



**REPUBLIC OF THE GAMBIA**



**FIRST ORDINARY SESSION  
ECOWAS PARLIAMENT  
MAY 2021**

**COUNTRY REPORT**

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## **1.0. Introduction**

- 1.0.1.** The delegation of the National Assembly of The Gambia is pleased to extend its compliments to the august plenary of the ECOWAS Parliament and has the honour to present to the Community Parliament its Country Report at the First Ordinary Session of 2021.
- 1.0.2.** The report borders on a host of issues which include the political, economic, security and human rights situation of the country, legal reforms and ratifications as well as implementation of protocols among others.

## **2.0. Political and Security Situation**

### **2.1. Political Rights and Civil Liberties**

- 2.1.1.** Freedom of expression is guaranteed in the 1997 Constitution of The Gambia. There has been a proliferation of private radio stations and newspapers, private television stations, and a host of political discussion programs in which public members are encouraged to call in to express their views about government policies and programs.
- 2.1.2.** For instance, there were six private newspapers in the country before 2017, and now we have 11 since the change of Government. There were no private Television stations in the country before 2017, but now Television licenses have been issued to five private TV stations. There are currently Twenty-Six (26) Commercial Radio Stations and Nine (9) Community Radios in the country.
- 2.1.3.** In addition to the print media, positive results are also recorded concerning electronic media due to the increment in the number of internet users between 2017 to date. The improvement in internet penetration and subsequent increase of internet users has prompted a surge in online media platforms, where political discussions are rife among users.
- 2.1.4.** Notwithstanding the remarkable progress in freedom of expression, the Government has gone further and embarked on media law reform to facilitate the exercise of the right to freedom of expression. Access to Information Bill is currently before the National Assembly and will hopefully be enacted into law before the end of 2021.
- 2.1.5.** The Government of The Gambia is committed to strengthening existing governance institutions and creating new institutions. In this regard, the Judiciary, the Independent Electoral Commission, and the Police have restored their independence

by allowing them to operate without political interference. The recent unprecedented rulings on cases that involved the government, and that were of extreme interest to the public, have been crucial in consolidating trust and confidence, both within and outside the country, in our judicial system. We can report that, currently, there are no political prisoners or reports of political or extrajudicial killings.

## **2.2. Elections**

- 2.2.1.** Every five years, Gambians go to the polls to exercise their civic rights and elect their leaders at the Presidential, Parliamentary and Local Government elections. The last elections were hailed by both National and International observers as free, fair and transparent.
- 2.2.2.** This year, the country is expected to hold Presidential elections on December 4. Processes for a nationwide voter registration have already started, and this is expected to last until July 2021.
- 2.2.3.** To date, The Gambia has eighteen (18) registered political parties, a testimony of our undiluted commitment to multi-party democracy. The voting age in the country is universal adult suffrage – 18 years and above, and the laws provide adequate avenues to seek for remedies in the courts in the event of electoral disputes.
- 2.2.4.** There is an Interparty Committee comprising of all Political Parties and its role is to determine conduct of politicians during campaign as well as mediate and dialogue between political parties when there is a problem.

## **2.3. Security Situation**

- 2.3.1.** The Security Sector Reform Policy is has already been validated. It is expected that the reform will transform the country's security sector into an effective, professional force capable of defending the supremacy of the Constitution at all times.

## **2.4. Human Rights Situation**

- 2.4.1.** The establishment of the National Human Rights Commission (NHRC) in 2019, following an Act of the National Assembly in 2017, has been an important milestone in strengthening the rule of law and guaranteeing the fundamental rights and freedoms of the people in the country.
- 2.4.2.** It is comforting to report that the Commission has been highly proactive in raising awareness of the public on human rights issues, seeking appropriate redress on behalf of victims of human rights violations, recommending appropriate remedial actions to the Government, enhancing the professional capacity of duty bearers and

rule of law institutions to strengthen respect for and protection of human rights, and initiating activities that support the Government in the formulation of policies and laws to better guarantee and protect the human rights of all the citizens.

- 2.4.3. A Truth, Reconciliation and Reparations Commission (TRRC), established in 2018, is on course to complete its two-year mandate by the end of June 2021. The objectives of the TRRC include investigating human rights violations and abuses committed during the past 22 years of former president Jammeh's authoritarian rule, to foster social cohesion and encourage national reconciliation among Gambians, addressing impunity, and also to recognise the rights and dignity of victims through the provision of appropriate Reparations.
- 2.4.4. Moreover, since the establishment of the Standing Committee on Human Rights and Constitutional Matters at the National Assembly, as mentioned in our 2019 report to the First Ordinary Session of this parliament, the Committee has equally been working tirelessly in regards to parliamentary scrutiny and oversight on issues relating to human rights and constitutional matters.
- 2.4.5. Above all odds, we are pleased to acknowledge that The Gambia today is better poised in ensuring that there are effective and sustainable remedies for human rights violations in the country, and to ensure that we consolidate the gains we have already made so far in our onward march towards safeguarding and sustaining our democratic values and good governance.

## **2.5. Constitutional and other Legal Reforms**

- 2.5.1. As part of the process to review the 1997 Constitution of the Republic of The Gambia, the Constitutional Review Commission (CRC) has finally concluded its work and submitted a draft Constitution to the President as required by law. The Bill for the promulgation of the new Constitution 2020 was tabled before the National Assembly but it failed to pass the two-third majority requirement prescribed by the 1997 Constitution. In this regard, the Government with International IDEA, has embarked on a national consultation and dialogue with political parties, religious and traditional leaders to find a national consensus on the matter.
- 2.5.2. Meanwhile, good governance, upholding human rights and strengthening access to justice continue to be government's priorities. Accordingly, strategies are being put in place to enhance and improve human rights, access to justice and good governance for all.

## **2.6. Covid-19 Response Efforts**

- 2.6.1. The Government of The Gambia, through the Ministry of Health, has developed a plan in February 2020 to ensure a comprehensive and coordinated preparedness and

response to the COVID-19 outbreak, with a focus on strengthening coordination at the National and Regional levels, intensifying active surveillance, prompt case management, effective infection prevention and control, and advocacy, communication and social mobilization.

2.6.2. The release of new guidelines and a checklist (to gauge country readiness for response) by WHO for countries in a state of preparedness, led The Gambia to develop a comprehensive year-long plan reflecting the new imperatives of COVID-19 transmission in the sub region.

2.6.3. This National COVID-19 Plan focuses on scaling-up and strengthening all aspects of preparedness and response including coordination, surveillance, case management, communication and social mobilization as well as logistics and safety. To minimize duplication of efforts and ensure the realization of maximum impact from available meagre resources, a National Health Emergency Committee was established to oversee the overall coordination and implementation of the plan.

**3.0. Status of implementation of the Community texts**

3.0.1. The Government of The Gambia is committed to the domestication of ECOWAS Protocols and Conventions and continues to monitor the implementation of a number of ECOWAS programmes. These include the implementation of the ECOWAS Trade Liberalisation Scheme (ETLS), the Inter-State Road Transit Scheme (ISRT), and ECOWAS protocol on the community levy, the value Added Tax Policy, the Common External Tariff (CET) and most essentially, the ECOWAS Protocol on Free movement of People and Goods.

<b>Implemented Community Programmes and Levy as at First Quarter of 2021</b>	
1	Support the implementation of Transit and trade Agreement with Senegal
2	National sensitization of ECOWAS Protocols and programmes
3	Construction of toilets at Ummu Ayman Centre, West Coast Region, near the border with Senegal. This is a center run by a woman who has lot of students but with only one toilet used by both boys and girls.
4	Support the review and Harmonization of Transport Laws and Regulation

### 3.1. Ratification and Implementation of ECOWAS Protocols and Conventions

3.1.1. The Government of The Gambia has ratified forty-three (43) Community Protocols and Conventions, out of fifty-four (54). These ratified Protocols and Conventions are being implemented. Efforts are being made to ratify the remaining Protocols.

	<b>PROTOCOLS AND CONVENTIONS NOT RATIFIED</b>
1	Convention A/P1/8/94 on Extradition.
2	Protocol A/P1/12/99 relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security
3	Protocol A/P1/12/00 Amending Articles 12 and 13 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security
4	Supplementary Protocol A/SP.2/12/01 amending the Protocol on the establishment of an ECOWAS Brown Card relating to motor vehicle third party liability insurance.
5	Agreement on Cooperation in Criminal Matters Between the Police of Member States of ECOWAS of 19th December 2003
6	A/SP.1/01/05 supplementary protocol amending the preamble and articles 1, 2,9, 22 and 30 of Protocol AI P. 1 17191 relating to the community court of justice and article 4 paragraph 1 of the English version of the said protocol
7	Protocol A/P.1/01/06 Establishing an ECOWAS Criminal Intelligence And Investigation Bureau
8	Supplementary Protocol A/SP. 1/06/06, amending the revised ECOWAS treaty
9	Supplementary Protocol AFS P.2/06/06, amending Article 3 paragraphs 1,2 and 4, article 4 paragraphs 1, 3and 7 and article 7 paragraph 3 of the protocol on the community Court of Justice
10	Supplementary Protocol A/SP 3/06/06, amending protocol 2/8/94 relating to the Community Parliament

### 3.2. State of Play on Common External Tariff (CET)

3.2.1. Since 2017, The Gambia has started the implementation of the ECOWAS Common External Tariff. Several sensitization activities were carried out during the course of the year, and a nationwide sensitisation programme was conducted by the Ministry of Trade on ECOWAS Protocols including the Common External Tariff.

### 3.3. Economic Partnership Agreement (EPA)

**3.3.1.** The Gambia signed the Economic Partnership Agreement (EPA) on the 9<sup>th</sup> August, 2018 and this has paved the way for The Gambia to increase exports to the EU, stimulate investment, and contribute to developing the productive capacity. This in turn will have positive effects on employment, and other necessary reforms.

#### **3.4. ECOWAS Free Movement Protocol**

3.4.1. The Gambia continues to comply with the ECOWAS Protocol on Free Movement of people and the right to reside and establish. ECOWAS Passport and Biometric ID has been introduced, Visa-free movement of community citizens is being observed while the 90 days stay without residence permit is also being implemented.

3.4.2. The Gambia has also adopted the ECOWAS Travel Certificates in line with the provisions of the Free Movement Protocol for its nationals without passport and where they cannot travel with identity cards in the region.

#### **3.4.3. ECOWAS Trade Liberalisation Scheme (ETLS)**

3.4.4. The Government of The Gambia is committed to the implementation of ECOWAS Trade Liberalisation Scheme (ETLS) since 2006 under the National Approving Committee as required by ECOWAS.

3.4.5. The Gambia has registered several enterprises, nineteen of which are currently active, that export under the Scheme. The ETLS is expected to enable Gambian producers to access the sub-regional markets without worrying about tariffs, which is a major barrier for international trade.

3.4.6. However, one of the major challenges continues to be the Non-Tariff Barriers experienced in other ECOWAS member states as well as the lack of non-recognition of the ECOWAS Protocols by member states.

3.4.7. As part of the activities to increase public knowledge and awareness about the ETLS scheme, the Government of The Gambia through the relevant Ministry continues to engage the private sector on the procedures and the benefits to obtain approval under the ETLS. Besides these, the ECOWAS commission sends advocacy missions to individual countries to sensitize the private sector on the benefits of the ETLS. One such team visited the Gambia in November 2017.

#### **3.5. ECOWAS Inter-State Road Transit Scheme**



- 3.5.1. The National Trade Facilitation Committee is very much active in ensuring the implementation of this scheme by facilitating the transportation of transit goods through The Gambia to other countries in the sub-region.
- 3.5.2. Since July 2014, the government has made it mandatory for transit goods to be transported under the ISRT scheme. The objective is to facilitate the movement of transit goods in an efficient and cost effective manner to promote the transit trade in the country. So far, the Scheme is fully operational and Government is strengthening collaboration with the neighbouring countries for effective implementation.
- 3.5.3. There are still some challenges in the implementation and these include limited compliance to the protocol by some member countries as well as the lack of real-time tracking system for transit trucks. The real-time tracking system would have helped to enhance security and to facilitate the easy movement of transit trucks that pass through Gambia's port and then throughout the country.

#### **4.0. Status of the Implementation of the Community Programmes and Projects**

##### **4.1. ECOWAS Regional Stabilisation Fund**

- 4.1.1. This is a three-year project implemented by the Government of The Gambia and funded by the German Government. The intervention areas include horticulture, fisheries and poultry value chains in mainly three regions of the country.

##### **4.2. ECOWAS Regional Competition Commission**

- 4.2.1. Recruitment process of the Executive Director for the Commission is going, although it is slow and bureaucratic. Currently, there is an Director who is working setting up the office. Two professional staff positions and three general service staff positions have also been advertised.

##### **4.3. The Gambia's Bid to Head the ECOWAS Commission**

- 4.3.1. The Gambia has expressed interest in the position of President of the ECOWAS Commission to the Commission itself and to all Heads of States.
- 4.3.2. Dr. Omar Touray is our candidate.

#### **5.0. Economic and Social Situation**

## **5.1. The Economy**

- 5.1.1.** The impacts of COVID-19 are being felt across The Gambia's socioeconomic landscape, exacerbating existing inequalities and threatening hard-won progress. The pandemic and measures imposed to curb its spread diminished revenues and incomes, increased expenditures on often already pressured social sectors like health and education, and reduced or halted economic activities in many productive sectors.
- 5.1.2.** Containment measures introduced caused the country's GDP to contract by an estimated 2.4% in 2020, after growing 6.3% in 2019. On the supply side, the tourism and trade sectors were the most affected, while on the demand side, subdued domestic and external demand hurt the economy.
- 5.1.3.** The low global growth in 2020, resulting from the effects of the Pandemic, has also immensely impacted the international trade channel of the country. The low production output in advanced and emerging markets has resulted to supply side constraints that translated into inflationary pressures on basic food commodities.
- 5.1.4.** The government responded with expansionary fiscal policy—health spending increased by 0.5% of GDP and food assistance increased by 0.7%. The GDP growth is estimated at 6% in 2021 and 6.5% in 2022, subject to post-pandemic global economic recovery.

## **6.0. Reaping the demographic dividend through Youth Empowerment**

- 7.0.1.** Government is determined to realise its commitment to leave no youth behind as it recognises that youth are the engines of growth and are an essential pillar for any development. The goal for the sector is therefore premised on secured sustainable livelihood for youths through skills development, decent work and excellence in sports.

## **7.0. Status of Implementation of the macroeconomic convergence criteria**

- 8.0.1.** As at end December 2020, The Gambia satisfied all four (4) of the primary criterion (see table below), namely inflation, budget deficit, Central Bank Financing and Gross external reserve (months of Import cover).
- 8.0.2.** On the Secondary criterion, The Gambia only met one of the two (2), namely Exchange rate stability. On the downside, the Gambia missed one (1) of the secondary criterion, namely Public debt (% of GDP).

8.0.3. Overall, The Gambia has satisfied five (5) of the seven (7) criterion as at end December 2020, the same level the previous year.

STATUS OF MACROECONOMIC CONVERGENCE IN THE GAMBIA														
		2014		2015		2016	2017	2017	2018	2018		2019		End 2020
	Target	June	Dec	June	Dec	Dec	Dec	June	June	Dec	June	June	Dec	Dec
<b>Primary Criteria</b>		2	2	3	1	1	3	2	3	3	4	4	3	4
Average Annual inflation Rate	<10%	5.7	5.9	6.6	6.8	7.2	7.5	6.5	4.9	6.4	6.5	7.3	7.4	5.7
ratio of budget deficit (commitment basis) to GDP - Including Grants	≤3%	4.0	5.8	4.4	6.6	11.7	5.3	6.1	2.8	6.1	2	1	2.9	2
central bank financing of Budget deficit as % of Previous Year's Tax Revenue	<10%	18.1	41.1	0	26.9	32.6	0	12.9	11.5	0	0	0	0	0
Gross External Reserves ( Months of Imports**)	≥3Months	4.1	3.7	3.3	2.5	1.5	4	1.4	3.2	3.9	4	4.9	3.5	4.6
<b>Secondary Criteria</b>		2	2	3	1	1	1	1	1	1	1	1	1	1
(i) Exchange Rate Stability	±10%	-12.6	-16.5	-42.4	4.9	2.2	1.3	1.2	0.3	3.9	1	4.8	3.6	1.13
(ii) Public Debt as % of GDP	≤70%	72.3	94.1	80	104.1	101.4	124	74.9	73.4	85.7	77.2	77.95	80.3	80.9
Number of criteria Met		2	2	3	2	2	4	3	4	4	5	5	5	5

## 8.0. Environment and Climate

9.0.1. The Government of the Gambia through the Ministry of Environment, Climate Change and Natural Resources and the National Environment Agency work with relevant stakeholders to formulate, and implement environmental and climate change policies. The Agency coordinates and enforces environmental regulations to address current and emerging environmental issues.

9.0.2. Currently, there are lot of pressures facing the environment which have led to alteration of ecosystem, change in water quality, coastal erosion, pollution from fish processing, tourism litter and sewage outfall. Land degradation/deforestation, land use change and influx of second hand goods with high level of electronic waste, and urbanisation are issues of great concern.

9.0.3. A number of measures have been put in place by the Government to mitigate some of these environmental problems and these include: a) Enforcement of the Ban on Plastic Bag order 2015, b) Enforcement of Environmental Impact Assessment Regulation and Guideline, c) Enforcement of the Anti-Littering regulation, d) Enforcement of the National Environment Management Act, and e) Strengthening the implementation and ratification of conventions/Multi-lateral Environment Agreements.

9.0.4. The Government of The Gambia also has in place legislative and policy instruments to address climate change. Climate change constitutes one of the greatest burdens to

national development efforts, poverty alleviation, and achievement of the SDGs because the productive base of the economy thrives on climate-sensitive activities such as crop production, livestock rearing, fisheries, and energy and water resources.

**9.0.5.** The 2016 National Climate Change Policy (NCCP) represents The Gambia's determined and systematic response to the interlinked climate threats to sustainable development, wellbeing and ecological integrity.

## **9.0. ECOWAS Community Levy**

**10.0.1.** The Gambia continues to honour its obligation in terms of collection and remittance of the ECOWAS Community Levy to the ECOWAS account at the Central Bank of The Gambia.

**10.0.2.** As at December 2020, The Gambia's percentage of settlement of this levy stands at 99.63%. The ECOWAS Commission has full access to the account and can withdraw funds at any time.

## **10.0. Sensitisation activities carried out by The Gambia's ECOWAS Parliamentarians**

**11.0.1.** The Gambian Delegation in consultation with the Ministry of Trade and ECOWAS matters continue to publish series of newspaper press releases and advertisements on the Community Texts to educate and enlighten the general populace on these important ECOWAS Community instruments.

**11.0.2.** All these efforts are meant to sensitise and bring ECOWAS Protocol and its Institutions closer to the people.

**11.0.3.** We firmly believe that without proper sensitisation of our citizens, the implementation of various ECOWAS protocols and conventions will be very difficult.

## **11.0. Conclusion**

**12.0.1.** In conclusion, the delegation, on behalf of the People of the Republic of The Gambia, wishes to reiterate that The Gambia is ever committed to the ideals of the Regional Bloc and shall never relent in its efforts for the integration process of the ECOWAS Community.

**12.0.2.** I thank you.