to go and make strong resolutions out of the recommendations. I think they should do that for us regarding the issues that affect the assets because there are a lot of issues that we want actions to be taken on. We do not want it to be mere recommendations. If we say recommendation, they can respect or disrespect them, but we want the Assembly to make resolutions

out of those recommendations so that we see the benefit at the end of the day.

THE SPEAKER: Honourable Member, do you know that Assembly reports in itself are resolutions and recommendations together? Secondly, those things are not binding. When you make your recommendations or resolutions to Government, it is not mandatory that Government must do those things.

Now, you have an oversight over Government. They have the right to the policy. So, if they agree with you, 'alhamdulillah'; if they do not agree, they have a right. But you will oversee them in that disagreement because they have policy programmes. So, you will now exercise oversight on them on what they believe to have happened. However, it does not mean that when you have a resolution, Government must do it. That is not it.

I wish all what you said is captured eloquently in the technical advice. So, I will look at it very well, but I think it is on the right side whether we make it as a resolution, recommendation or whatever. There is very little difference we can do. Yes, come to your other part.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: *"My research into best parliamentary practice brings me, Honourable Speaker, to the additional items that have been mentioned—namely, the jewellery and precious stones. The Committee could not ascertain the value of these items, which include necklaces, and neither could the Commission of Inquiry."*

Honourable Speaker, this Committee has been tasked because we know there was a lacuna in the work of the Commission of Inquiry. We expect them to further work on those issues and make clarifications to the Assembly.

THE SPEAKER: Get clarity on what? You said the Committee could not what?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Other items 2, I said it stated that the Committee could not ascertain the values of the jewellery and precious stones, which include necklaces, neither could the Commission of Inquiry do so as well.

The Commission of Inquiry came before this inquiry. So, if the Commission of Inquiry failed to do or could not that, we expect this Committee to go further to inform the National Assembly. This is what I am saying.

And the other issue is, if you go to Page 2, they said that few firearms and ammunitions found at the former President's home at Kanilai were handed over to IGP at the time. The Committee has confirmed that these arms are still with the IGP and is of the view that it is the appropriate authority to be the custodian of the firearms.

I want to be informed as to what kind of firearms were they? We need to know. Were they the President's personal firearms or his bodyguards? So, we need to be informed about the nature of these firearms.

Honourable Speaker, last page, also the recommendation …

[Point of Correction]

HON ABDOU SOWE [KOMBO EAST]: Honourable Speaker, a point of correction for the Honourable Member. It is not stating to say firearms but only arms and ammunition. These are two different definitions. To correct him, it is arms and ammunition.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Thank you for that correction. So, I wanted to say arms and ammunition because I am reading from the document. Firearm is a slip of the tongue. It is arms and ammunition. Thank you.

Honourable Speaker, Number 9[b], *"The ivory stored at the former President's home should be sold to enable the State to recover the loss it incurred due to his financial dealings."* What do they mean by that? And if you look at the previous one, they said that some of the ivories were… Okay. If you look at…

Let me complete so that you can understand. It says [b] *"The ivory stored at the former President's home should be sold to enable the State to recover the loss it incurred due to his financial dealings."* Which financial dealings are they talking about? The Committee further recommends that some pieces of ivory be given to the National Museum for exhibition.

[c] *"The arms should remain in the custody of the Inspector General of Police."* So, are they the right authority to be in charge of because the military have their armoires? So, that is why I said that we need to know

what kind of arms and ammunitions they are and why they are recommending the Police.

And in terms of the ivory, they said 2. The jewellery and precious stones, the Committee could not ascertain the value of these items, which include necklaces. Somewhere I saw the sold of ivory.

THE SPEAKER: Honourable Member, when you are reading, you must direct the Assembly to where you are.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Page 1.

THE SPEAKER: Please, summarize.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I am done with Page 1. Okay. So, these are my observations.

THE SPEAKER: Okay. Honourable Members, you may take your seats. With reference to item Number 9[c], the recommendation states that arms should remain in the custody of the Inspector General of Police. However, what about the ammunition? We have been discussing both arms and ammunition. Now, how about regarding the custody of the ammunition? Should the text reads "arms and ammunition" instead? I think you should consider that carefully.

So, thank you very much. What should we do next? Should he take note of these points and respond later, or should he respond to individuals directly? Pardon, me?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: That is fine. That is okay with me.

THE SPEAKER: What will be easier with you?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: I can respond now and then we go by that. I can respond to…

THE SPEAKER: I want to avoid him forgetting some other things and coming back on them again.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Thank you, Honourable Speaker. First, I think the Member raised about the value of items. So, actually, we are trying to talk about the jewelleries. That is why we listed them already. These were put in a safe. Our investigators went there and then recovered them. We just set our eyes on them and then we left them there.

However, we were not able to determine the value of the assets ourselves. How do we value that? I also do not understand. If you say value, what do you mean? Do you want us to value in monetary terms or what? No, but we said that we cannot value it because we are not experts in that. But we know that there were other items, which are listed for you to know that they are there. So, now the appropriate authority will do that if they want to value in monetary terms. That is for them to do but not the Committee for your understanding.

So, the arms and ammunition you also talked about are under the custody of the IGP. You know, the IGP was summoned and gave a statement. Of course, in his statement, he confirmed to the Committee that the handheld guns and some bullets that were found at the former President's residence are with him. So, these are with him personally. So, that is what we confirm. Because they are handheld guns, we did not go to see the guns ourselves. But we know he declared to us that they are with him.

THE SPEAKER: What about the custody of it? You are talking about the arms; what about the ammunition?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Whether he is the right authority to be in custody of those things? Of course, yes, because the Inspector General of Police is the head of police.

THE SPEAKER: Honourable Member, we are not asking that. You know, you talked about the arms and ammunitions found at the former President's house, which are with the Inspector General of Police. And you are recommending that the IGP should be in custody of only arms not ammunition. So, what about the ammunitions, I said? If you look at Number 9[c].

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: I think they are both together, Honourable Speaker. That is what I said. Number 5 says a few arms and ammunition. Number 9[c] states that the arms should remain in the custody

of Inspector General Police. Okay. Then, I think we need to add that. Yes, we will add that. We meant all of them together, yes.

THE SPEAKER: You are only referring to arms.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: No, we will just add that arms and ammunition because they are all under the custody of the Inspector General of Police. So, it is just for us to add.

THE SPEAKER: So, you are now saying arms and ammunitions?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Yes.

THE SPEAKER: And I also want to ask the Honourable Member for Central Baddibu the difference between firearms and arms and ammunitions.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Member for Kombo East, should help us.

THE SPEAKER: You agreed with him. You said it was a slip of the tongue, and that you were talking about arms and ammunition. So, what I am saying, what is the difference?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I cannot tell you the difference. But what I am saying is, I thought he was correcting me from the text.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Honourable Speaker, he also mentioned about the advice of the Office of the Clerk on the issue of resolutions and recommendations. Just like you mentioned, I just wanted to state to him that the recommendations of Committees are also resolutions kind of. What is the difference between resolution and recommendation?

Now, this is the Committee that put their recommendation, you understand and that recommendation for us comes to plenary for plenary adoption. And once you adopt it, the report now goes to the Executive. I think what the Speaker said is right. That is why we accepted the advice of the Clerk to say there is no need for us to develop resolution.

What we will do is to go by the report itself with its recommendations and then present to them since it is not binding on them to accept by force. So, they go through recommendations, and then we conduct an oversight over what they are supposed to do.

THE SPEAKER: Do not think you should reconstruct some recommendations. You cannot do that.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Thank you very much, Honourable Speaker, for giving me the floor. And I thank the Committee for bringing this addendum again to make their recommendations more implementable.

Honourable Speaker, first, I have some legal questions regarding where they said all of the companies recommended for liquidation by the Commission

and accepted by the Government must be liquidated most efficiently… *[Interrupted]*

THE SPEAKER: Make reference.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Recommendations on the companies. Number 1, recommendations on companies stated that all the companies recommended for liquidation by the Commission and accepted by the Government must be liquidated most efficiently since most of the assets of the companies have been sold.

I just want to be clear whether Government can force liquidation of companies. Because what I know legally is that there are three methods to liquidate a company, members voluntary winding up creditors or winding up by the cost. But even the wording of 'by the cost', a petition must be filed by either the members of the company or the shareholders or creditors. So, in this case, I do not know how will this particular liquidation be conducted.

Honourable Speaker, going further, it is also mentioned in Number 5 of the recommendations that the Government must take active actions to recover the loss incurred by the State caused by the former President Jammeh and his close associates in their financial dealings related to these companies. Now, we are looking at separate legal personality principles guiding the operation of companies.

I want the Committee to be very clear whether they have identified any assets of these companies that can be sold so that the State can be able to recover these monies. As I said, looking at the separate personal principle

of company, we may not be able to hold Director responsible for this loss when company assets were identified for all these companies.

Number 3, Honourable Speaker, arms and ammunition. I do not know whether these arms and ammunition we seized belong to the former President in person or the State. Looking at the Arms and Ammunition Act and the Police Act, if it is from civilians, it should go to the Gambia Police Force. But if it is seized and it is a State arm in the custody of the former President, then the arms and ammunition should be under the custody of the Gambia Armed Forces not the Gambia Police Force. So, I want the Committee to be very clear about that. Thank you, very much.

THE SPEAKER: All right. Honourable Members, I have a long list with me and I think we will not do justice to others if we cannot continue on this debate until the end of the day. So, we will encourage Members to concise their questions as much as possible.

And I want to believe that rather than every question being answered, I thought it was going to be one, two, three people. But so far, we have this long list. If every question is answered up and down, I think it will give us a long time. So, I want to encourage the Honourable Member for Old Yundum and Chairperson of the Select Committee to take note of some of these questions and respond to all of them in his final response.

Thank you very much, Honourable Member for Latrikunda Sabiji. I now invite the Honourable Member for Lower Saloum.

HON SAINEY JAWARA [LOWER SALOUM]: Thank you very much for giving me the floor. Honourable Speaker, since you have a long list, would it not be wise to allocate time for Members for the purpose of time? We can do that as an ABC member to limit the time of the debate.

THE SPEAKER: That completely depend on the ABC for its recommendation to the plenary. What I want Members to realize is that the list was 4, then to 7 and now 10. It is growing per minute, so I do not know.

[Motion!]

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, as a member of ABC, I moved a motion to limit the time of intervention of Members to 3 or 5 minutes.

THE SPEAKER: 3 minutes is okay. It is moved. Yes, Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: I so second, Honourable Speaker.

THE SPEAKER:

[Question Proposed Put and Agreed to]

[That the Intervention of Members be limited to 3 minutes]

You can continue, Honourable Member for Lower Saloum, and it starts with you.

HON SAINEY JAWARA [LOWER SALOUM]: Thank you very much, Honourable Speaker. Under the recommendations of companies, I have only one issue that the Government should engage Port Authorities to assess the cargo container and see whether the country needs it to ease the work of the Banjul port. Honourable Speaker, the use of the… *[Interrupted]*

THE SPEAKER: Where are you, other items?

HON SAINEY JAWARA [LOWER SALOUM]: No, the recommendations of companies. I want to be very clear regarding the scanner we are talking about. Is it the former President's scanner they are using or not? Also, we want to know because the scanner also must get a specific identification number that can show the public that the scanner we are talking about, and nothing in the recommendation shows whether the scanner is still working or not? And I need clarity on that.

THE SPEAKER: Honourable Member for Foni Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: Thank you, Honourable Speaker. Honourable Speaker, straight to Page 52 of the report where it is indicated the issue of recommendation in terms of, I think… *[Interrupted]*

THE SPEAKER: Honourable Member, be careful the report is adopted.

HON ALMAMEH GIBBA [FONI KANSALA]: I wanted to add a recommendation.

THE SPEAKER: Do you want to propose a recommendation?

HON ALMAMEH GIBBA [FONI KANSALA]: Yes.

THE SPEAKER: This is what I am saying. You are making reference to the report, that is why I came in.

HON ALMAMEH GIBBA [FONI KANSALA]: My proposal is regarding the issue of cattle. The Government should undertake a comprehensive investigation.

[Point of Order]

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, Point of Order.

THE SPEAKER: Yes, go ahead.

HON SAINEY JAWARA [LOWER SALOUM]: I think Order 61[1]. Honourable Speaker, if you may allow me to read it.

THE SPEAKER: Go ahead.

HON SAINEY JAWARA [LOWER SALOUM]: Thank you. Order 61[1] *Debate of Motion and Amendments, "When the motion has been moved and seconded in the Assembly, the Speaker shall put the question thereon to the Assembly in the same terms as the motion; debate may then take place upon that question and may continue so long as any Member who wishes to speak is entitled to do so, subject to any time allocations applied by the Assembly Business Committee"*.

Honourable Speaker, my argument here is the debate should be restricted on the recommendations and the motion that was tabled by the Member. If he has any new amendments, he can propose those amendments to be considered by the Assembly. Thank you very much.

THE SPEAKER: In our discussions when this thing was tabled, this is coming from the Committee seeking the approval of the Plenary. But in the principal motion, you can have a motion for amendment.

So, if Honourable Member for Foni Kansala is proposing another motion for amendment, we will consider. That would be put to you and then if you reject it, it dies out. If you agree, then it should be incorporated, and then we will put the main motion at the end. We are now at the Consideration Stage of what he has said. After that, I will put the motion for adoption.

Yes, Honourable Member for Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: I want to add this as part of Recommendation 6 which says that the Government should undertake a comprehensive investigation into the sales and disposal of cattle associated with the former President, including a thorough examination of all individuals allegedly involved; notably, Major Alieu Sowe and Couple Modou S. Bah who is currently stationed at Farato Farm under the Gambian Armed Forces.

I received information where Modou S. Bah said that when they were taking stock of cattle as to who owns and who does not own what, he had a herd of Cattle at Niamina, and he is also allegedly paying D5000 every month for

the cattle rearing. Meaning that, if an investigation is done, we could allay and see whether those are truthful or not.

Alieu Sowe was the head and also working with the former President in the farm. So, I want to add this recommendation for possible aspect as a motion. Honourable Speaker, thank you.

THE SPEAKER: But you have heard the proposed motion. You have not heard it? I do not have the text and will not be able to read it back. But if you are not clear about the motion, I can ask him to read it for you again. Are you clear about what he said? You are not clear.

Honourable Members, we have our legal experts with us. All right, Honourable Member, you have heard his proposed motion. If you are not clear, I can ask him to repeat. Are you clear? Let him repeat. Can you come again?

HON ALMAMEH GIBBA [FONI KANSALA]: Thank you, Honourable Speaker. I made 2 amendments. I will repeat the first one.

THE SPEAKER: Honourable Member, you only proposed 1 motion for amendment, and that is the one I want you to repeat.

HON ALMAMEH GIBBA [FONI KANSALA]: Okay. All right, I am adding to Recommendation 6 that the Government should undertake a comprehensive investigation.

[Point of Order]

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Speaker, it is a point of order. If he is coming with a motion, he needs to cite the motion. I think you are saying that he is coming with a motion.

HON ALMAMEH GIBBA [FONI KANSALA]: Yes, I said 52[a].

THE SPEAKER: Honourable Member, I do not understand you. I want to be clear about that. What are you saying?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I heard you saying that he is coming with a motion. I said that if it is a motion, he needs to take side with what kind of motion, under which? So, we need to know, but he cannot just go like that. We did not understand whether it is a motion or suggestion. We should know.

THE SPEAKER: He said that he is proposing an amendment to the principal motion. That is what he said, and I granted him that. Let us allow him to read out his motion. It will be left to you to accept or throw out. Yes. Go ahead, please.

HON ALMAMEH GIBBA [FONI KANSALA]: Thank you, Honourable Speaker. I think the Member needs absolute prayers. I am saying that the Government should undertake a comprehensive investigation into the sales and disposal of cattle associated with the former President, including a thorough examination of all individuals allegedly involved. Yes. A new one, I am proposing it to be Point 6.

THE SPEAKER: Honourable Member, you have changed it again. Your first one is different from what you have said. You have to be consistent. You are putting it to the National Assembly Members for their indulgence.

HON ALMAMEH GIBBA [FONI KANSALA]: Yes, let me repeat this. I said that the Government should undertake a comprehensive investigation... *[Interrupted]*

THE SPEAKER: Sorry. Make sure that you have the final draft with you, please.

HON ALMAMEH GIBBA [FONI KANSALA]: All right. The Government should undertake a comprehensive investigation into the sales and disposal of cattle associated with the former President, including a thorough examination of all individuals allegedly involved, notably Major Alieu Sowe, and Couple Modou S. Bah, who is currently stationed at Farato farm under the Gambia Armed Forces. Thank you.

THE SPEAKER: Honourable Members, are you clear? Yes, Honourable Member for Niamina Dankunku.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: The Chairperson gave us some items that they have left out, and we are debating on those items. The Member for Kansala is coming with a recommendation that was captured mainly on the main report. We should be focusing now on debating on the issues that the Committee left out.

So, in the event he has any recommendation about the issue of the cattle, I think he should wait until when we are reconsidering those recommendations, then he comes with this recommendation. But the current one on the floor, which we are debating on, is on matters that were left out. So, his amendment does not fit in what we are debating now.

THE SPEAKER: Nominated Member, Kebba Lang Fofana.

HON KEBBA LANG FOFANA [NOMINATED]: Honourable Speaker, thank you very much. I beg to differ with the Member for Niamina Dankunku. What the Member for Foni Kansala is bringing was not in the report, so what we can do is to add it to whatever submission the Chairperson of the Committee is doing and consider all of them together. Thank you.

THE SPEAKER: Yes. In fact, I do not know whether I never said it well, but if you remember, we restrained ourselves from revoking the main recommendations. Now, all what the Honourable Chairperson is bringing for us is going to be an addendum to the report. It is going to be added to the report. So, if you agree, I agree with Honourable Nominated Member. If what he is saying is seconded and agreed to, it will be captured in the Chairperson's submission for general adoption by the Plenary. So, that is where the problem is. Now, it is moved.

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, I so second.

THE SPEAKER: The motion has been seconded.

[Question Proposed]

So, you can forward it to the Chairperson, and then he will capture it in his final version. Honourable Member for Foni Kansala, yes.

HON ALMAMEH GIBBA [FONI KANSALA]: Yes. This is a short one, with your permission.

THE SPEAKER: Your three minutes is gone.

HON ALMAMEH GIBBA [FONI KANSALA]: No, it was switched off and on.

THE SPEAKER: Yes, that is why it was off and on. We gave you the timing.

HON ALMAMEH GIBBA [FONI KANSALA]: Yes, I beg for one minute. I have another very salient proposal.

THE SPEAKER: No, no. I will not give you until we have others come up. I told you. We have a long list. Yes, you can wait until at the end. We do not have time because your name is not written. Honourable Member, at the end of it if there is time, we will give you. Honourable Member for Niamina Dankunku.

[Motion!]

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, we also have a new element of amendments. So, I have a motion to bring on to the floor. Now, not giving him time because his time is finished means

you will not allow me to come in because I thought we are going to… What I am saying, we have an amendment to bring but I have already taken the floor on the matter that is given to me. Now I have a motion to make an amendment. I do not know whether you will allow me or not because you already disregard his second motion.

THE SPEAKER: I am not following you. He wants to come in with a second one, and I said no. If you remember, his first motion itself, the three minutes went off but I asked him to continue. So, I have the Honourable Member for Niamina Dankunku.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Thank you, Honourable Speaker. On the other items, that is Number 1, the first paragraph, on the issue of arms and ammunition found at the former President's home, I just wanted a clarification because there was a lot of rumours that the former President was having a gold pistol. And this Committee went and then have seen the arms and ammunition. I wanted to confirm from the Committee as to whether it is this gold pistol. So, I wanted to know.

Then on the listed item [f] and [g], a hard disk and DVD are gadgets that contain information. I do not know whether the Committee had the leverage to look at what is found in those gadgets because hard disk contains information.

THE SPEAKER: May contain information.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: I want to confirm whether the Committee had actually checked to know what information was contained in that hard disk.

Then on [i], there is also an envelope marked GO7 with 4 pieces of stone. What kind of stones? What are the stones because when you say stones, it could mean anything? Yes, I wanted to know which type of stones they are.

THE SPEAKER: Honourable Member, which number, [i]?

HON SAMBA JALLOW [NIAMINA DANKUNKU]: [i], yes.

THE SPEAKER: [i] is not…

HON SAMBA JALLOW [NIAMINA DANKUNKU]: No, 'el' [l]. I wanted to know what type of stones they are. Are they just gravel stones or precious stones? If they are precious stones, are they diamonds or whatsoever? We wanted to know. We need full clarification on this thing.

Then on the recommendation, Paragraph 3, Honourable Speaker…

THE SPEAKER: Go ahead.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Okay. Let me read it. *"If the gold dust refinery has not been sold by the Receiver at the time this report is tabled, then it must be handed over to the Ministry of Finance, which shall then facilitate the sales."* My concern here is that the Janneh Commission was established by the Ministry of Justice which was actually coordinating all the sales of the assets, and then now we are referring this

gold dust refinery to the Ministry of Finance. Why not to the parent Ministry that was responsible for the establishment of the Commission. Thank you.

THE SPEAKER: I understand you said instead of the Ministry of Finance, let it be as usual, the Ministry of Justice. I think what you are saying is that let Number 3 be referred to the Ministry of Justice instead of Finance. That is what you are saying. Honourable Member for Upper Saloum.

HON ALHAGIE MBOW [UPPER SALOUM]: Thank you very much, Honourable Speaker. I am a member of the Committee. I just want to clarify two issues. One was raised earlier by Honourable Saho that the Chair has responded, but there is some aspect that he actually has missed which is on the other items, on Page 3, Number 9. Yes.

THE SPEAKER: Go ahead.

HON ALHAGIE MBOW [UPPER SALOUM]: Okay. Just a second. No, yes. Now*… [Interrupted]*

THE SPEAKER: Honourable Member, before you waste your time, can you take a seat for the time being. Is it affecting our operations? Honourable Members, what I understand is that the technicians went to look at the central microphone system making this noise. But if we are fine, it does not affect our own here. If you are hearing well, we can continue. Okay. We can now continue at least. Yes, we are safe even before Honourable Member for Upper Saloum.

HON ALHAGIE MBOW [UPPER SALOUM]: Thank you, Honourable Speaker. On Number 9[b], the question of ivory stored at the former President's home should be sold to enable the*… [Interrupted]*

THE SPEAKER: Honourable Member, I said, you start this. Start it from 0, 3, yes. Go ahead.

HON ALHAGIE MBOW [UPPER SALOUM]: "*The ivory stored at the former President's home should be sold to enable the State to recover the loss it incurred due to his financial dealings."* The Committee further recommends that some pieces of the ivory be given to whatever. Here what the Committee is saying, if you look at the Commission, the former President actually was accused of embezzlement, and this was actually denominated in Dalasi, Euros, Dollars and Pound Sterling.

Now, if you look at our report on Page 290 as clearly detailed on the table, it is saying that the Dalasi amount that he was alleged was ***about D1,065,000,000*** but they have recovered so far ***about D1.7 billion***. Which means, what was alleged was even more than what they have recovered. Then look at the Dollar. The alleged was ***D304,718,000*** and out of that, they recovered ***D2.6 million***. Which means, there is an outstanding balance of ***D302 million***. Then you look at the Pound Sterling also. It was about ***D2.2 million***, but outside that ***£20,000*** was recovered leaving a balance of ***2.9***, and in Euros, the same thing ***29 million***, and they recovered only ***$15,000***.

What this is saying is like, if you look at it as of the end of this report, going by the current rates of the Central Bank of The Gambia, the former President

is still allegedly owing the Government of The Gambia almost ***more than 20 billion***. Which means, all the assets that are sold, when you took those amounts together now and applied to what is actually owed or what the Government actually alleged that he actually owes. Still now there is a balance of ***over D20 billion*** that they follow. So, what we are saying is like, let us sell and apply it to those that he actually owes. That is exactly what it means. Thank you.

And on the second one about the scanner, it is not being used; it is in a store. The current scanner that is being used by GRA is completely different. It is just that the Port was used as a storage or holding area for this new scanner. So, that is what happened. So, they have nothing to do with the current scanner that is actually being used by The Gambia Revenue Authority.

THE SPEAKER: Honourable Member for Upper Saloum, I just want some clarity on what you have said, in your statement, because you kept mentioning the word alleged, alleged, alleged. Meaning, these things are unconfirmed. How can you pay for something that is unconfirmed? Okay, I think you have to change your... *[Interrupted]*

HON ALHAGIE MBOW [UPPER SALOUM]: No, we are being very careful here.

THE SPEAKER: Pardon?

HON ALHAGIE MBOW [UPPER SALOUM]: The former President was accused of embezzlement. He was accused.

THE SPEAKER: Go ahead, Honourable Member.

HON ALHAGIE MBOW [UPPER SALOUM]: What I am saying is like the former President was accused of embezzlement, and these were put into Dalasi, Dollars, Euros and Pounds Sterling terms. Now, when these assets were seized*…[Interrupted]*

THE SPEAKER: I understand that. What baffled me was you talked about the word 'alleged' and now you are saying to recover that. If I say Central Baddibu is alleged of doing this, you cannot do anything to him until you confirm that allegation. So, now if you are telling us that it is an allegation and you want a system where recommendations are made to fulfil that, it baffles me. That is why I said, are you using the word allege or do you want to use something better?

HON ALHAGIE MBOW [UPPER SALOUM]: Okay. The former President was confirmed to have embezzled certain amounts of Dalasi, which was about ***D1 billion*** and the equivalent in Dollars was about ***$304 million****…[interrupted].*

THE SPEAKER: Now, you are saying it is confirmed. No more allegation, is it not?

HON ALHAGIE MBOW [UPPER SALOUM]: Sure, Chair.

THE SPEAKER: Honourable Member for Foni Jarrol, please behave. You cannot be in the Assembly shouting at the corner. No, you do not respond. If you are to be mature enough, do not respond to people who are doing

bad. Behave well. Yes, Honourable Member, can you continue? Are we clear? You have… Pardon? You are not.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: We are not clear of what he is saying because now he is using another term. So, let him repeat himself. We are not clear.

THE SPEAKER: Please.

HON ALHAGIE MBOW [UPPER SALOUM]: Thank you, Honourable Speaker. Now, what happened? Does the Commission confirm certain figures of the embezzlement and…?

THE SPEAKER: Be clear with me. I have known all the contents of what you want to see. My only problem was the word 'alleged'. If you change from alleged to confirmed, I am fine.

HON ALHAGIE MBOW [UPPER SALOUM]: The word 'alleged' has been changed to 'confirmed'.

THE SPEAKER: That is what I am saying.

HON ALHAGIE MBOW [UPPER SALOUM]: Confirmed.

THE SPEAKER: Yes, that makes sense. But if you say alleged and then you want to do that, it becomes funny. So, it is now changed to the word 'confirmed'. All right. Honourable Member for Upper Saloum, yours is not a question. It is more of helping this thing to make clarifications. Pardon?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Who has confirmed? He used the term 'confirmed'. That is what I want him to explain. Who has confirmed now?

THE SPEAKER: He used the word 'alleged'. I did not ask him who alleged it. Now, since he has used the word 'confirmed,' he has effectively changed 'alleged' to 'confirmed', and I am fine with that. But if you are not fine, you can ask your own question. But I am fine with it.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I said that I am not yet clear of why changing now from alleged to confirmed. Who has confirmed or what has been confirmed? Let him explain and he wants to explain.

HON ALHAGIE MBOW [UPPER SALOUM]: Honourable Speaker, these are amounts that were established by the Commission as evidence. These are evidences that were established by the Commission and were never challenged or contested.

THE SPEAKER: That is all by the Commission. All right. I now invite the Honourable Member for Kiang West.

HON LAMIN CEESAY [KIANG WEST]: Honourable Speaker, thank you very much. I wish to seek clarification from the Committee Chair on Recommendation 3, which reads: *'If the gold dust refinery has not been sold by the Receiver at the time this report is tabled.'* In that regard, may I ask whether the Committee has summoned this receiver as a witness?

If you have, was it not confirmed whether this was sold at the time of your engagement with them or not because you are saying at the time of adoption of this report? I am not sure if it exists between his or her testimony and adoption of the report. Something may happen. And what was your action as per those assets that were still under them during your proceedings? Have you allowed them to proceed with the process or you have asked them to hold on until your investigation is done? You can make clarification on that.

Honourable Speaker, the other thing also is, it says the Registrar of Companies must implement the provisions of the Companies Act 2013, dealing with the companies in the register that do not comply with the filing of annual returns, resolutions, amongst other things. Was there any company found wanting for failing to file annual returns? If you have established that, you should just ask them to do that and you mentioned explicitly those companies to us because you told us, individuals who were found wanting for what they supposed to do and they have not or have done wrong.

So also, if there are companies that refuse to file annual returns, you should explicitly mention them in the report for us to know the companies which failed to file annual returns. Therefore, the law can take its due course. But this has not been cleared. Can you please tell us if there were any company, and which are those companies? Please, that needs to be clear to us.

THE SPEAKER: I now invite the Honourable Member for Brikama North.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Thank you very much, Honourable Speaker. Honourable Speaker, one is on

the other items, Page 2, Paragraphs 6, 7 and 8 kept mentioning the testimony of Mr. Barry on the issue of Jah Oil's involvement. However, what is not clear is whether there was corroborative testimony of Jah Oil in the matter. So, I want that clarification from the Committee. I said 6, 7 and 8 kept mentioning the evidence of Alpha Barry on Jah Oil, but I did not see any testimony or evidence from Jah Oil on the matter. So, I want clarification on that to substantiate their position.

And the other one is the legal procedural and opinion on whether Committee recommendations require separate resolutions of the National Assembly as well as the Special Select Committee be given the mandate to conduct oversight on the implementation of the report. So, the submission by the Office of the Clerk recommends the Assurance Committee to conduct such oversight.

Unfortunately, we do not have the Assurance Committee as part of our Standing Orders. Then what do we do in this kind of situation because we want a committee to be tasked to conduct that oversight? And if the Special Select Committee cannot do or is advised not to do, and the Assurance Committee is recommended and such is not in place. We are in a dilemma, Honourable Speaker, and we want that to happen.

And I must conclude that, you see, this thing is bringing further recommendation because you did not go by our advice. Let us defer this so that we have time to read, and we will all see*…[Interrupted]*

THE SPEAKER: Honourable Member, 'Jii bondingo buka koo'. I think this area is very critical and very important. In fact, I had word with the Clerk on

this matter. And we think that we should have this Assurance Committee, whatever it takes. Whether it is going to be for the time being, an ad hoc one, or we are going to create something until we amend this thing, but we should have it so that it performs oversight over these assurances from Government and other people who come to give us statements here, and we cannot follow them up, etc. They will be given a term of reference.

But I think we should all put our heads together to make sure that we set this committee up. If by our own Standing Orders we cannot have it as a Standing Committee now, we will make it a committee that we can create by our own for the time being, and then give them some terms of reference whilst we undergo the amendment of the Standing Orders.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Can I conclude? Just give me.

THE SPEAKER: 'Jii bonding, muna woka koo le bang'? So, if you take us back to that and if we agree with you now, it does not still help. So, I think let us just continue. I now invite the Honourable Member for*… [Interrupted]*

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Honourable Speaker.

THE SPEAKER: Yes.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Just before you go, please. Minority Leader was saying something about Jah Oil, I did not get that clearly, for I

was talking to Counsel. Can you please repeat so that we get that. Jah Oil, I remember…

THE SPEAKER: Barry mentioned many a times, Jah Oil, in Paragraphs 6, 7 and 8, but he saw no response from Jah Oil or Jah Oil's reaction to those comments made by Alpha Barry. That is what is worrying him. People came to the Committee and talked about somebody, but that person had no comments whether what was said about him is right or wrong, true or false or whatever. I think that is what he is saying. Do you follow? Honourable Member, do you follow? I now invite the Honourable Member for Brikama South.

HON LAMIN J. SANNEH [BRIKAMA SOUTH]: Thank you very much, Honourable Speaker. First, I want to thank the Committee for coming up with this addendum. But Honourable Speaker, I want to ask the Chairperson about the other items. If you look at all the recommendations, like you go to Recommendation 9[a] where they are talking about Government taking a step to ascertain the value of the stone and jewelleries if they are of high value. The Committee recommended that the jewelleries be sold.

And [b] is the same as other recommendations on companies too. What I have not seen is the timeline, the time bound. If you leave it open like this, it is going to create a lot of space. And you know, this investigation has attracted national attention. So, I believe if you are making this recommendation, it should be time bound so that people can know what is even happening with regard to the implementation. But like looking at it from

1 up to 5, there is no timeline attach to this recommendation. And if you leave it open, this can go up to the end of the year and it is not done.

So, I think as far as we are concerned, there should be a timeline that will compel them to try and make sure that they report within the timeframe, so that we can know what has happened and the level of implementation. Thank you.

THE SPEAKER: Thank you very much. The Honourable Member for old Yundum and Chairperson, you can now take the floor and respond to Honourable Members.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Thank you, Honourable Speaker. I will start with the issue of liquidation mentioned by the Honourable Member for Latrikunda Sabiji. The liquidation of the companies is a further recommendation by the Committee because you would remember when the Commission recommended that most of the companies should be liquidated, and the Government accepted through its White Paper, and that is what they are doing in executing that.

Now, the Committee found out that the process is still slow, and we are further recommending for the companies to be sold. So, it is a further recommendation by the Committee. We are not saying Government is not doing it. The Honourable Member for Latrikunda Sabiji asked, so that is a further recommendation by the Committee for him to understand.

So, does the issue of the firearms come down to whether they belong to the former President or the State? Well, it is reported that they were found at the former President's residence, so we take it to be the former President's property but under the custody of the Inspector General of Police. So, probably that will be ascertained by the Executive for sure. But then for us, we found this at the former President's residence, and that is how we reported it. So, we believe it is his own.

On the issue of the gold pistol, we are not dealing with perception and rumour, what we have found is handheld guns. They are not gold pistols. We have not seen that. We only had handheld guns, and they are with the Inspector General of Police.

Regarding the DVDs, we did not even check. We only saw the DVDs, and that is where we stopped. We did not open it and did not do anything with it. About the gold refinery, that was a discussion at the time we had Alpha Barry, the Receiver, with us. But when he completed, he could have sold the refinery even before we tabled the report because he has a contract with the Executive and he was still doing it.

Now the Committee is saying, when we present this report here and is adopted while the property is not sold, then we are recommending for it to be sold to the Ministry of Finance. Do you understand what we mean? By the time the Receiver was with us, it was not sold, but when he left during the process, he could have sold it because the contract is still valid.

Now, if he had sold it at the time, perhaps, the recommendation would not be valid now because then the property must have been sold. But once we

present this report here and is adopted, it is not sold now. That is what we are recommending for it to be sold, for your information.

On the issue of Jah Oil, yes, we had a statement from Jah on all the issues that you have raised. The statement came from him personally and then signed it, and that is where we stopped with him because his statement has clarified a lot of things. Regarding what Jah Oil and Mr. Barry said on the properties, we did not need him to come and testify in public. Yes, I understand what you mean. Yes, that is what I am saying.

On the issue of timeline, that is for the Assembly to decide. Now, if you want us to put timeline on any of the recommendations, the Assembly should bring that forward and adopt it. Then we will take it from there.

THE SPEAKER: Okay. The Assembly did not give you the timeline. You could have proposed a timeline for these things, and the Assembly would either accept or regret it. It is not for the Assembly to give you time. I think the Honourable Member is saying that the Committee should have proposed timelines for all the recommendations.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Honourable Speaker, in the main report, there are recommendations with timelines. We have put them there, you understand. There are recommendations that have timeline within 30 days and 60 days. They are there.

THE SPEAKER: Honourable Member, what is he saying about these recommendations is that they are not time bound. Why are they not time

bound? The Committee may feel that they do not think that they should give time bound. That may be your Committee's this thing or it is an omission. You will give it time. This is what he is asking.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Okay. We felt that there was no need for us to give a timeline. That is why we left it like that. But like I said, there are recommendations that do have timelines in the main report. That is what I said. Now, we have adopted that report; that is why I am saying it is for the Assembly to give a timeline to the recommendation. No, I responded to that already. I said that we felt there is no need for time line.

THE SPEAKER: Honourable Member, you have recommendations, and the Member is asking that these recommendations do not have timeline. So, is it because the Committee felt that it should not have timeline or it is an omission? That is what he is asking. If the Committee feel that this one should be left open, fine, say so. If you think it should but was omitted, say so.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: It should be left open because we are saying the Government shall take steps to ascertain the value of these tools. It is open for them to do it anytime they can and report back.

THE SPEAKER: Now, it is left to the Members to decide otherwise or agree with it.

HON LAMIN J. SANNEH [BRIKAMA SOUTH]: Honourable Speaker, the reason I talked about the issues concerning recommendation on companies is because I think they are very, very important and it will take a lot of time sometimes without putting a timeline. That is why*… [Interrupted]*

THE SPEAKER: Honourable Member, the Honourable Member responded as to why the Committee felt they do not need to put timeline on this one. The Plenary, which has the final decision, may think differently. They have given you their own. If you still believe it should be time bound, you can make the proposal and then it will be decided.

HON LAMIN J. SANNEH [BRIKAMA SOUTH]: Okay, no problem. We will decide regarding that.

THE SPEAKER: Yes. Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Thank you, Honourable Speaker. I am thinking that these recommendations are talking about selling many of these items. And if we give a timeline for selling something, you may still miss the issue.

THE SPEAKER: Honourable Member, you know, you make specific references for Members to follow.

HON SUWAIBOU TOURAY [WULI EAST]: Yes. For example, if we look at 2, you will see in many places that we are saying it should be sold; it should be sold.

So, wherever something is to be sold, you say, for example, it should be sold within two weeks, and if it is not sold, you know… So, this is where I think we should leave it open so that they take their time to sell the items and get value for money rather than giving a timeline and rush it.

THE SPEAKER: Honourable Member for Niamina Dankunku.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Thank you. Honourable Speaker, I raised a question on [l] the envelope marked GO7, 4 stones, but the Chair did not respond to that.

THE SPEAKER: What is that? On what, [l]?

HON SAMBA JALLOW [NIAMINA DANKUNKU]: On [l], yes. We were informed that 4 stones were found but I want to know what type of stones these are. They should tell us.

THE SPEAKER: Yes. Honourable Member, let him respond. You are right.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Well, Honourable Speaker, we have seen stones. I am not an expert to know exactly what kind of stone they are. I mean, these stones, just like you said, are named. That is what we found in the envelope and that is what we put there. Our role was to make sure that we ascertained the facts on these issues, and that is what we have done and presented the report.

HON ALHAGIE MBOW [UPPER SALOUM]: Yes, Honourable Chair, I think we must refer the Members back to the motion. The Committee was not

tasked to do any evaluation. The Committee was tasked to review what was done by the Commission and that includes the Commission. In certain areas, they did some evaluation, but in this particular instance they have not done that. And it was not the mandate of the Committee to do any new evaluations of any of these assets. That is the reason we had to make it the way it was by the Commission.

THE SPEAKER: Honourable Member, anyway I should not participate. Honourable Nominated Member, Kebba Lang Fofana.

HON KEBBA LANG FOFANA [NOMINATED]: Honourable Speaker, my intervention will be on the issue of timelines. Yes, timelines are very important, but we need to look at their practicability.

First, I will refer you to the recommendations on the other items, Honourable Speaker. If you read the first recommendation, [a] is saying the Government shall take steps to ascertain the value of stones and jewelleries if they are of high value. The Committee recommends that the jewelleries be sold. The substance there is for sales to take place. How do you put a timeline on sales and make it practicable?

If you look at [b]… *[Interrupted]*

THE SPEAKER: Honourable Nominated Member, which one are you making reference to?

HON KEBBA LANG FOFANA [NOMINATED]: On the other items.

THE SPEAKER: Page 3 of the other items?

HON KEBBA LANG FOFANA [NOMINATED]: Page 3 of other items.

THE SPEAKER: Okay, go ahead.

HON KEBBA LANG FOFANA [NOMINATED]: I will move to [b] which reads: *"The ivory stored at the former President's home should be sold to enable the State to recover the lost it incurred due to his financial dealings."* Again, the substance there is on sales. How do you practically put a timeline on sales?

We move to [c], which is saying that the arms should remain in the custody of the IGP. Which means, they are already in the custody of what the IGP.

THE SPEAKER: In fact, it should be the arms and ammunition.

HON KEBBA LANG FOFANA [NOMINATED]: Ammunition. So, Honourable Speaker, if you move to the recommendations on companies as well, I will just read Number 1 that will give you the nexus. It says that all of the companies recommended for liquidation by the Commission and accepted by the Government must be liquidated most efficiently since most of the assets of the communists have been sold.

Here again, we are talking about liquidation. So, I mean, these recommendations were not made out of vacuum, but they look at the practicability of the substance in question. So, I would further recommend that we leave them as they are. Thank you.

THE SPEAKER: I think you are in the same boat with Wuli East. Yes. Honourable Member for Kiang West.

HON LAMIN CEESAY [KIANG WEST]: Yes. Honourable Speaker, thank you very much. In the Chair's response to the issue of the ivory refinery, gold dust refinery, he has said that these materials were not sold during the testimony of Alpha Barry, but they could not have any authority to halt the sales while they were on the investigation. I would have thought if it is legally correct or not. If they are investigating something that is still in progress, they should have halted that process pending their report.

However, during their investigation, they allowed them to continue because they were already under a Government contract. Now that the Committee has completed its investigation and the report has been adopted, they are still operating under the same contract. So, on what authority do the Committee ask them to forcefully hand it over to the Minister of Finance to be sold?

THE SPEAKER: I will not encourage. Honourable Members, honestly, this one will not be an endless debate. I think we have given Members opportunities to express themselves in various forms. So, please I want us to look at two issues: the Honourable Member for Brikama South thought that these things should have timelines, and the Honourable Chairperson said it should be left open.

And for comments from other Members, it looks like some Members believe that we should leave it open because of the nature of the recommendations. Now, if that is so, I think we have concluded that one. I will not be able to allow everybody to talk on the same issue. No. I am telling you; I will not be able to do that one.

Now, the other thing is not on these particular issues; we have got that cleared. Now, respond again to some of the questions that were asked and they felt was not well responded to. Are there any ones that he did not respond to? I think it is the Member for Kiang West. Did you respond to Kiang West?

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: No, I did not respond to his last part, Honourable Speaker. So, I just wanted to draw his attention to the report itself. If you read the recommendations of the report currently, you would realize that there is a recommendation on that. But during the process, we do not have authority to stop him because he was still under contract. He was still selling as the Receiver. How do we stop him? We do not have that power at the time to stop him just like that.

So, the process was going on until that time. When we were done, the report was presented to the National Assembly. Then, that recommendation will now come into effect.

THE SPEAKER: Probably, they could have made a temporary takeover and make some outside recommendation for Government to ask this person to stop selling for the time being until the investigation is finished. Yes, Honourable Member for Kantora and Majority Leader.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, I do not really want to partake in this discussion. But then on the report, the Committee make it very clear that there should be a permanent seizure or stop of Alpha Barry selling any other thing. In the

process of the investigation, they did not have the backing of the National Assembly to take decision but having passed the report now, it is captured there that the process should be stopped.

And secondly, I think it is not wise to sell something taking quantity surveyors or valuers to value this kind of jewelleries or precious goods. Therefore, it is not wise for the Assembly to put a time bound on that. Allow them to have a process of valuation, revaluation and then get other opinion, so that we can get the best price out of it. So, it is not safe for them to really put a time bound on that.

So, if you look at the report in entirety, it is on sale, sale, sale. So basically, I want to, I mean, throw my weight behind the recommendation by the Committee for us to leave it as it is. And Honourable Speaker, I think we have had enough now. The issue of time is not feasible. So, let us go straight to the next point. Thank you.

THE SPEAKER: You people, that is the right and the left, are so powerful that when you talk, we cannot ignore it. We must listen carefully because you manage the whole thing. So, we have heard that, Honourable Member, but I do not want to encourage this one on the issue of time bound. No, no. I have read from Members that it should be left open. So, you have your own arguments, and you have put them up, but that is the… No, we have heard you and you will not say anything new. So now, yes, Honourable Member for Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: I have a motion. No, I said I have a motion. Yes.

THE SPEAKER: What type of motion?

HON ALMAMEH GIBBA [FONI KANSALA]: 53[a].

THE SPEAKER: Honourable Members, I have not put a question for adoption of any motion. Somebody was shouting somewhere. Member for Latrikunda Sabiji, what is your point?

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: …because you just said that in the Assembly, left and right are very important.

THE SPEAKER: What are you rising on?

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: No, I am just trying to see clarity from what you have said as the Speaker. You said during our deliberations that left and right are very important; how about those of us in the middle?

THE SPEAKER: You see, you are less important in that term because the right has a number behind him, and the left has numbers behind him but you are alone. And the National Assembly is all about numbers.

I will now put the question for adoption of the motion tabled by the Honourable Member for Old Yundum and Chairperson of the Special Select Committee. You have a motion?

[Motion!]

HON SAINEY JAWARA [LOWER SALOUM]: Orders 53[a] and 61 of the Standing Orders. Yes, Motion without Notice, if you permit me.

THE SPEAKER: What is my motion, what question am I putting?

HON SAINEY JAWARA [LOWER SALOUM]: Amendment on the principal report that the Select Committee bring in, I have an amendment.

THE SPEAKER: Of the Select Committee? Do you have a motion on that? Honourable Member, you heard him. He is making a proposal for an amendment to our principal report. Am I right? And in that case, before I invite that one, would Members be willing to revoke their decision on the adoption of the principal report or to hear his proposal?

THE SPEAKER: All right. Unless we hear what he intends to move. Now, if you know and say no, we are not going to resume. Because of that, I will allow him to come out with his motion.

HON. SAINEY JAWARA [LOWER SALOUM]: Thank you for giving me the floor.

THE SPEAKER: Honourable Member for Central Baddibu, listen to him.

HON. SAINEY JAWARA [LOWER SALOUM]: Allow me to read this motion. Honourable Speaker, I rise to propose a motion to amend the recommendations of the Special Select Committee Report on Page 156 and Recommendation 3 on Page 190, which infringe Section 33[1] of the 1997 Constitution. I propose that the durations of those recommendations be amended.

Honourable Speaker, the principle of fairness requires that persons in similar situations be treated equally. You cannot find two individuals liable for the same conduct and treat them differently, where one receives harsh penalties and the other does not. That is neither fair nor just. If the current Attorney General, Dawda Jallow, is found to have continued the same practice, both should be treated equally.

Furthermore, the act we are criticizing is the collective decision of the Ministerial Taskforce. Thus, we cannot solely blame these two individuals for the decisions made by the entire Committee.

Honourable Speaker, these two individuals merely serve as the principal legal advisers to the Government, and they provide advice based on their understanding and interpretation of the law. Disagreement from others does not necessarily mean they are wrong. Let us, therefore, be fair to everyone.

Honourable Speaker, finally, there was a significant disagreement between two Cabinet Ministers. Disagreements occur everywhere, even here in the Assembly. Sometimes, they can be heated debates, but we should not punish one Minister for that role. The disagreement is not the Committee's role to adjudicate; it is the responsibility of the President, who appoints both Ministers and principal advisers on Government matters.

Honourable Speaker, if the Committee was unable to establish the appropriateness of the appointment of the Receiver, Alpha Barry, and there was no corroborating evidence that the Ministerial Taskforce approved this Committee, why should we recommend further investigations?

Honourable Speaker, this is a fact-finding exercise; we should either establish the fact or not. Both the former Attorney General, Ba Tambadou, and Honourable Amat Bah testified before the Committee that Barry's appointment was approved by the Ministerial Taskforce.

Honourable Speaker, there was no other evidence that challenged those facts. Therefore, conducting further investigations would be a waste of time and resources for the State.

Moreover, the Police were already involved in the investigations. Would it not be a waste of public funds to ask them to repeat the same exercise? I propose the deletion of these recommendations because there is no evidence that shows that the former Attorney General was involved in any misuse of public funds that would warrant a charge of economic crimes. In fact, the Committee has no authority or mandate to substantiate these allegations.

Honourable Speaker and Honourable Members of this august Assembly, I beg to move that we consider this motion that the Committee's recommendations be deleted from the report, and that the Special Select Committee cannot substantiate the allegations of economic crimes and others. I submit.

THE SPEAKER: Honourable Member, unfortunately, Members do not have your motion with them, and it is a long one. Can you just make a summary of the intent of the motion?

HON SAINEY JAWARA [LOWER SALOUM]: The issue is, it is your discretion whether to allow the motion or not.

THE SPEAKER: Before we allow the motion, I think we need to understand it first. What I am saying is, can you just give a summation just two or three sentences about what you are saying?

HON SAINEY JAWARA [LOWER SALOUM]: The essence of this motion, Honourable Speaker, as indicated in the Committee's report, is that the former Attorney General, Ba Tambadou, should be investigated for economic crimes and others whilst the current Attorney General, Dawda Jallow, who conducted the same actions, is to be charged differently. He was reprimanded, which essentially means a word of caution. But while they acted similarly, Section 33 of the Constitution says that if two people have done the same thing, they should face similar charges.

Now, if Ba is found wanting of criminal conduct as they said, he should be investigated for economic crimes, and the current Attorney General, Jallow, should only be reprimanded, yet they both acted in the same way. You understand? So, this is why I bring this motion. If we are going to treat them, we should treat them equally.

THE SPEAKER: So, his motion tends to seek justice, according to him. According to what he said, the former Attorney General and the current Attorney General behaved similarly, and one is to be charged for economic crimes while the other is to be reprimanded. He said that they acted the same way, and that should be difficult. I think you understand basically what

the motion is. Yes, Honourable Member for Central Baddibu, and then you. It is not a motion yet; it is not put yet.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Thank you.

THE SPEAKER: Honourable Member, the motion is not even put yet. I want to hear his motion as to whether I will let it to proceed. Before we rescind our decisions, we want to hear comments.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Thank you, Honourable Speaker. Honourable Member for Lower Saloum, thank you for bringing this. I think our role as an Assembly Committee is not to charge anybody. It is not yet charged. What we do is either recommend or resolve into something that will warrant the Police to further investigate the person. So, if we are commenting, we should not treat people differently if their actions are equally seen as the same. But was that the case? The report needs to tell us whether their actions are equal because to treat unequal equally is an injustice.

Now, if that is the case, we have to consider. But I think the former Attorney General, Ba Tambadou, behaved or acted in that capacity as a group, as a Taskforce, not as an individual. So, if any recommendation is to be put, it should be put on the Taskforce not on him as the Minister because he was acting as a Minister, but there is a taskforce established by the Government. So, we cannot just try to… *[Interrupted]*

THE SPEAKER: Honourable Member, you made reference to the report. He has two capacities: a Taskforce member and also the Minister. He fulfilled these two portfolios.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Yes, this is what I am saying. In the report, the accusation or the allegation that we are talking about is in his capacity as a Taskforce member. You know, the Minister is the Chair of the Taskforce.

THE SPEAKER: What I am saying is, from what I understand of his statement, the Honourable Minister himself was appointed. He had two portfolios: [1], there is a Taskforce in place where he served as Chairperson, being the Attorney General; and [2], he also performed duties as Attorney General. These are two separate entities. Based on the recommendation, this should be clarified by the Committee. Yes, Honourable Member for Kiang West.

HON LAMIN CEESAY [KIANG WEST]: Honourable Speaker, thank you very much. Let me thank the Honourable Member for Lower Saloum for this proposal.

Honourable Speaker, if you look at the report, I recall very well what it states: *"the current Attorney General and Minister of Justice, Honourable Dawda A. Jallow, has refused to stop the same illegal procedures that were initiated by his predecessor."*

The Committee recommends that they would have thought that when he assumed office and found those processes were underway without having

followed the proper legal procedures, he could have stopped them. However, because he refused to do so and the process continued with mismanagement persisting during that period, he is supposed to be reprimanded. Nevertheless, a criminal investigation should be launched against the initiator of those processes.

So, with that background, this proposal was brought forward suggesting that reprimanding the current Attorney General might be a bit lenient. If you look at the recommendation against the predecessor, namely; criminal investigation and other legal proceedings for his conduct, this the same procedure continued by his successor, yet the successor is merely to be cautioned and reprimanded.

Therefore, I believe it would be proper, in the interest of fairness in our recommendations, to apply a similar approach to both. Thank you very much.

THE SPEAKER: Honourable Members, let us not waste too much time. You all have these reports, and I am sure by now everyone has digested their contents. Now, if I hear you correctly, Honourable Member for Kiang West, the initiator of the programme engaged in practices that were not proper or straightforward. After he left, it was expected that the next person would correct those issues. Yes, that is what the report says. So, he should have corrected them and failed to do so. Therefore, he is asked to be reprimanded while the initiator is asked to be criminally investigated. Yes, Honourable Nominated Member.

HON KEBBA LANG FOFANA [NOMINATED]: Honourable Speaker, thank you. I just want to set the record straight. The Committee did not treat the two individuals differently; their actions were different. The main reason for recommending reprimand against the current Attorney General is that he found an existing system in place. To criminalise that would imply, he had all the powers to reverse it. That was the Ministerial Committee's view. The former Attorney General initiated what was happening, and the level of involvement between the two can never be the same.

Let us take emotions out of this. We are talking about the characters and reputations of individuals who cannot come here to defend themselves. So, when we deliberate, let us do so based on facts. Do you think the work of the Special Select Committee was easy? It was not. We did it between us and God. What I would advise Members is to take out emotions and sentiments and be guided by facts. If you, as Members, want to say that what is in the report is not what we wanted, you have the power to change it. But do not say that both of them did the same thing as that would be misinterpreting the facts.

Honourable Member for Lower Saloum, I am not talking to you. Honourable Speaker, can you address him? The Committee would not take it lightly for anyone to sit and misrepresent the facts when you have had the report for over a week. That is my submission.

THE SPEAKER: Honourable Nominated Member, hold on. Member for Lower Saloum, be patient and allow him to finish, please.

HON SAINEY JAWARA [LOWER SALOUM]: I think we have decorum in this Assembly.

THE SPEAKER: No, no. Honourable Member, you cannot take the floor now. Someone is on the floor. Please, you cannot take the floor now.

HON SAINEY JAWARA [LOWER SALOUM]: I move a Point of Order under Standing Order 29[3].

THE SPEAKER: Pardon?

HON SAINEY JAWARA [LOWER SALOUM]: 29[5], sorry.

THE SPEAKER: Is it a Point of Order?

HON SAINEY JAWARA [LOWER SALOUM]: Yes, Standing Order 29[5]: *"No Member shall impute improper motives to any other Member."* Honourable Speaker, we are Members of the National Assembly, and if I bring my issues, you can either take them or reject them. For us to task you was not a forced; you could have rejected the day you were nominated by the people. But you accepted it, and it is very misleading…

THE SPEAKER: Honourable Member for Lower Saloum, please. I do not think there is anything like improper motives here. He was expressing an opinion based on what he believes is contained in the motion that was tabled. That is why he can take the floor to speak against or in support of it.

Honourable Member, you are a senior NAM, you know such things can happen. Do not be emotional and do not use sentiments, for those are

common expressions used by some of you. So, please. All right, Honourable Member, have you finished?

HON KEBBA LANG FOFANA [NOMINATED]: I have not finished, Honourable Speaker. Honourable Speaker, I am saying that the facts in the motion do not represent the evidence in the report. Thank you very much.

THE SPEAKER: Honourable Member for Brikama North.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Thank you very much, Honourable Speaker. I think the proposed motion made reference to Pages 156 and 190. I stand to be corrected if I am using a different text, but perhaps 156 does not contain a recommendation, but Page 155 does. Also, Page 190 does not contain a recommendation, but Page 191 does. I stand to be corrected if it is Page 156. Are you referring to Recommendation 1 or both Recommendations 1 and 2 to be deleted? That should be specified. And if it is Page 191, that means you are referring to the deletion of Recommendation 3 under that page. Here it is.

So, Honourable Speaker, what I find to be a matter of concern is the word "criminal." If there should be any amendment, the use of the term "criminal" should be removed because the Committee cannot conclude that a witness has committed a criminal offence. It is an investigation, so the Committee can only recommend an investigation into…

THE SPEAKER: Is it "possible criminal offence" or "criminal offence"?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: "Possible criminal offence," but the Committee did not use the word "possible." The Committee used "criminal proceedings." I read:

> *"The Committee recommends that the Executive, through the Police, conduct criminal investigations under the supervision of the Director of Public Prosecution and institute criminal proceedings against the former Attorney General and Minister of Justice, Honourable Abubacarr M. Tambadou, for systematic and deliberate violations of the Public Finance Act, abuse of office, economic crimes, among other things."*

The Committee cannot establish Even "abuse of office" or "economic crimes". It is the Police investigation that can. In fact, even the Police investigation would be submitted to the Attorney General's Chambers for interpretation and then recommendation for prosecution.

THE SPEAKER: Honourable Members, let us be very clear. Honourable Members, side talks, please. Honourable Members, let us be very clear National Assembly Committees…

Majority, Minority, Deputy Majority and Deputy Minority, you are key to what I am going to say, please. Let us be very careful and uphold our committee oversight functions.

Committees make their recommendations based on their findings. They may be true; they may not be true, but all Committees recommendations, even the recommendations you make to Government, are based on what you know. Probably if it goes to court, it will be seen differently. If it goes elsewhere, it may be seen differently. What I would probably agree with is

"possible criminal" issue. If the Committee believes that there are elements suggesting it could be criminal, let them say "possible criminal" or similar. That I would agree.

The Committee is speaking on its own behalf based on what it has found that may not be legally binding, but the Committee is saying from what we have seen, you are found wanting in A, B, and C. That may differ when you go to court; he may not be found wanting or may be found wanting in C, D, E, and F.

So, this is the Committee's report. We have to be careful, Honourable Members. Yes, continue, please

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MIONRITY LEADER]: What I am trying to say is that I am not comfortable with the word "criminal." I support an investigation into the circumstances surrounding the involvement of the former Attorney General in the sale and disposal of the property of the former President. I also support a police investigation. However, say "criminal investigation" I am not in support of. That word "criminal" also appears on Page 191, which reads*… [Interrupted]*

THE SPEAKER: I mean, if we clear this one and it is accepted or seen otherwise, we can relate it to other sections.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Yes. The other one also, the word "criminal" appears in the second recommendation.

THE SPEAKER: I said it was going to be Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Thank you, Honourable Speaker. Honourable Speaker, the Committee based their recommendation… *[Interrupted]*

THE SPEAKER: Honourable Members, if Members are speaking and you are not listening, at the end you will want to bring us back to it, and that becomes difficult. If you are not listening, then please do not come and engage us in our debate. Okay.

HON SUWAIBOU TOURAY [WULI EAST]: Thank you very much, Honourable Speaker. What I am trying to say is that we did not give the same treatment to the two Ministers because from experience, throughout our findings, we have seen that there was systematic and deliberate action taken by the former Minister in refusing to do things transparently.

Not only did the former Minister refuse the participation of the Ministry of Finance in all these financial activities but also deliberately and systematically informed that such action was an anomaly, yet he continued to persist in refusing the participation of the Finance Ministry. So, that is a violation of the Finance Act, and that is why we recommend what we have recommended.

The other one came in without knowing, I assume, what had already transpired or how these things came about. He just assumed and continued the same process. That is an anomaly, but we do not consider that to be as

deliberate compared to the first one, and that is why we did not treat them in the same way. Thank you.

THE SPEAKER: Yes, Honourable Member for Latrikunda Sabiji.

HON. YAHYA SANYANG [LATRIKUNDA SABIJI]: Thank you very much, Honourable Speaker. What I would advise the National Assembly is that, as the facts remain in this enclave, I doubt whether we will be able to do anything meaningful with this report. The Gambian public and the National Assembly got something wrong. We all reacted to a misguided ranting of one jobless despot who has been going around our generation triggering the public. The public came to the National Assembly, and for us, we should be very careful.

What I said is, as the facts remain in this enclave as they are, I do not think the National Assembly will be able to do anything with this report. This is because both the Gambian public and the National Assembly reacted to an angry, jobless, unprofessional person who has been around all over the country pursuing generational wealth, and we cannot do anything with this.

THE SPEAKER: You are saying the National Assembly and the people reacted to a jobless unprofessional?

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Yes.

THE SPEAKER: Are you accusing the National Assembly?

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: I am laying the foundation.

THE SPEAKER: I do not think the National Assembly was influenced by anybody.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: I think we were influenced by the public.

THE SPEAKER: No, no. Honourable Member, be mindful. Have you cross-checked with each National Assembly Member to confirm that they were influenced by that jobless person? No, no, no. I know where you are coming from. What I am saying is, where we are, you have made a statement that I think is not correct, and you have no evidence to substantiate it because you have not talked to each of us to say that we have been influenced by that jobless person.

Honourable Member, we are Honourable Members. Let us be mindful of what we say against the National Assembly and the people. Probably you were influenced by him, but I want to believe that most people did it independently and they think that is the best they could do.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, can he withdraw that statement, please?

THE SPEAKER: Pardon?

HON. BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Let him withdraw that statement because the person he is alleging or making his comment about cannot come here to defend himself. Please, let him withdraw forthwith, or we hold him in contempt.

THE SPEAKER: He has not named the person; that is why I did not force him to withdraw. But the fact that he is ascribing it to everybody, that one does not hold. Yes, Honourable Member for Latrikunda Sabiji.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: I said that I am referring to somebody. I do not know which name I mentioned in my statement. Which name is mentioned in my statement?

THE SPEAKER: The name you mentioned is "that jobless." It is a description; a name describes somebody. So, what we are saying is that we were not influenced by that person. Probably, you were influenced by him because he did not get to every Member.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: I withdraw.

THE SPEAKER: Member for Kansala, were you approached by that man to influence you?

HON ALMAMEH GIBBA [FONI KANSALA]: No, no. That is why I am telling him to withdraw.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Honourable Speaker, I said I withdraw the statement. But if they keep saying it, I will still take it and save it again.

THE SPEAKER: Honourable Majority Leader, take the floor.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, thank you very much, for giving me the floor. We have

listened very keenly to the proposal made by Member for Lower Saloum on the issue of Page 155, paragraph 516, Sub-recommendations 1 and 2 as well as Page 191, Recommendation 3.

Honourable Speaker, the recommendation is very clear that the Director of Public Prosecutions should institute criminal proceedings against the former Attorney General and Minister of Justice. And on Page 101, the Government should conduct a criminal investigation to ascertain whether the appointment of Alpha Barry by the Attorney General involved any corrupt practices. I want to agree with the Minority Leader, probably it might be premature for us to conclude on grounds of misconduct, corruption and criminality.

However, we can just recommend to the Executive the matter to be further investigated. And whatever they find, be it misconduct or criminality, should then be reported, and a decision can be taken. And if the person involved… *[Interrupted]*

THE SPEAKER: Majority Leader.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I am coming.

THE SPEAKER: No, I just want clarity on that.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Okay.

THE SPEAKER: Should there be guidelines?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: If you want to ask somebody to investigate into possible corruption but you did not give him the area of concern, it becomes difficult.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I am coming. It is there, Honourable Speaker.

THE SPEAKER: Yes, I know you have just said*… [Interrupted]*

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: We are asking for further investigation into the appointment of Alpha Barry with regard to whether relevant provisions or laws were violated, and also investigation into whether the issue of respecting the Public Finance Act has been violated or not by the former Attorney General because it has been said that he allowed Alpha Barry to open a commercial bank account where money should be lodged.

Does this contravene or contradict the Public Finance Provisions? Let it be investigated. If he is found wanting, then it could be concluded. From there, the person can also go to court to challenge any other decision made against him. So, I am saying that it is too premature for now.

THE SPEAKER: As it stands, what is their recommendation on the report?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: The recommendation is saying that the criminal proceedings be instituted against the former Attorney General and Minister of justice, and we are saying that it is too premature for us to do now. Let him be investigated and in the

process, it will now leak if it was a criminal conduct such as fraud or corruption.

THE SPEAKER: Are you saying that the word "criminal" be removed?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: The word "criminal" be removed from there?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: I think that is what the Minority Leader said. Minority Leader, is that what you said?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: But that is what I also said; the issue of economic crimes and all these things are too premature. Let it be investigated; upon completion, we will now know.

THE SPEAKER: No, I think you are investigating whether there were issues of economic crimes.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Exactly.

THE SPEAKER: No, it is not economic crimes. If there are, you are guiding them what to investigate based on what you have found.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: The investigations are on two legs. One leg on the appointment of Alpha Barry.

THE SPEAKER: No, let us deal with this one. You are talking about the investigation into possible… this last one you read.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I am saying they are holding on two grounds here. The first ground, they are convinced that the manner in which Alpha Barry has been appointed has issues of corruption and criminal whatever in nature.

THE SPEAKER: What I am saying is whether that is well worded or not, are you happy as it is written there?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: No.

THE SPEAKER: What should be removed?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I am saying that the Director of Public Prosecution to institute investigation on the former Attorney General and Minister of Justice on the appointment of Alpha Barry. And second*… [Interrupted]*

THE SPEAKER: The appointment of who?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Alpha Barry. How?

THE SPEAKER: What is he going to look into? Appointment can be open.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: What I am saying is, okay, let me help you, to investigate if there is a systematic and deliberate violation of the Public Finance Act, 2024.

THE SPEAKER: You see, there must be guidelines.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: Honourable Members, are you listening to him? All right. We have got that. We go to the second one.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes. The second one is also to investigate appointment as well. Second one deals with the criminal investigation to ascertain… Okay, that is appointment and also the…

THE SPEAKER: Criminal investigation?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes

THE SPEAKER: What the Honourable Member said, where there is criminal, we should drop the word criminal.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER:190?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: Are you reading 190?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes, it is same.

THE SPEAKER: So, are you suggesting the same or something different?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: The same.

THE SPEAKER: That is to remove the criminal element. Let them investigate if they found that it has some criminal these things, they can prosecute him criminally.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: All right.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: And lastly, to investigate the former Minister on grounds of exclusion of the Ministry of Finance and Economic Affairs which led to the opening of several accounts, whether it is in violation of relevant laws. Yes, not deleted, amended.

THE SPEAKER: Eh! Look my friend, Honourable Member, you are not speaking. He is the one speaking; you may have different opinions.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I only want to help him.

THE SPEAKER: No, you cannot help him until he lands, please.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: He is very impatient. I think he has to adjust.

THE SPEAKER: Honourable Member, you are now talking about the third one.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Please, Speaker, let him withdraw that. Please, let him withdraw that.

THE SPEAKER: Honourable, Honourable Member.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Speaker, let him withdraw that; he is insulting me.

THE SPEAKER: No, I want to make sure…

HON SUALAYMAN SAHO [CENTRAL BADDIBU]: You can use it on me, but he cannot use it on me.

THE SPEAKER: I am going to ask him to repeat it again.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Thank you.

HON SUALYMAN SAHO [CENTRAL BADDIBU]: No, Speaker. You can use it on me, but he cannot use it on me.

THE SPEAKER: Because you see… *[Interrupted]*

HON SULAYMAN SAHO [CENTRAL BADDIBU]: This man is too junior to use that one on me.

THE SPEAKER: You are doing a lot of things.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I repeat; you are too impatient.

THE SPEAKER: Honourable Member! Honourable Member, this is the third point or recommendation you are contributing or talking about.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: No, it is only two.

THE SPEAKER: No, this is the third one. The first one was the appointment; the other one is the criminal investigations, and this one, you are talking about.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: The exclusion.

THE SPEAKER: Exclusion.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Obviously.

THE SPEAKER: This is the third one.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes.

THE SPEAKER: So, what are you saying? What is in the report? You are saying something different from what is in the report or what?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: No, it is in the findings; that one is in the findings on Page 495.

THE SPEAKER: Page 495, what is there?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Let me read it for you. Page 495 is saying that the Committee took note of Honourable Njie's reference that the Public Finance Act which provides that a person shall not open a bank account in any domestic or foreign bank without the authority of the Accountant General in consulting with the Permanent Secretary, except commercial banks' accounts, which must be approved by the Minister.

So, we are saying that we must also investigate this finding as to whether this is actually violation.

THE SPEAKER: Do you want us to extract a recommendation from this one?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Exactly.

THE SPEAKER: And your recommendation is that?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Regarding these findings, for us to corroborate this fact, let them find out whether it is violation or not.

THE SPEAKER: Put it in context so that Members will hear what your proposal is, and then they will accept or reject it. All right. Honourable Members, that is why I refused for us to rescind our decisions earlier and do that. Yes, Honourable Member for Tallinding.

HON MUSA BADJIE [TALLINDING KUNJANG]: Thank you very much, Honourable Speaker. I think the Committee was given a task to execute and every recommendation is derived from a finding. Now, if you look at numerous findings against a particular person, more than 10, 15 findings, we must not look at the recommendation in isolation otherwise we are going to contradict ourselves. They cannot have more than 10 recommendations against the former Attorney General, more than 10 findings. Look at the findings from 5 something. Look at the findings above the recommendation; all are against this particular person. That is what drives the recommendation. So, if you want to doubt that recommendation, you are making the finding meaningless like if it is invented. It is not invented. Wait.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Read the findings.

HON MUSA BADJIE [TALLINDING KUNJANG]: The findings? The Speaker will not give me the time to read all the findings. If you allow me, I can do that; they are so many. If he allows me, I can do that; more than 15 findings. These findings are not invented; they are not created, Honourable Member.

So, you are going to make it funny, if you have these adverse findings against an individual and you do not want the Committee to recommend a specific thing, what are you looking in the Committee?

THE SPEAKER: Honourable Members, what I do not understand is this: the report you are referring to is informed by what the Committee has investigated to the best of their knowledge. It could be true or some may not be based on legal facts, but that is the Committee's recommendation based on what they know.

Now, if it is going further, you cannot punish someone without legal or following due process. You have to prove all these things somewhere in court or wherever. They should take him to court. But the Committee is telling us what they have found, and these are their recommendations based on what they know. It may not be true or may not hold water. But it looks very odd for us to set that aside again. And then there are other people who are also affected in the same report. Why are you not reducing the recommendations against those ones?

So, for me, what I want us to do is this. Your recommendations are not binding on the Government to hold or adopt. Yes, on the criminal aspect, that is their version. They believe from what they have known that there may be a possible criminal element, but there may not be any. So, they will be left to find out. But before I conclude, let me let you conclude.

HON KEBBA LANG FOFANA [NOMINATED]: Yes, just to support the same point. Even if you look at the recommendation, they are trying to tell you that the Committee recommends that the Executive, through the Police,

to conduct a criminal investigation under the supervision of the Director of Public Prosecutions and institute criminal proceedings against the former Attorney General and Minister of Justice, Honourable Abubacarr M. Tambadou, for systematic and deliberate violation of the Public Finance Act, abuse of office, economic crime, among other things. This is the position of the Committee with regard to the findings.

So, as the Speaker is saying, it can be challenged in court. But we do not have anything to do to reduce this thing to nothing; it has meaning. Everything is derived from the findings.

THE SPEAKER: Unless the Committee tells us from their investigation that they do not have facts that led them to this conclusion. I want to ask the Committee Chairperson. From what I understand, did you have facts that led you to these recommendations, or have you seen it differently? Definitely, this thing should change as you know it now.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Yes. Honourable Speaker, if you read the report from those paragraphs, let us say from Paragraph 495, you would find that most of the findings against the former Attorney General are issues of violation of the Public Finance Act and also his actions regarding the Ministerial Committee that was instituted and what they were doing. All the findings were centred on those issues.

And then there is the issue of appointing the Receiver himself, how the Receiver conducted himself, how he was doing business with the Government, and all that. This is what we found, and then we recommended

what we recommended in the report. So, that is the position of the Committee, and we maintain that.

THE SPEAKER: The Committee's recommendation is informed by what you have found out.

HON ABDOULIE CEESAY [OLD YUNDUM & CHAIRPERSON OF THE SPECIAL SELECT COMMITTEE]: Yes.

THE SPEAKER: Yes. Honourable Members, this is not going to be another type of debate. Please, I gave you the floor before, and I am closing these suggestions because otherwise we will continue until daybreak. Come up, Central Baddibu, and then I have not given you earlier. Yes, Niamina Dankunku then Minority, quickly, one minute each to summarise.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Okay. You know the issue raised was his proposal that two people were treated differently. Now, from the debate that has been generated, we know that the magnitude of what they have been accused of differs. It is not the same. Then the other issue is the terminology that is used, whether it should have a criminal proceeding or not. That is our issue, but I think we are not watering it down. We are just trying to suggest the nomenclature to be used to give the people fair treatment.

THE SPEAKER: Yes, you are saying that because of the criminal aspect, that nomenclature, just like what the Minority said. But I said that we may differ, but I agree because the Committee may believe that there is some

criminal involvement. No, what I am saying is that what they have found for them could be criminal. It may not be criminal, but they can say it.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: No. Mr. Speaker, he is responding to the assertion made by Tallinding.

THE SPEAKER: Otherwise, you will look at a lot of Committee reports that we will have to*... [Interrupted]*

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Tallinding is insisting that we want to water it down.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: We can use the term possible.

THE SPEAKER: Yes, I am saying that the report reflects their view.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: But this is now the National Assembly; this is Plenary.

THE SPEAKER: Yes, but you adopted it. Honourable Member for Serekunda West, let me hear you.

HON MADI M.K. CEESAY [SEREKUNDA WEST & VICE CHAIRPERSO OF THE SPECIAL SELECT COMMITTEE]: Honourable Speaker, I think I have not seen anything wrong with this issue of our recommendation for a criminal investigation. We are not saying that he is a criminal. We have not said that he has conducted criminal activities. We are now instructing the

correct and expert arm of Government responsible for investigation to conduct that investigation on him.

Now, when it reaches that body and the experts at their level do their investigation and feel that it is not criminal, they will report and they are the ones responsible for recommending charges. We cannot recommend any charges, and we have not recommended any charges. We are only asking the expert arm of Government to do investigations. Whether you call it criminal or non-criminal, for me, I am fine with any of them.

THE SPEAKER: I agree with you 100%. You know, my problem here is that we are dealing with a specific report, but we have a lot of other reports from Committees and a lot of recommendations emerge from those things. If we start looking at these things and compare them to some of those reports, we will be amending our reports as we go on. Honestly, I am telling you because this is a reflection of the Committee's findings, and of course, it is endorsed by Plenary.

However, it does not mean it is true, as the Member for Serekunda West said. The people investigating may find out that there is no criminal offence, what can you do? They may find criminal offences whether you put 'criminal' there or not. They may go and find criminal offences. But what the Committee is telling us is that from what they have known so far, there could be a possible criminal offence. That is what they are stating.

Yes, Honourable Member for Brikama North. Ah, sorry. After him, you Dankunku. No, go ahead, and then Dankunku next.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Honourable Speaker, I honestly did say that I can make reference to the Petroleum Joint Committee's Report. They are no different. We tried as much as possible to avoid using the word 'criminal' and 'misconduct'. We said that is for the investigation to prove and determine.

Similarly, I am 100% in favour of investigations into the circumstances surrounding his role in the sale and disposal of the property of the former President. However, using the term criminal, that is what I am saying.

No, I think you have checked on that. That is the position of the Committee, but that is also the position of Members. We look at the report of the Committee so as to sound our opinion to best guide them. So, as a National Assembly, let us stay away from using the term 'criminal'.

THE SPEAKER: Honourable Minority, that is a good submission from you, but we are saying that Committee reports are reflections and beliefs of the Committees. It does not in any way make what is there sacrosanct. No, let me be clear. If you go and look at the Education Committee, and the other Committee reports, you will find something there that you can question because those are not probably going to court to be proved. But what we are saying is that those are reflections of the Committee.

If you do your investigations based on what you know, you can assume that it is criminal or not criminal, fraudulent or not fraudulent because this is what you believe. Now, that thing can be investigated independently by the specialists to confirm whether your belief is correct or not. But if we want to delineate and leave out some of these words today, we will continue to leave

them out in most of our reports. And, if I remember, there are certain reports that are very strong in language. Why should this one be an exception?

Yes, Honourable Member for Niamina Dankunku.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Thank you, Honourable Speaker. First of all, the proposed motion by the Honourable Member for Lower Saloum quoted the Constitution, which is very important in this matter. Section 33[1]: *"All persons shall be treated equally before the law."* That is where he stemmed his motion. And then, if you look at the recommendation, Honourable Speaker, let me carefully read my concern there. The Committee recommends that*... [Interrupted]*

THE SPEAKER: Honourable Member, you quoted Section 33 of the Constitution.

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Yes, Section 33[1] of the Constitution.

THE SPEAKER: *"All persons shall be equally before the law."*

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Yes. I believe that due to the comparison he was making, he was referring to this Section, to my understanding. He was drawing a comparison between the former Attorney General and the current one, and I think this is the provision he wanted to use to substantiate his motion.

But, Honourable Speaker, let us look at the recommendation: "*The Committee recommends that the Executive, through the Police, to conduct*

a criminal investigation under the supervision of the Director of Public Prosecutions and criminal proceedings…" This means that we have already established that there is a criminal proceeding. Did the Committee establish that? I think we need to looked at that one very carefully.

Actually, Honourable Speaker, the recommendations of all the reports are generated from the findings. So, we have received the report and gone through it, perhaps at the Committee level, but the question is; does the exchange between the former Minister of Finance and the former Minister of Justice warrant criminal activity? These are exchanges between two Ministers.

THE SPEAKER: Okay. Honourable Member, you know, I think we have dealt with this one as a subsidiary matter*… [Interrupted]*

HON SAMBA JALLOW [NIAMINA DANKUNKU]: Yes, because that is where you derive your recommendation.

THE SPEAKER: Honourable Member, please. I did ask the Chairperson of the Committee, and he maintained that they still stand by their report. But listen, please. Honourable Member, be patient. If everyone speaks at once, we will not hear each other.

The proposals from the Majority and Minority Leaders backed by some members indicate that the criminal aspect is worrying; that is what they said. The others are concerned that we should be mindful not to dilute our own report after having made these recommendations. The Honourable Nominated Member, if I remember correctly, took the floor and said that all

their recommendations are informed by the information they gathered. So, this is where we are.

My problem, actually, is not anything else, but as we deal with this report and note all these things, it will affect all our other similar reports. Yes, it will affect them because if we choose not to use certain words now, it means that we will not be able to use them tomorrow. That is very clear. And I have said that the report is informed by what the Committee has found out.

Nonetheless, before we waste time on this, I want us to rule on it. No, Honourable Members, what I want us to do is… Yes, Honourable, you know I cannot refuse you.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yea. Honourable Speaker, thank you very much. You see, what we are asking for is this: the Committee is saying that they must institute a criminal proceeding. By doing that, you have already settled and concluded that what was done is clear. We are not trying to water this report down at all. That is not our intention. We are asking for further investigation. Let the Executive conduct further investigation. Nobody is asking to exonerate anybody here. We are not exonerating anyone, yes.

THE SPEAKER: What I am saying is, we do not want the word "criminal" there.

HON. BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Exactly.

THE SPEAKER: What I am saying now is if you do not want it in this report, you do not want it in any other report.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: No, other reports will also be informed by their findings. I am coming to that. The content of what we are investigating today might differ from any other Committee report.

THE SPEAKER: A Committee sat down, conducted their investigations and came out from amongst themselves feeling that these are the recommendations they are going to present, and to the best of their knowledge, they want to use the word 'criminal'. Now, the Plenary may not be happy with it, and we can remove it. But what I am saying is, if we want to be removing those things from our reports, it would mean that we will have to reflect on them for subsequent reports.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: A precedence has been set already. There was a precedence in this Chamber. Let me remind the National Assembly that there was a precedence to hold the Minister of Petroleum for misconduct. We expunged that because it was too premature as we must first establish grounds of misconduct, and we removed that. Do you understand?

So, the Committee's opinion does not necessarily mean it reflects the view of the entire Plenary.

THE SPEAKER: But their decision is not final; their decision is subject to Plenary approval. Now, unfortunately, we have looked at this and passed it, but we have overlooked some of these things that we want to correct now.

So, what I want to say here is, can we now agree on this basic principle? Where we have 'criminal investigation', we remove the word 'criminal' and then we rescind our decision on the report and adopt it as amended, and we proceed. Majority Leader and Minority?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Economic crime also.

THE SPEAKER: Pardon?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Economic crime. Yes, we have two things there.

THE SPEAKER: Can you listen to him, please?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: We have 'criminal investigation' in one place and also "economic crimes."

THE SPEAKER: Economic crimes?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Yes.

THE SPEAKER: Yes, you are directing them to find out whether there are economic crimes or whatever. That is a direction. Otherwise, if you leave it

that way, where are they going to investigate? You are giving them guidelines as to where they should look into. Yes.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: For possible economic crime.

THE SPEAKER: Yes, Honourable Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: Yes. I think what you have said is correct. We have to be very careful about what the Minority is also saying. Now, I want to echo what the Honourable Member for Tallinding said. When you look at the economic crime that he is talking about, Page 155 of the report says: *"The Committee similarly finds that by opening a commercial bank account without authorization and bypassing the Accountant General, Honourable Tambadou created a parallel financial system and operated outside the constitutional and statutory framework provided by the Public Finance Act."*

Also, regarding the criminal aspect that he is mentioning, when we remove that from the recommendations given by the Committee… This recommendation says: *"The Committee is thus compelled to conclude that Honourable Tambadou's conduct fell far from the standard expected of the Attorney General and Minister of Justice, the principal legal adviser to the Government charged under Section 72[2] of the Constitution with ensuring that all Government Account actions comply with the law, among others".*

So, for me, what I just want to argue presently is for us to leave it the way it is. If we touch the Committee's recommendation, it will affect the various recommendations given. That is my submission.

THE SPEAKER: Honourable Members, please. 'Criminally liable' or 'liable' or 'wanting'; if the investigators find him criminally liable, they will charge him criminally liable. If the investigators do not find him criminally liable, they will not charge him. So, to strike a compromise, let us leave 'criminal' out and then continue with the rest, please.

Pardon? Oh, if we agree on that, we would rescind our decision on the principal act and amend it on this one to be moved by you that this place be amended and then we proceed.

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker.

THE SPEAKER: Yes, somebody.

HON SAINEY JAWARA [LOWER SALOUM]: Yes. I think I will agree with you to delete 'the criminal proceedings against the former AG'. But then for the last paragraph that would substantiate that he was involved in economic crimes, I am trying to suggest here that he should be investigated because if you mention the Public Finance Act 2004, I agree with you.

No, what I am saying is that we are going to delete it because I would agree with the submission of the Majority Leader for him to be investigated on the disagreement or being found wanting in violating the Public Finance Act. You understand? That I have agreed with.

THE SPEAKER: Honourable Member, you know the issue is financial crimes; you are guiding those people who are going to investigate to find out whether there were lapses in the… yes, this thing… No, we are not deleting "financial crime" or anything again. What we are deleting…

HON SAINEY JAWARA [LOWER SALOUM]: Speaker, sorry. I do not want to have that push and pull between me and you, but it is the floor of the Assembly that will propose, and you preside over it. Now, let us delete 'economic crimes and among others'.

THE SPEAKER: That is what I am saying; that is not the proposal we have from the Majority and Minority Leaders yet. Minority Leader, what is your proposal?

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: The 'criminal proceeding's as well as 'economic crimes' because both of them are in conclusion that they are found wanting for those offences, and let that be investigated.

THE SPEAKER: Majority Leader.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, I made my submission earlier that the issue of 'criminal' both in the first text and second text be deleted. And also, let it be investigated if there is a violation of the Public Finance Act. The Public Finance Act will then tell us whether what he did was a financial crime or not. It is simple.

THE SPEAKER: What I am saying is, he talked about the issue of economic crime. What is your opinion?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Economic crimes were drawn from the Public Finance Act, which is why I said let him be investigated on that.

THE SPEAKER: You want the economic text to be retained?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Exactly.

THE SPEAKER: Oh! Ho! Lower Saloum. Look, Honourable Member, show some signs of respect, please.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: It is too premature to say that for economic crimes now. But once it is investigated looking at the relevant legal texts, they will conclude whether it is a violation of economic crimes or not.

THE SPEAKER: Now, what I am saying is, we want to finalize those proposals. One thing that you all agreed on is the criminal aspect to be removed.

Honourable Member, when it comes to economic crimes, I am talking to you, the one mentioned by you to investigate into… what did you say? The Public Finance Act. Can we reconcile the two? Go to him and reconcile.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: If you look at the report, the Committee recommends*… [Interrupted]*

THE SPEAKER: Sorry, what you will do for me is, you are going to read the original text and the recommended version.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Yes. The original text says: *"The committee recommends that the Executive, through the Police, to conduct a criminal investigation under the supervision of the Director of Public Prosecution and criminal proceedings".*

THE SPEAKER: What I am saying is, where you stopped is that where you want to amend?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I am coming. Let me just finish reading. *"…to institute criminal proceedings against the former Attorney General and Minister of Justice, Abubacarr Tambadou, for, systematic and deliberate violation of the Public Finance Act, abuse of office, and economic crimes, among other things."* We are saying these are too premature.

THE SPEAKER: What is your proposal now?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: We are now proposing for the Committee to recommend experts to conduct an investigation under the supervision of the Director of Public Prosecution and to institute investigation proceedings against the former Attorney General

and Minister of Justice, Abubacarr Tambadou, on the violation of the Public Finance Act, 2024, among other things.

THE SPEAKER: You have the reports with you and you have had him. What they are suggesting is that instead of "criminal liability," we remove "criminal." The other thing is, "economic crimes" and "violation of the Public Finance Act, among other things." Do you follow?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Yes, I agree, but I have another suggestion.

THE SPEAKER: You have had the recommendations from both sides of the National Assembly. Are you in agreement or not? You are in agreement. Now then, the motion should be moved to rescind our decision, for us to amend those two clauses as read by you. So, somebody should do that. You have the text. Pardon?

[Point of Observation]

HON AMADOU CAMARA [NIANIJA]: I mean, can I observe? Yes, what I want to say is that we adopted the report here with amendments. So, if any other amendment comes now, I think it survives. There is no need to rescind our earlier decision, in my opinion.

THE SPEAKER: Those amendments do not include this one. Those amendments are there; they are captured. These ones are not captured. Now, Honourable Member, can you move the motion?

[Motion!]

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Thank you very much, Honourable Speaker. I so move the motion for the National Assembly to rescind its earlier decision on the report of the Special Select Committee.

HON SULAYMAN SAHO [BADDIBU CENTRAL]: I so second the motion.

THE SPEAKER: Honourable Members, it has been moved and seconded, so I now put the question.

[Question Proposed, Put and Agreed to]

[That the Assembly rescind its earlier decision on the principal report of the Special Select Committee.]

THE SPEAKER: Honourable Majority Leader, you can move for the amendment.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, I move that the Committee recommends for the Executive, through the Police, to investigate under the supervision of the Public Prosecutor's Office the proceedings against the former Attorney General and Minister of Justice, Honourable Abubacarr Tambadou, for possible violation of the Public Finance Act, among other things.

THE SPEAKER: Give that text to Table Office, please. Yes, Honourable Member for Brikama North and Minority Leader.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Thank you very much, Honourable Speaker. I so second the motion.

THE SPEAKER: It has been moved and seconded, so I now put the question.

[Question Proposed, Put and Agreed to]

[That Page 155 of the report, Recommendation 1, as stated by the mover of the motion be included in the report.]

THE SPEAKER: Honourable Majority Leader, please work out what you have read for the possible amendment and liaise with Table Office. Let them capture and incorporate it into the report. Who is saying motion?

[Motion!]

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker. Yes, in my motion again, there is one remaining from Page 191. No, it is there.

THE SPEAKER: We have listened to your motion in toto, analysed it, and then we debated it for almost one hour before you could even put it up, and then the final conclusion is what we have driven out.

HON SAINEY JAWARA [LOWER SALOUM]: If you listen to me, you will get what I want to say. It is 2. No, I am saying that in my motion, I have 2 recommendations. You have dealt with the first one, and the second one is from Page 191 of the report that talks about the appointment of Alpha Barry. You understand?

THE SPEAKER: Majority Leader, you are very critical and very important in what people are saying. Please, listen to them. What I do know is you are making recommendations to look into the appointment of him, whether it was rightly done or illegally done. I think that was the recommendation. That is what is there.

Honourable Member for Lower Saloum, the recommendation is to look into whether his appointment was illegally done. What are you saying about that? It is me who has appointed you wrongly, who should bear the brunt; this is what we are saying. They are asking for it be investigated because from their findings, there may seem to be some foul play or something like that. That is what they are saying, so what do you want us to do?

HON ALMAMEH GIBBA [FONI KANSALA]: Yes, I am rising on a motion 53[a]. I want to suggest another proposed amendment on Page 26 of the recommendation. If I am permitted, I would like to read the recommendation I want to add so that it will now be 7.

THE SPEAKER: I given you one that you added. We put it up and then it was passed, and we asked you to pass it to the Honourable Chairperson for inclusion. Do you want to bring another one outside that one?

HON ALMAMEH GIBBA [FONI KANSALA]: Yes, as you have alluded here if time is available, you could permit me to deliberate on it. With your permission, Honourable Speaker, it reads as follows: *"For the Government to investigate Miss Amie Bensouda on conflict of interest in the execution of her mandate as the Lead Counsel and, where sufficient evidence is gathered,*

to prosecute accordingly." I wanted to add it as bullet Number 7, as part of the recommendations at Page 26 of the report. Thank you.

THE SPEAKER: What you have read; is it part of the report?

HON ALMAMEH GIBBA [FONI KANSALA]: It is not part of the report, but when you look at the recommendations, it captures some of those salient points. So, I have suggested a new amendment to be added as part of the report.

THE SPEAKER: The recommendations in the report do not capture what you are saying.

HON ALMAMEH GIBBA [FONI KANSALA]: It did not capture it.

THE SPEAKER: All right, but you are making reference to other recommendations.

HON ALMAMEH GIBBA [FONI KANSALA]: I said that the Committee has are six recommendations, so I am adding a new one to make it seven. *"For the Government to investigate Miss Amie Bensouda on conflict of interest in the execution of her mandate as the Lead Counsel and, where sufficient evidence is gathered, to prosecute her accordingly."* Thank you.

THE SPEAKER: Have you heard him? What is your opinion before we put it into a motion?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Speaker, I think he needs to reframe his recommendation. The last part, which says "to

prosecute her," the recommendation could be made 'to further investigate her role'. Do you understand? Yea, but not to say "to prosecute."

THE SPEAKER: What I understand from what he said is to investigate and if you have evidence, you prosecute; but if there is no evidence, you go. What are you saying?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: He is not clear in the recommendation. What is her role? That is what I mean.

THE SPEAKER: Be specific.

HON SULAYMAN SAHO [BADDIBU CENTRAL]: But what conflict of interest? Somebody who has been appointed.

THE SPEAKER: Honourable Member, I think we should drop this conflict-of-interest issue because it is not for her; she is appointed to the position and there are certain things, probably that she has declared.

So, Honourable Members, Lower Saloum… Honourable Members, now I will ask, where is the mover? No, Almameh's is dropped. Where is the Chairperson of the Committee? Who is the Vice Chair, Mbow? All right, yes.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Speaker, after the recommendation by Majority and the Minority, I have additional recommendation for the IGP to further investigate the Ministerial Taskforce on possible corruption.

THE SPEAKER: How can you establish corruption?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I say possible corruption. I am not there to establish; it is the investigation that is going to establish.

THE SPEAKER: That is your… when you read the report.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Yes.

THE SPEAKER: You are informed by the fact that there could be possible corruption and, therefore, let them investigate it. It may not mean that there is corruption.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Exactly.

THE SPEAKER: This is the same thing we have been talking about all along.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: For them, they want it to be coined that way; for me, I support this move.

THE SPEAKER: Majority Leader, you give me a lot of problems. You are talking but you did not hear all what is said. No, did you hear what the Honourable Member for Central Baddibu said? You see you will not hear it, and it is critical. I will put the vote and then you come back again. Now, do not allow to be distracted when key things are happening. Please, listen to it. With regard to the Minority Leader, anything happening, even if something drops, he is aware because you are the two pillars. All right, Honourable Member, put your suggestions.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: I think the Speaker is giving a lot of powers to the Minority and the Majority Leaders but if they are not concentrated, we forget about the powers. They need to be focused. Okay. I am adding after all your recommendations for the IGP to further investigate the Ministerial Taskforce on possible corruption. So, he was advising whether to remove possible corruption because the Ministerial Taskforce also has a role to play.

HON LAMIN CEESAY [KIANG WEST]: Honourable Speaker, all these procedures, all these taskforces were created by the Government, represented at the Committee by Government Ministers. We are asking them to go and investigate that. Honourable Member, what are they going to investigate? Government establishes this and puts specific Ministers there; we are asking them to investigate possible corruption in the establishment of that committee and what happened? Honourable Speaker, that is very ironic.

THE SPEAKER: In the establishment or on the operations?

HON LAMIN CEESAY [KIANG WEST]: Operations.

THE SPEAKER: There can be some faults in the operation.

HON LAMIN CEESAY [KAING WEST]: This is Government operation. It is Government itself; we are asking them to investigate.

THE SPEAKER: Government lines, some of them can be criminal. That is what they are saying. No, let me get him clear.

HON LAMIN CEESAY [KAING WEST]: Honourable Speaker, do we really think IGP can do that? Under which Government today?

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: I have had this submission made by Member for Central Baddibu, but we need to be mindful here. Mindful in the sense that we need to know our limits and refer back to the prayers advanced in the motion. We cannot be engaging ourselves in administrative businesses, how the Committee was instituted or not. We cannot ask the Government to go because our mandate here is to look at the sales and disposal of Jammeh's assets.

But how did the Committee come about? Who and what have been done? Those are purely administrative. What powers do you have to dictate to the Executive as to who to put in that committee? So, I think if we are not careful, we are stepping out of bounds here. So, what he is saying is purely impossible.

THE SPEAKER: So, basically, I want him to voluntarily withdraw that proposal because he is asking the Government to investigate the Committee. Okay. Yes, I am going this way, Latrikunda, Upper Saloum, and Nominated Member.

HON YAHYA SANYANG [LATRIKUNDA SABIJI]: Thank you very much, Honourable Speaker. I think it is the Honourable Majority Leader who should advise himself because one thing I know about this National Assembly is that we are the supreme oversight body. I do not think we have limits when we want to correct issues as far as Government administration is concerned. So,

he should give himself advice instead of telling Central Baddibu to advise himself. That is number one.

Number two, regarding what the Honourable Member for Kiang West said, for me, I do not want to speculate. I would prefer to give this mandate to the Police to carry out the investigation. I do not want to be like the IGP, who is appointed by the President. The Committee was instituted by the Government, and I will not get into that. What I will do is to mandate the Police to conduct the investigation. If you look at all the mess surrounding this matter, the genesis is the Special Ministerial Taskforce. So, for me, I think that is the foundation for any inquiry into this matter.

Thank you very much.

THE SPEAKER: One thing the Majority Leader said is that, we have nothing to do with their administration. I said somebody was to come. Just before you come, just hold on. Yes, Honourable Member for Upper Saloum.

HON ALHAGIE MBOW [UPPER SALOUM]: Honourable Speaker, I was just trying to call your attention for the sake of consistency because Page 191 of the recommendations reads: *"The Committee recommends that criminal investigation be initiated against Alpha Amadou Barry."* So, for the sake of consistency, just like what we have done with the other one, we should remove the criminal investigation as we have already agreed on that. Yes, it should be removed.

HON KEBBA LANG FOFANA [NOMINATED]: Honourable Speaker, just on the proposal that was sent in by Central Baddibu. As I said earlier, let our

proposals be guided by the report. It is very important. Whatever recommendations you want to make, let them be guided by the report. The Ministerial Taskforce was constituted by Cabinet. With all the powers we have, the National Assembly cannot dictate Cabinet administration. We can never do that. So, it is my proposal that he withdraw that particular proposal because it is not guided by the report. Thank you.

THE SPEAKER: The Office of the Clerk is also concerned about recommendations that are not informed by the report.

HON KEBBA LANG FOFANA [NOMINATED]: Thank you. That is it.

THE SPEAKER: You cannot just come because you heard something and bring a recommendation, especially when you cannot connect it anywhere in the report. No, we have closed this one now. But, respond to what?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: No, Speaker, because I raised a suggestion.

THE SPEAKER: You raised a suggestion, and people commented. If you say it again, they will also want to comment.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: On the operation and how it was formed, I am not saying that. I said the Ministry of Justice should be investigated, and the Minister of Justice was answerable to the Ministerial Taskforce, do you understand? So, the Ministerial Taskforce was a body; we need to know how they operated. This is not a small investigation. Even

now, we cannot be cleared with the document or the report. So, let us... *[Interrupted]*

THE SPEAKER: The Majority Leader said that we cannot go into administrative issues. You are talking about operations, but we cannot question how it was constituted.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Honourable Speaker, I am not talking about the Constitution. I said the Ministerial Taskforce was a body responsible to the Cabinet. Do you understand? The decisions the then Minister made... So, we need to conduct a parallel investigation. We cannot only investigate him and leave the Ministerial Taskforce behind. If we want to get the facts, we need to investigate both teams.

THE SPEAKER: Investigate the Ministerial Taskforce on what? If you talk about its operations on the sale of properties, I think there should be more substance than what you are refusing to present to us. All right, Honourable Members, Majority, Minority, and Deputy Minority Leaders, you have heard it. What are your opinions?

HON MADI M.K. CEESAY [SEREKUNDA WEST & VICE CHAIRPERSON THE SPECIAL SELECT COMMITTEE]: Well, Speaker, I think as far as his motion is concerned, he is not talking about administration. He is talking about the operation of the Taskforce, and in that case, he is in line.

THE SPEAKER: Honourable Majority Leader, he said he is talking about how the Taskforce operates.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: What I would advise the Member is that we cannot bring in new elements that were not before us as a committee. The Committee was given terms of reference and must operate within them. It cannot go outside those terms. The terms of reference did not say that we should investigate the Ministerial Committee put in place by Cabinet.

In the prayers, we said to investigate the sale and disposal of assets of the former President. It is very simple. You cannot go outside that mandate to investigate the operation of the Taskforce constituted by Cabinet. In the event of their interaction on the sales, that is where the Minister of Justice came in. So, basically, let him advise himself to withdraw that proposal.

HON MADI M.K. CEESAY [SERREKUNDA WEST & VICE CHAIRPERSON THE SPECIAL SELECT COMMITTEE]: Speaker, I think the Majority Leader is trying to mislead. When the Committee was set up, it was centred around the disposal and sale of Jammeh's properties, and the Committee felt it fitting to interrogate this very Taskforce. A member of the Taskforce came on behalf of the Taskforce.

So, the Committee's investigation went into the operations of the Taskforce, and it was mentioned several times. To say that it is outside the mandate, I think the Majority Leader is misleading the Plenary.

HON ALHAGIE S. DARBO [BRIKAMA NORTH & MINORITY LEADER]: Honourable Speaker, I find it interesting that the Chairperson, who is supposed to be investigated on issues surrounding his role in the sale and disposal of the former President's assets, is leading a Taskforce that is not

being found wanting. I think that would be quite odd. So, it is required that both the Taskforce and the Chair be investigated. If he moves that motion, he is in line.

THE SPEAKER: Yes, Lower Fulladu West.

HON GIBBI MBALLOW [LOWER FULLADU WEST]: Maybe, I will come in because I support Mbow's motion. That is to say*… [Interrupted]*

THE SPEAKER: This is why sometimes you want to break me down. Honestly, we are on an issue to resolve, and you are taking me to Mbow's motion.

HON GIBBI MBALLOW [LOWER FULLADU WEST]: It is because I raised my tag at that particular time, and you called other people.

THE SPEAKER: No.

HON GIBBI MBALLOW [LOWER FULLADU WEST]: No, I raised my tag when Mbow just moved it.

THE SPEAKER: You see, I do not even listen to him very well because I know these were the agreements we put forward before putting the motion to question, and we finally agreed on this one. Everyone was listening. After we have done that, we cannot come back on it. No, not under my watch. All right. Yes, Honourable Nominated Member.

HON KEBBA LANG FOFANA [NOMINATED]: Honourable Speaker, just to provide clarity. I think first we need to ask ourselves; what is a

subcommittee? The Taskforce was, in effect, executing the functions of the Executive. The similitude of that Taskforce is the SSC that was constituted in the Plenary here. When we have a task, what do we do? We give it to our subcommittees; be it FPAC, TAC or the Committee on Environment. The job they are doing, who are they doing it for? Certainly, they are doing it for the Plenary.

The same thing is what the Executive constituted and called it Ministerial Taskforce. That is why the investigations being called for the former AG are not coming from him being a member of the Taskforce, but from actions or omissions that the Committee perceived or believed he must have conducted. That is why the Committee did not make any recommendations on the Taskforce.

Now, the fundamental question we need to ask ourselves is: did the Committee find anything on the other members of the Taskforce that would warrant recommendations for sanctions against them? This is the fundamental question you need to ask. But you cannot recommend against a subcommittee. That subcommittee was doing a job on behalf of a larger group.

The Committee was advised by the legal unit we were working with. So, before any decision is made, I advise Members to go through the report. Anything you do not find there is not an omission.

So again, Honourable Speaker, my submission is that the proposal on the Ministerial Committee involves the National Assembly using excessive powers that are not actionable. We do not have the authority.

Thank you.

THE SPEAKER: Honourable Members, I was trying to get a legal opinion on the agreements on the floor. It is... Unless I am ready, my brother. We can investigate the operations of the Ministerial Taskforce in so far as it deals with public financing, public funds, and all these things. Yes, we can. The issue is that it must be informed by the report. Where can we link it to the report that would warrant us to investigate that Taskforce? Unless the Honourable Member is able to guide us because that is what the legal people are telling me.

This is a report we are working on, and everything we say and do should be legally informed by that report. Yes, if you are talking about it, just look at your report and tell us there.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: No, the report is with him. But Honourable, during the... No, I want to reference it.

THE SPEAKER: No, what I am saying is, get the report somewhere and tell us where it is informed. We will not take it over. Get wherever you can get it. If you do not*... [Interrupted]*

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Then, that Ba Tambadou was answerable to the Ministerial Taskforce in the report. We all watched the proceedings, and some members of the Ministerial Taskforce appeared before the Committee. So, we are dealing with something, … *[Interrupted]*

THE SPEAKER: What I was... *[Interrupted]*

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Okay. Let me... *[Interrupted]*

THE SPEAKER: Whatever recommendations you make must be informed by the report and not by what you think, what you heard, or what you have seen outside on this issue or on a different issue. No, we have to resolve this issue.

Honourable Member, just hold on because I asked you and you said it is on a different issue. Yes, just allow the mover to say something. The report is numbered. No, what I am saying is, you are counting one, two. Now, is it Page 90 or 19? I thought you were saying 90. What are you counting now?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Now, Page 45.

THE SPEAKER: Yes, exactly. No, why were you counting one, two, three, four, five?

HON SULAYMAN SAHO [CENTRAL BADDIBU]: No, I am surprised you are asking me about a paragraph.

THE SPEAKER: I told you paragraph because paragraphs are numbered.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Now, let us forget about that. So, accordingly, can you listen, please? This report considers the establishment and functioning of the Commission, the administrative arrangements, particularly within the Secretariat, that operationalize its mandate and the procedures used to identify, preserve value, and dispose of assets associated with the former President and his close associates.

It also reviews the preparation and submission of the Commission's final report, the Government's consideration of that report through the White Paper, and the subsequent work of the Cabinet Inter-Ministerial Taskforce charged with implementing assets disposal after the Commission concluded its work. In doing so, the analysis examines the financial flaws generated by the disposal activities, the accountability mechanism employed and status of remaining assets still under Government control.

So, who are they to say that Ministerial Taskforce is not part of it?

THE SPEAKER: No, Honourable Member, you have talked about it being mentioned that it has existed and it has been tasked with this. You are now looking at it to be investigated. The report must inform that something had happened or alleged to have happened that would warrant investigation.

HON SULAYMAN SAHO [CENTRAL BADDIBU]: Honourable Speaker, there is lacuna in the report and the function of the National Assembly is to enrich it. There is lacuna somewhere because this in the*… [Interrupted]*

THE SPEAKER: He has said it categorically that every recommendation should be informed by the report. Members have their own views of things. They have heard a lot of things; they have seen a lot of things that should not inform them. It is the report that should inform the recommendations. You must be able to link it to the report and say that because of A, B, and C we should be able to investigate into that. But just believe that*… [Interrupted]*

HON SULAYMAN SAHO [CENTRAL BADDIBU]: What I am saying is, the Committee made a report to us, and in the report, they recommended that the former Minister, who was the Chairperson of the Ministerial Taskforce, should be investigated because of A, B or C. I am saying that I will review that. He was reporting to a body, and that body which is the Ministerial Taskforce should be investigated. We should know whether what Ba was doing was doing it unanimously, single-handedly or not. Now, if the National Assembly feels that the other people should not be investigated, well, this is an additional suggestion from me. It is not about the recommendations.

THE SPEAKER: He was Chairperson because he was the AG. And then, he does not share his position as AG with anybody. So, what I am saying is, you must have some link that there was something happening, and that is what the legal people informed me about. Yes, Honourable Member for Wuli East.

HON SUWAIBOU TOURAY [WULI EAST]: Thank you very much, Honourable Speaker. We should not belabour this debate any longer because, Honourable Speaker, it is clear. If there is anything in the report which assumes that the Ministerial Taskforce collectively has done something adverse, then we can say we investigate into that. But there is no iota of evidence in the report which says collectively the Taskforce has done something.

The Minister is mentioned as the Attorney General and because he was the one who had being transacting with all the other entities, we have seen so many other things that shows us that something is running under the table or something is happening there. That is why we said it should be

investigated to ensure that it is clear. But then to go to the Ministerial Taskforce, which is just implementing, I do not think...

THE SPEAKER: Where is the Deputy Chairperson of the Committee? Honourable Member, you tabled a motion for the National Assembly to adopt your inclusions, and among those inclusions was the motion tabled by the Honourable Member for Kansala.

I will now put a question for that, but I think you have moved it. You have done your bit, sir. It should be my role now because a motion has been moved and seconded, am I right? Yes.

Now, I should put the question. What has been convinced? No, Honourable Member, it is not about conviction. This is a ruling that it is not informed by the report. So, what I am saying is, I will now put the question for all Honourable Members to understand.

The Honourable Chairperson of the Committee moved a motion for the inclusion of these submissions as appendix. That is the… If you remember, the Honourable Chairperson of the Committee gave us other items and also recommendations on companies. Do you remember? And also, the Honourable Member for Kansala moved a motion that was adopted by you. So, these together is going to be the appendix to the report.

I now put the question.

[Question Proposed Put and Agreed to]

[That the Report of the Honourable Chairperson of the Special Select Committee for inclusion as Appendix into the Principal Report: Recommendations on Companies, Other Items, and a motion by the Honourable Member for Foni Kansala approved by Plenary be incorporated into the report.]

Honourable Members, we have come to the end of this*… [Interrupted]*

HON SAINEY JAWARA [LOWER SALOUM]: No, Honourable Speaker, my motion is not included, and it was seconded.

4. Bill [in accordance with Order 73]

Consideration Stage of the Communications Bill, 2025 *[By the Hon. Minister of Communications & Digital Economy]*

THE SPEAKER: Honourable Members, I was just looking at the time. I thought it was going around 2:00 or so; on the whole, it is after 4pm.

[Motion!]

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, motion.

THE SPEAKER: Motion again? On what? I am not allowing you on the motion until I know what the motion is.

HON SAINEY JAWARA [LOWER SALOUM]: Motion to rescind our earlier decision to commit the Communication Bill to*… [Interrupted]* Allow me to

come. Allow me to come, please. No, no, ask Majority Leader to allow me. Honourable Speaker, the motion is to rescind the decision that we had taken last time to commit the Communication Bill to the Committee of the Whole Assembly.

Basically, there are issues in the Bill that need to be discussed with stakeholders because there are series of complaints coming to us, so in that regard, we want to defer the Bill.

THE SPEAKER: Your motion is geared towards negating our earlier decision on looking at the Bill at the Committee of the Whole Assembly, and then refer it to the ABC Committee. That is going to be your proposal. Yes, Majority Leader.

HON BILLAY G. TUNKARA [KANTORA & MAJORITY LEADER]: Honourable Speaker, I think this is really unfair at this juncture for us to rescind our decision. We have had a very serious consultation with the Ministry at the Sir Dawda Kairaba Jawara Conference Centre. And even the expert, who has been charged the responsibility to go through the Bill, has very few observations, and he took us through. This Bill is to repeal an existing Bill. The previous bill, if you look at it, there is very little an amendment.

So basically, I think it is really unfair, having taken more time interfacing with the Ministry, which took us through the Communication Bill. It is very natural to be lobbied by people of different interests here and there, but that should not really warrant us to rescind our decision on that.

So, please, I think it is apt for us to really go to the consultation stage. Wherever we stop, we can take it up next, but we have really gone through this thing thoroughly. The experts, also from the National Assembly legal team, have had very little comments on the report. Literally, this is a bill that has been drawn and passed here not long ago. We are trying to amend that.

THE SPEAKER: I think there will be no grounds that I can hold on to in denying him to move the motion. The only thing probably you can do, if you are not in support of the motion, is not to vote for it. There is nothing we can hold and say, no, I will not entertain his motion. I listen to it for the purpose of ascertaining whether it is going to be a substantive motion or not. That is why I listen to him. So, yes, Member for Kiang West.

HON LAMIN CEESAY [KIANG WEST]: Honourable Speaker, I think we would beg your indulgence to allow him to move that motion because it is very necessary. We have looked at the Bill and we realised that it is a very bulky document. So*…[Interrupted]*

THE SPEAKER: Honourable Member, you do not need to appeal. I have just said that there is no ground I can hold on to denying him to table the motion.

HON LAMIN CEESAY [KIANG WEST]: Thank you.

THE SPEAKER: Yes, Member for Upper Saloum.

HON ALHAGIE MBOW [UPPER SALOUM]: It is along the same lines. We are just trying to confirm this thing here.

THE SPEAKER: Honourable Member, you can now move your motion.

HON SAINEY JAWARA [LOWER SALOUM]: Honourable Speaker, I rise on Order 29[3] to move a motion to rescind our earlier decision to commit the Communication Bill to the ABC Committee for committal.

THE SPEAKER: Honourable Members, you have heard the motion, so any seconder? Yes, Member for Foni Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: I so second the motion, Honourable Speaker.

THE SPEAKER: The motion has been seconded, so I now put the question.

[Question Proposed, Put and Agreed to]

[That the Assembly rescinds its earlier decision on the Communications Bill, 2025 and refer it to the ABC Committee for referral to the relevant Committees.]

THE SPEAKER: So, the Communications Bill, 2025 is recommitted to the ABC for further committal to the relevant Committees.

Honourable Members, it is unfortunate, but let me recognise in our midst the Honourable Minister of Communications and Digital Economy, who is with us. You are most welcome. You have been here all along, I am just informed. I never saw your face. But we appreciate that you are with us all along. You have heard that the Plenary has just decided for the Communications Bill, 2025 to be referred to the ABC for further scrutiny to be tabled to the Plenary

next time. So, once again, thank you very much for sparing your time with us, please.

Honourable Members, a more important note, I want to thank you all. We have looked at the Special Select Committee's report, and I think you have done justice to it. We do not negate going back on something that we feel we can make better.

The Honourable Member for Central Baddibu is just talking and not listening to what I am saying. I am thanking him for his contributions, but he does not want to listen to it.

So, once again, I want to thank both sides of the National Assembly. Of course, the Clerk and our technical backup, we want to thank all of you.

5. **Adjournment**

THE SPEAKER: Honourable Members, I now put the question for the assembly sitting to adjourn.

[Question Proposed, Put and Agreed to]

[The Assembly now stand adjourned until Tuesday, 24th March 2026, at 10:00 a.m. Prompt.]

[The Speaker slammed the Gavel against the Sound Block signalling the end of the day's proceedings.]

THE END