

RESOLUTION OF TWO-THIRDS MAJORITY OF THE HOUSE OF REPRESENTATIVES OF THE 55TH LEGISLATURE OF THE REPUBLIC OF LIBERIA TO EFFECTUATE THE REMOVAL OF HON. CLLR. J. FONATI. KOFFA AS SPEAKER

Whereas, Article 49 of the Liberian Constitution and Rule 9.1 of the Rules and Procedures of the House of Representatives state, among other things, that “the Speaker, Deputy Speaker, and other officers so elected may be removed from office for cause by resolution of two-thirds majority of the members of the House”. Based on Article 49 of the Liberian Constitution and Rule 9.1 of the Rules and Procedures of the House of Representatives, members of 2/3 majority have found causes below for the removal of HON. CLLR. J. FONATI. KOFFA AS SPEAKER of the Honorable House of Representatives of the 55th legislature.

- Whereas the Speaker, Hon. Cllr. J. Fonati Koffa is significantly conflicted with interest which is impeding the smooth functions of various committees, by being the lead consultant and lawyer for several agencies of Government, Concessions, and other private companies, in the country over which the House of Representative exercises oversight responsibilities. These agencies and concessions include, the Liberia Petroleum and Refining Corporation, Liberia Maritime Authority,

National Fisheries and Aquaculture Authority (NaFAA), Liberia Telecommunications Authority (LTA), NASSCORP, Citi-Trust Savings and Loan Bank, Central Bank of Liberia (CBL), Robert International Airport (RIA), National Port Authority (NPA), National Oil Company of Liberia (NOCAL), Bea Mountain Mining Company (BMMC), Western Clusters etc. This violates Rule 45.1 and Rule 45.2 of the Rules and Procedures of the House of Representatives under the subheading - Conflict Of Interest - which states “Where a member elected or delegated by the house to perform a certain task, finds that the case at hand is related to his or her interest or that of a closed relative, he or she shall withdraw from handling the case after notifying the House, the Speaker or the committee of which he or she is a member.” Rule 45.2 “No member may be employed or engaged himself or herself in an occupation which is incompatible with the responsibilities vested on him or her or is in breach of the trust given to him or her or its damaging to the prestige and dignity of the House.” Evidently, the Speaker, Hon. Cllr. J. Fonati Koffa, conflicts his business interests with his leadership of the Honorable House which grossly violates Rule 45.1, is incompatible with his position, tarnishes the prestige and reputation of the House, and is detrimental to the common good of the Liberian people.

- Whereas, the Honorable Speaker, single handedly selected Liberia's Representatives to the ECOWAS Parliament and lied under oath that he conducted an election. On February 7, 2024, without the conduct of an election, the Speaker submitted a list of Liberia's Members of the House of Representatives to the 6th Legislature of the ECOWAS **Parliament** to Dr. Sidie Mohammed, the Right Honorable Speaker of the ECOWAS Parliament. In the transmittal letter which bears the subject: **“Election of Liberian Representatives to the 6th Legislature of the ECOWAS Parliament,”** the Liberian House Speaker lied under oath and misled the ECOWAS Parliament, violating provisions of the Protocol of the ECOWAS Parliament. Hon. Cllr. J. Fonati Kofa's actions are in total contravention of Subsection (a) of Article 18 of the ECOWAS Protocol titled *“Elections, Terms of Office and Vacancies”* which states that “States representatives shall be elected by direct universal suffrage by citizens of member states.” They are also in contravention of Subsection (b) of Article 18 of the ECOWAS Protocol. Subsection (b) of Article 18 states that the representatives of each member state reflect as much as possible, the political configuration in the state. Even more consequential, the Speaker's actions violated Rule 40.1 and 40.2 which are under the heading: Rule 40: Honesty and

Transparency. Rule 40.1 states “Without prejudice to the provision of this rule, every member shall be honest and transparent at any time.” Rule 40.2 which tends to define what “honest and transparent” mean states as follows: “No member may introduce false information or unsubstantiated matter, pretending that it is true.” The occupant of the office of the Speaker is expected to exhibit high degree of morality and protect the rule of law but the Speaker’s action evidently reveal that he lacks the moral and behavioral competence to perform in this office.

- Whereas, the Speaker, Hon. Cllr. J. Fonati Koffa, during his tenure as Deputy Speaker of the 54th Legislature, alarmingly overspent his budget and was believed to have used his budget line as conveyor for suspicious financial transactions. This is evidenced by the alarming outrun of \$ 4,038,687 (actual money spent), a whopping \$2,936,159 higher than the amount of \$ 1,102,528 budgeted for fiscal year 2023 for the office of the Deputy Speaker. ***Ref. Page 3 of the Fiscal year 2024 Draft National Budget.*** This practice amounts to systemic corruption, continues to reflect negatively on the office of the Speaker and subject this Honorable Houses shady practices by putting a credibility taint on the image of the Honorable office which immensely violates Article 5(c) of the 1986 Constitution of the Republic of

Liberia “ Take steps, by appropriate legislation and executive orders, to eliminate sectionalism and tribalism, and such abuses of power as the misuse of Government resources, nepotism and all other corrupt practices.” Rule 44.1 - Being free From Corruption - of the House Rules and Procedures states, “Members are expected to fight corruption effectively by being free from corrupt practices and opposing corruption and set example in any anti-corruption struggle.”

- Whereas, the 7th day sitting of the 2nd quarter of the 1st session of the Honorable House of Representatives of the 55th Legislature of the Republic of Liberia, June 06, 2024, revealed through its agenda that the Budget law was altered by the Honorable Speaker Hon. Cllr. J. Fonati Koffa. A communication from Hon. Clarence G. Gahr Representative of Electoral District 5 of Margibi County craved the indulgence of plenary to recall the National budget for illegal alteration of the Budget Law.
- Whereas, on April 29 2024, the 9th-day Journal of the extraordinary session of the Honorable House of Representatives of the 1st quarter of the 1st session of the 55th legislature of the Republic of Liberia reveals that the Honorable House of Representatives of the 55th legislature met on April 29 2024, with the Representatives

of District #2 Grand Kru County, Hon, J. Fonati Koffa, Speaker and presiding officer for the sole passage of the 2024 National Budget. A motion was proffered by Hon. James Kolley/District #2 Bong County. Motion states, “Hon. Speaker, Deputy Speaker, and distinguished colleagues, having listened to a well-read report from the committee on Ways, Means, and Finance, and done due diligence and taking into consideration that this budget was initially submitted by the executive in the tune \$692,408,827 United States Dollars and taking into consideration that the committee invited all agencies that are captured in the budget, for budget defense and in such proceeding, those that had issues and qualms were submitted to the committee, on Ways, Means and Finance and was taken into consideration. Hon. Speaker, Deputy Speaker, and distinguished colleagues, I move if I can obtain a second, that this instrument submitted to this plenary be passed with the following:

- That for controlling purposes, everywhere in the (budget) law where LBO is stated, be replaced with the Public Accounts Committee, which is the PAC that has the responsibility to ensure that there is transparency in all

government entities, that is to say, that in government spending, all entities be passed as such that all communication there in be accepted and any motion for reconsideration must be tried and tested on this floor. (The motion was seconded by Hon. Clarence Gahr of Electoral 5, Margibi County).

- Whereas, the Speaker has unilaterally created new committees and new departments, merged new departments with an existing one, in the House of Representatives without the approval of Plenary (the highest decision-making body) and without regard to standard practice. Committees created are committees on Science and Technology, and Water and Sanitation, while departments unilaterally established are Fleet department, Nursing department, Project department, and Legal counsel department. The newly created Legal counsel department has been combined with the existing Legal drafting department, the existing legal drafting department was created by an act of legislation. This is a complete contravention of Rule 7.11: “The Speaker shall carry out duties assigned to him by plenary”. The unilateral merger and modification of structures violates Rule 63:1 under Rule 63: Amendment and Suspension of Rules which states

“These Rules shall not be altered unless the members of the House have received a twenty-four (24) hour notice of the proposed change. The twenty-four-hour period shall commence with the placement of a printed copy of the proposed amendment upon the desk of each member. Changes in these Rules shall be taken up as a special order. Any change in these rules shall require the approval of two-third (2/3) majority of the members of the House. The Speaker’s actions of unilaterally creating new committees and various departments in the House of Representatives without the approval of Plenary (the highest decision-making body) renders him administratively incompetent of presiding over the honorable House of Representatives.

- Whereas, Speaker Cllr. Fonati Koffa who was former Town Manager of Zebulon of North Carolina, has been convicted and was disbarred following charges of embezzling approximately half of million United States dollars. Speaker Cllr. J. Fonati Koffa was made to retribute some of the money and the rest was charged to community service. To date, Speaker Hon, Cllr. J. Fonati Koffa is still doing community service in the town of Zebulon in North Carolina which is expected to be concluded March 2026. Speaker Cllr. J. Fonati Koffa is a criminal that has spills-over effect on his current position and harms the Government

and the public and as well damages the prestige and dignity of the Honorable House of Representatives of the Republic of Liberia.

Now therefore, as consequence of our signatures as herein affixed constituting two-thirds of majority members of the House of Representatives, we hereby agreed, affirm, and reaffirm our resolve that immediately upon our approbation as the below signatories:

- That the Speaker of the House of Representatives, Hon. Cllr. J. Fonati Kofa be relieved of his post to restore peace, harmony, honor, and dignity to the Honorable House of Representatives.
- That the Deputy Speaker be made to preside consistent with Rule 10 of the House's Rules and Procedures manual on Succession of the Leadership. Rule 10.1 states "When the office of the Speaker shall become vacant by reason of removal, death, resignation, inability other disabilities, the Deputy Speaker shall act as Speaker until a new speaker is elected within sixty days."