



National Assembly, New Assembly Building, Reginald Pye Lane, Banjul, The Gambia

[OFFICIAL HANSARD REPORT]

8TH SITTING OF THE 1ST ORDINARY SESSION OF THE 6TH LEGISLATURE

National Assembly Proceedings of
Thursday 16th March, 2023 –

MOTIONS

NUMBER: 1

VOLUME: 8

2023 LEGISLATIVE YEAR

TABLE OF CONTENTS

1. Prayers

2. Corrections and Approval of the Record of Votes and Proceedings of the National Assembly Sitting of Wednesday 15th March, 2023

3. Motions:

- i. Consideration and Ratification of the Convention on the Law of Non-Navigational Uses of International Water Courses [1997 Water Courses Convention]

[By: Honourable Minister of Fisheries and Water Resources]

- ii. Consideration and Ratification of the Convention on the Protection and Use of Transboundary Water Courses and International Lakes [Signed on 17th March, 1992 in Helsinki]

[By: Honourable Minister of Fisheries and Water Resources]

Prayers

[Honourable Seedy S.K. Njie, the Deputy Speaker, read the prayers.]

[Hon. Seedy S.K. Njie, the Deputy Speaker, in the Chair]

*[The Assembly met at 10:30 a.m. in the New National Assembly Building,
Reginald Pye Lane, Banjul.]*

The Assembly was called to Order.

Corrections and Approval of Record of Votes and Proceedings of the National Assembly Sitting of Wednesday 15th March, 2023

THE SPEAKER [DEPUTY SPEAKER]: Honourable Members, the Record of Votes and Proceeding of the National Assembly Sitting of Wednesday 15th March, 2023 is before us for corrections and approval. Can any Honourable Member please move that the said record of votes and proceedings be considered and approved?

HON NFALLY M. KORA [TUMANA]: Thank you very much, Honourable Speaker, for giving me the opportunity. I rise to move the motion for the Corrections and Approval of Record of Votes and Proceedings of the National Assembly Sitting of Wednesday 15th of March, 2023. Thank you. **THE SPEAKER:** Any seconder?

HON SAINY JAWARA [LOWER SALOUM]: Thank you, Honourable Speaker. I so second the motion.

THE SPEAKER: Honourable Members, it has been moved and seconded that the Record of Votes and Proceedings of the National Assembly Sitting of Wednesday 15th of March, 2023 be corrected and approved.

[Question Proposed]

So, if any Member has any observation, the floor is now open. We will begin the corrections page by page starting from Page 1. If you have any observation or correction to make, you may do so.

In the absence of any observation on Page 1, can we move to Page 2. Sorry, can we go back to Page 1? On Page 1, '*The Assembly convened 54 minutes 10:00 o'clock*', "after" is missing between 54 minutes and 10:00 o'clock. Is there any observation or proposal for amendment on Page 2? If there are none, can we move to Page 3.

HON NFALLY M. KORA [TUMANA]: I just want to make a clarification. On Page 1, I am thinking that maybe the Petroleum Minister's name should not be included in the list of the Ministers because he was not here yesterday.

THE SPEAKER: Standing Orders 36 & 41 considered by the following ...; yes, that is correct. Can we move to Page 4? I now invite the Honourable Member for Foni Bondali.

HON PA DEMBO SANNEH [FONI BONDALI]: Thank you, Honourable Speaker. On Page 4, Question 087 was read by the Honourable Member for Foni Kansala not 'Foni Bintang Karanai', and it was read on "her" behalf instead of 'his' behalf".

THE SPEAKER: Question Number what?

HON PA DEMBO SANNEH [FONI BONDALI]: Question Number 087 on Page 4.

THE SPEAKER: The first item on Page 4 that is Question Number 087 by the Honourable Member for Foni Brefet was read on his behalf by the Honourable Member for Foni Bintang Karanai. It should be Member for "Kansala" not 'Foni Bintang Karanai'.

THE SPEAKER: Page 5?

HON PA DEMBO SANNEH [FONI BONDALI]: No, still on the same page. The same thing should apply to Question 088. It should be "was

*read on 'her' behalf not **his** behalf and then by the Honourable Member for **Foni Kansala** not 'Foni Bintang Karanai'".*

THE SPEAKER: Have you noted down his concern that is Question Number 087 was read *on her behalf* not *on his behalf* and was read by *Member for Foni Kansala* instead of *Member for Foni Bintang Karanai*, and the same amendment should apply to Question Number 088. Thank you. Let us now move to Page 5. Yes, Member for Sabach Sanjal.

HON ALHAGIE BABOU CEESAY [SABACH SANJAL]: Thank you very much, Honourable Speaker. The last line down "at 24 minutes after 1:00 o'clock in the afternoon the Assembly was adjourned until Thursday 16th March, 2022"; it should be **2023** not '2022'. Thank you.

THE SPEAKER: Thank you, Honourable Member. On Page 5, the last line "at 24 minutes after 1:00 o'clock in the afternoon the Assembly was adjourned until Thursday 16th March, **2023** instead of '2022'". Any other? Yes, the Honourable Member for Foni Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: I do not know whether I am seeing clearly, but for consistency purpose let us look at Question Number 044/2023.

THE SPEAKER: Honourable Member, which page?

HON ALMAMEH GIBBA [FONI KANSALA]: is On Page 5, the questions are categorised 2022 except the last, Question Number 044/2023. When you look at the rest, questions 0257, 0256, 0255, 0254 and 0253 are all categorised 2022. I do not know, why?

THE SPEAKER: Some of those questions were submitted in 2022. If you submitted your questions in 2022 and for whatever reason it was not answered in 2022 but answered in 2023, it will still be considered to be 2022 questions. Is there any further observation? Thank you.

[Question Proposed, Put and Agreed to]

[That the Record of Votes and Proceedings of the National Assembly Sitting of Wednesday 15th March, 2023 be approved with amendments.]

[Editorial Comment]: The said record of votes and proceedings was approved with amendments.

Clerk, you may proceed.

Consideration and Ratification of the Convention on the Law of Non-Navigational Uses of International Water Courses [1997 Water Courses Convention], **and the Convention on the Protection and Use of Transboundary Water Courses and International Lakes** [Signed on the 17th March 1992 in Helsinki] *[By: Honourable Minister of Fisheries and Water Resources]*

THE SPEAKER: Honourable Members, before us today is Honourable Minister of Fisheries and Water Resources who will be tabling two motions; the opinions of which are inter-related. On that note, I would want us to consolidate the two motions for them to be moved at once so that we can debate on them simultaneously. That is my proposal, but I am not sure if that is the consensus from the Honourable Members. Can we do that, Honourable Members? *[Honourable Members have agreed to the proposal]* Alright. Let us proceed, Clerk.

Motions:

- i. Be it resolved that this august Assembly do consider and ratify the **Convention on the Law of Non-Navigational Uses of International Water Courses** [1997 Water Course Convention] *[By: Honourable Minister of Fisheries and Water Resources]*

- ii. Be it resolved that this august Assembly do consider and ratify the **Convention on the Protection and Use of Transboundary Water Courses and International Lakes** [Signed on the 17th March 1992 in Helsinki]

[By: Honourable Minister of Fisheries and Water Resources]

THE SPEAKER: Honourable Minister, the floor is yours.

HON MUSA DRAMMEH [MINISTER OF FISHERIES AND WATER RESOURCES]: Thank you, Mr Speaker. Honourable Members, like the Speaker said, my request is that we consolidate both Conventions since the two share substantive norms. The reason is to ensure equitable and reasonable utilisation of water courses taking all appropriate measures not to cause significant harm to another state, protect ecosystem of an international water course etc.

Mr Speaker, I would want to move that this august Assembly do consider and ratify not only the Convention on the Law of Non-Navigational Uses of International Water Courses signed in 1997 by the Honourable Minister of Fisheries and Water Resources but also the Convention on the Protection and Use of Transboundary Water Courses and International Lakes signed on the 17th of March 1992 in Helsinki by the Minister of Fisheries and Water Resources.

Mr Speaker and Honourable Members, I want to draw your attention to the fact that Cabinet at its first meeting of January 2022 approved the said Water Conventions to be presented before this august body for ratification.

The above Conventions cover international surveys or underground fresh water courses shared by two or more states and serve as mechanisms to strengthen international cooperation. The Conventions embody a

number of principles on equitable and reasonable utilisation and obligation not to cause significant harm, general obligation to cooperate regular exchange of data and information notification, and response relating to planned measures.

- i. Protection and preservation of ecosystem; prevention, reduction and control of pollution; introduction of alien or new species; protection and preservation of the aquatic environment are benefits to be derived from the two Conventions. Accession to the Water Convention would demonstrate The Gambia's willingness to cooperate on the basis of transboundary norms and standard. *The* country would automatically earn recognition of other actors in the international community for adhering to certain rules and standards.
- ii. Accession to the 1992 Water Convention would allow The Gambia the opportunity to ease suffering from frequent flash and riverine floods or droughts by tapping assistance of the Convention programmes relating to the adaptation to climate change or transboundary flood management as well as activities on dam safety and the water-food-energy-ecosystem nexus.
- iii. 1992 and 1997 Water Conventions would allow The Gambia to access support from the Convention in establishing such agreements and bodies or strengthening existing ones.
- iv. The implementation of obligations, especially the obligations aimed at prevention, control and reduction of significant transboundary impact, is crucial for The Gambia as a downstream riparian state with respect to its prominent transboundary basin, the River Gambia basin.

- v. Parties to the 1992 Water Convention may benefit from the use of Convention Trust Fund which provides technical support to parties, particularly to promote and implement the Convention through studies and pilot projects, as well as support the participation of experts in workshops and trainings organised within the framework of the Convention. The consensus was that The Gambia needs to ratify the international Conventions.
- vi. The two Conventions are in line with the Constitution of The Gambia: Section 215[4][d] “protecting the environment of the nation for posterity” as well as Section 216[4] “The State shall endeavour to facilitate equal access to clean and safe water, adequate health and medical services, habitable shelter, sufficient food and security to all persons.”
- vii. Water Conventions support the aspiration of the Validated Supplementary Agriculture and Natural Resources Policy 2017 – 2026 which calls for regional cooperation in sustainable management of the shared water resources. It also emphasises the need to expedite the Water Sector Reform with a Draft Gambia Water Bill that would enhance effective water policy implementation to minimise water conflict and promote cooperation among the various users and uses.
- viii. The principles of the two Conventions support The Gambia’s obligation as a party to the Convention on the Elimination of All Forms of Discriminations Against Women [CDEAO 1979] which The Gambia ratified in 1993.
- ix. Finally, The Gambia is once again being reminded of her national commitment as part of the Water Action Agenda for the upcoming

Water Conference slated for March 2024 in New York which I will be attending with a member of the Select Committee of the National Assembly on Environment and Water Resources.

Mr. Speaker, with these justifications, I beg to move.

THE SPEAKER: Any seconder? Yes, Member for Kantora and Majority Leader.

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

Thank you very much, Honourable Speaker, for giving me the floor. Honourable Speaker, I rise to second the motion being moved by the Honourable Minister of Fisheries and Water Resources.

Honourable Speaker, before us here lies two Conventions. The Convention on the Law of Non-Navigational Uses of International Water Courses and the Convention on the Protection and Use of Transboundary Water Courses and International Lakes. These are names that is transboundary water courses and international lakes and even underground waters are inter-changeably used because they mean the same thing. As a nation, Gambians seek to benefit a lot when we ratify this Convention considering that we are undoubtedly blessed with the ocean which is part and parcel of international waters or water boundaries.

Honourable Speaker, with the emergence of offshore exploration, there are series of offshore activities happening in terms of gas and crude oil explorations. I think time has come for The Gambia to examine these matters to make sure we are somewhat protected by the size or activities at offshore level. Besides that, the challenge of the current global arena is the issue of climate change which is not only about rainfall pattern but also the erosion and the drainages that we normally

found very uncommon or unusual to the environment as a result of misuse or abuse of water resources.

So, I think the country would be in the right direction by ratifying this Convention so that we can bargain in order to have our full respect and full share. Also, in terms of membership, there are certain contributions that members do at the level of the Convention that if we are in crisis, they could use those opportunities to come to our aid.

If you look at Article 1 of the Convention on the Protection and Use of the Transboundary Water Courses, it says that transboundary water means any surface or ground water which marks across or located at the boundary between two or more states. Wherever transboundary waters flow directly into the area of sea, the boundary water at the end of the straight line across the respective mouths between 2 on the low water line of the banks. This will not really apply in a landlocked country, but our country that is almost open to the ocean, I think we have every reason for us to have proper laws or conventions in place. If country A is exploring its water in terms of hydro-electric power like a dame project, it could in the course of exploring hydroelectricity cause harm. Though it is in the best interest of the country to have power, but in the process, if there are no significant measures put in place to make sure that the effect does not trigger in the other side, country B can always say that the exploration is really causing harm to our environment, so I think they can take up the opportunity to ask for redress.

Basically, these are things we as a parliament need to know are in the best interest of our states. I found this particular part very interesting that is the issues of prevention, control and reduction on Page 4 of Article 3 There are series of preventive mechanisms that both states have to come into agreement whereby the issue of emission of pollution

is prevented and the use of water application in the Inter Alia Law and No-Waste-Technology is controlled.

On the issue of waste, we have now seen the proliferation of plastic bottles or plastic waste being dumped in the sea, and this has been a concern for the environmentalists who have been crying every day that human activity towards natural resources is really uncalled for. These are issues that we will put in place to make sure we mitigate this nonchalant or I do not care attitude of human interaction with nature to preserve this planet for generations yet unborn. It is important that when we are leaving this planet, we add more value than to leave it deteriorated for generations yet unborn.

So, these moves in the right direction. I so much appreciate Article 3 in terms of professional control of pollution in our environment, and of course, Article 4 which talks about the monitoring aspect. How do you monitor? It is not about only one state, but both states are also monitored the activities within their boundaries. The interesting part of it is that there is high degree of information sharing although there is an issue of secrecy in terms of what to give, but there is a high degree of exchanging best practices, best information and what really happened at the levels of bilateral and multilateral cooperation.

Without wasting much time, I want to give my full support, and of course prevail on the other Members to support this Convention. Thank you so much for your indulgence.

THE SPEAKER: Thank you very much, Member for Kantora and Majority Leader. The motion has been moved and seconded.

[Question proposed, put and agreed to]

[That this august Assembly do consider and ratify the following conventions: Convention on the Law of Non-Navigational Uses of International Water Courses (1997 Water Courses Convention) and the Convention on the Protection and Use of Transboundary Water Courses and International Lakes done on 17th March, 1992 in Helsinki.]

Any Honourable Member who wishes to take part in the deliberation may do so now by a show of his/her constituency tag. Yes, Honourable Member for Kombo South.

HON KEBBA K. BARROW [KOMBO SOUTH]: Thank you very much, Honourable Speaker. I want to thank the Honourable Minister of Fisheries Water Resources to have laid this important document, and I think it is very timely and apt. I come from Kombo South, the coastal line, in the West Coast of The Gambia: the only constituency in The Gambia with 5 major fish landing sites, 2 lakes and streams, and the sand mining activities in the area is alarming and causing a lot of damages to the ecosystem or the flora and fauna in our area. I think this Convention is very timely and it is going to help us.

Transboundary water resources are just like trans-human resources that is becoming a problem in West Africa. I think most of the West African countries have transboundary water lines. We in The Gambia have the Atlantic Ocean and the River Gambia which gets its source from the Futa Jalon Highland.

Honourable Speaker, it is important for Gambians to know the importance of the water floods in our country. Landlocked countries are struggling to get access to these things. That is why countries like Burkina Faso, Niger and Mali come all the way to The Gambia to get these resources which help them to reshape their countries and situate

themselves to improve the economic values and the environment. I think this is very key.

It is fundamental to ensure that whatever we do is in line with the Constitution of the Republic of The Gambia, and that is clearly stated Protection of the environment should be done by ensuring that we do development programmes that will help the people to properly protect their endowed natural resources.

Honourable Speaker, some important things the Ministry needs to look at are the issues of information sharing and data management in the country. People do not still know the importance the lakes, rivers and the Atlantic Ocean as they are not making best use of them to have the resources that will help uplift their economic status and improve their values and positions in the regions they are. So, I think it is about time we have a list of all the lakes in the country and the River Gambia and its tributaries linked to the Atlantic Ocean. That will help us in this thing. So, this one is very clearly stated in the Convention, and I think it needs to be done.

Honourable Speaker, when it comes to the issue of monitoring, the Ministry of Fisheries and Water Resources needs to improve on that. Our Committee just visited all the fish landing sites in the country, and the issue of monitoring at those fish landing sites is becoming a problem. Some of the key things they have been saying are the limited number of human resources and capital intensiveness of the equipment they have to enable them to do more surveillance in the areas to protect the aqua culture. All those other things are problems. So, I think this is very key and it is going to link us to all international bodies that will be able to help us in formulating a strategy that is going to help us.

So, Honourable Minister, your Ministry needs to do a lot of feasibility studies which I keep saying need to be done to ensure that we tap the resources, knowledge and also the experience of the local people in the areas. Local content is very key in these things to help shape up and the outcome of the feasibility studies will help in shaping or coming up with a strategy that will help us to benefit from signing this Convention.

If we look at the bilateral and multilateral cooperation which talk of multifaceted development programmes that we are going to partner with, we need to be able to look at the strengths, weaknesses and use the opportunities we have to help us to move further and benefit because that is the only way we can do those things. It is very imperative and important that we need to do Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis in whatever we do at the level of the Ministry and the communities so that we are able to gather better information in our planning session.

Honourable Speaker, having said that, I now move to the Convention on the Law of Non-Navigational Uses of International Water Courses. The River Gambia is one of the most navigable rivers in this part of West Africa. I think we need to work on that very closely. The last time we questioned the Minister of Tourism and Culture, and he said that the Gambia River is not navigable because last study was done 40 years ago. He added that they are going to look at the issue of how navigable the Gambia River is so that it can be used not only for tourism purposes but also agricultural and fisheries development. It is also important for the Ministry to come up with a water bill which we have been following up with the former Minister of Fisheries and Water Resources during the 5th Legislature. This bill has been said several times and you have just mentioned it in your deliberations.

I think we are almost one quarter way into 2023, so as we deliberate, sign and ratify these Conventions, we need to ensure that we have a Water Bill in place that will help us manage. If you go to the ongoing expansion of construction, every 25 metres you have boreholes all over. How do we collate all those things and ensure that proper management is done to keep the underground water in such a way that is sustainable because there is water shortage in most parts of the country? The Gambia is endowed because our water level is still very high not like other countries where you have to dig 45 metres deep before reaching the aqua top to enable access to water source.

Honourable Speaker, I want to thank the Honourable Minister for coming up with these two Conventions. It is time for The Gambia as a nation to ratify these Conventions looking at our situation on the West Coast of Africa as we have the two most important natural endowments that is the Atlantic Ocean and the River Gambia. So, this will go a long way in shaping the way for us to be able to situate ourselves, and help improve our economic status and in dealing with the most vulnerable members of our community. Honourable Speaker, I take my sit.

THE SPEAKER: Thank you very much, Honourable Member for Kombo South. I now give the floor to the Member for Brikama North and Minority Leader.

HON ALHAGIE S. DARBO [BRIKAKMA NORTH & MINORITY LEADER]: Thank you very much, Honourable Speaker. I want to join my colleagues to thank the Minister for bringing these important Conventions. As the previous speaker rightfully alluded, these are long overdue.

The first document to ratify is the Convention on the Law of the Non-Navigational Uses of International Water Courses adopted by the General Assembly of the United Nations way back in May 21st, 1997. That was the day The Gambia signed it which would be precisely more than 25 years ago.

The second one is the Convention on the Protection and Use of Transboundary Water Courses and International Lakes signed in Helsinki on 17th March, 1992; that is more than 30 years ago. We are also a signatory to that too. If Members say that it is long overdue for these Conventions to be ratified, they are absolutely right.

It is one thing to sign Conventions and another to ratify them which leads us to domestication. If we commit ourselves to sign them, I think we should go further to ratify them so that we can do the domestication as entailed in the importance of signing or ratifying these documents which the Minister highlighted and also the Honourable Members who spoke before me.

Article 5 of the Convention on the Protection and Use of Transboundary Water Courses and International Lakes states that the party shall cooperate in the conduct of research into development of effective techniques for the prevention, control and reduction of transboundary impact. To this effect, the party shall on bilateral and multilateral bases considering research activities pursue relevant international forums endeavoured to initiate or identify specific research programmes where necessary in Inter Alia Act. This is very important.

Even where as we are signatory to the Convention but we have not ratified it, we would not be benefitting, especially in the aspect of bilateral and multilateral cooperation in terms of development, effective

techniques, and the prevention and control of transboundary impacts. That alongside with the constrains and problems we are facing as far as our coast lines are concerned suffices that we should not hesitate to ratify these Conventions. Our coast lines are seriously under threat, so measures should be put in place to preserve and control our water base which we cannot do in isolation. We can only do it effectively when we join hands with the international bodies by signing and then ratifying the Conventions so that we can be part and parcel of the implementation of those international laws.

Honourable Members, as other Members and I said, the ratification of these Conventions is long overdue. I would also urge my colleagues to ratify these two Conventions. On that note, I thank you, Honourable Minister.

THE SPEAKER: Thank you, Honourable Member for Brikama North and Minority Leader. I now recognise the Member for Foni Kansala.

HON ALMAMEH GIBBA [FONI KANSALA]: Thank you very much, Honourable Speaker. I thank the Minister of Fisheries for availing us ratification of the two Conventions that is the Non-Navigational Uses of International Water and the Convention on the Protection and Use of Transboundary Water Courses and International Lakes.

Honourable Speaker, it is indeed in the right direction for conventions to be ratified in order for us to avail ourselves opportunity in the international arena. By going through part of this Convention, we would be able to agree that there are progressions in terms of articles that we think will make difference to our border lines.

First, relating to transboundary water on Page 5, in order for us to be at par with international communities or conventions, Article 4 [Monitoring]

and Article 5 [Research Aspect] are key elements in making sure that the Convention changes the narratives of our water shore. I adore and put it to the Minister of Works that he should make sure research and monitoring are in the departments within his purview. Let him think along that line where the Ministry will take ownership of whatever performance within the borderline of the water shore and the ecosystem. It will do well if such things are articulated. Sometimes, our naval surveyors within the borderlines lack the technological aspect. How to at least control the narrative within our borderline is sometimes a problem. So, I believe they should equally work to see possible gains in those areas.

Another thing is the international water shores in Article 7. I think obligation not to cause significant harm is a progressive measure and it would also better us in terms of key gains.

Article 18 [Procedures in the Absence of Notification] is also very important. If I may read one line, it says: *"If a water shore state has reasonably grounded to believe that another water shore state is planning measures that may have a significant adverse effect upon it, the former state may request a letter to apply a provision of Article 12; the request shall be accompanied by the document explaining the certain fort in the ground."* So, it means whatever is going to happen within the borderline or within the seashore there must be proper checks and balances.

So, I believe it is high time we engage in that, and I want to ask the Minister; how far is the Ministry in the area of technological approach as per the Ministry in terms of surveillance and data protection in making sure they take ownership of our boundaries? These things are important. We would sign Conventions but if there are no protective measures, it

becomes a problem. If there is any, we want to hear the improvement and protective aspects of our seashore so that we will not be overshadowed by well establish countries who may intrude into our water boundaries and do certain things that would not help us. If we are not equipped with those things, I think we will funnily enough be into these Conventions without putting proper measures. I think we are in the era of technology which is core in this Convention.

On that note, thank you very much. I rest my case. Assalaamu alaikum.

THE SPEAKER: Thank you, Honourable Member. I now call on the Member for Brikama South to take the floor.

HON LAMIN J. SANNEH [BRIKAMA SOUTH]: Thank you, Honourable Speaker. First, may I seize this opportunity to thank the Honourable Minister of Fisheries and Water Resources for taking the bold decision of bringing the two documents for ratification because there is a huge disparity between the time they were signed and the time he brings them for ratification, 26 and 31 years respectively.

I think the commitment is already there, but after the ratifications, you must be very much ready to work on the domestication aspect which is very key, especially the Convention on the Protection and Use of Transboundary Water Courses and International Lakes. I think this is very important as was alluded to by the previous speakers who laid emphasis on certain areas.

The resources are many in The Gambia. If you look at the trend – especially in the drilling industry, I think FAR Gambia is on drilling and British Petroleum came in and left. There are shows of much interest in the form of blocs to drill oil in the country, as we are very fortunate to have the Atlantic Ocean which stretches to our sister country.

The issue of protection is very important here, so we have to seriously work on the domestication aspect. I know we are bordered with our sister countries by land and water, so there are lots of issues going on. I think these Conventions are highly welcome, and we really thank you.

With regard to the Convention on the Law of Non-Navigational Uses of International Water Courses which is very important, the whole of the River Gambia is navigable from the head to the tail. If you would be motivated to engage your counterpart minister to bring in water transportation to avoid the congestion in tarred roads, I think that would help a lot. Like it would also connect our various cities along the river bank, so this is very important.

I want to emphasise the issue of domesticating the Water Policy and the Water Bill as alluded by the Member for Kombo South. Many boreholes are discriminately being dug by the people because of shortage of water hence NAWEC cannot provide enough. In fact, some are dug in homes and different places. Are we in position to gauge the iron content we consume? This is a very serious issue which can be hazardous as it can cause any waterborne disease. So, we have to critically look at such issues. It is not only the iron content which is a problem but also the nitrate content. Also, if you look at it, are we regularly chlorinating the said boreholes?

That is why the issue of the Water Policy is very timely. I want to thank you for the bold decision you took to bring these things and encourage you to also bring in the Water Bill so that this issue can be addressed because it is affecting the lives and livelihood of Gambians.

The other aspect I want to re-emphasise has been emphasised by others that is monitoring which is very key here. I know the only thing

to solve all these problems is to seriously work on the domestication aspect. Other than that, I give my full blessing to these documents, and I am very much happy. I want to thank you for bringing these on board even though you are a Drammeh Kundanka. Thank you.

THE SPEAKER: Thank you, Honourable Member for Brikama South. I now give the floor to the Member for Niani to take part in the debate.

HON OMAR JOBE [NIANI]: Thank you very much, Honourable Speaker, for giving me the floor. First of all, I want to seize this opportunity to thank the Honourable Minister for coming up with these Conventions which is a right step in the right direction.

Looking at the Convention on the Law of Non- navigational Uses of International Water Courses, I want to discuss two to three articles, but the first article has already been discussed by the Honourable Member for Foni Kansala.

In order to save time, I will just move to Article 20 and that of 23 state that water states shall individually and where appropriate jointly protect and preserve. The Gambia is surrounded by Senegal in all the sides except in the west, so I feel it is very important for us to give our blessings to this Convention by ratifying it. Considering location of The Gambia, we would definitely need to join forces with other nations in order to protect and preserve our water, ecosystem, seabed products and our marine environment within the international water courses. Therefore, I urge my fellow Members of this august Assembly to give our full blessings to this Convention.

Looking at the objectives of the second convention that is the Convention on the Protection and Use of Transboundary Water Courses and International lakes, they are very good and also clear. As you can

see, the purpose of this Convention is to protect and ensure quantity, quality, equitable and sustainable use of transboundary water resources by facilitating corporation. We definitely need corporation in order for these to be ratified.

Looking at the merits of the Convention or why The Gambia should ratify it, first is the issue of monitoring which has already been highlighted by the Member for Brikama South. I would just skip that to safe time. The other one is to make corporation and climate change adoption as most of the climate hazards or impacts come through the water cycle. The water circle subsequently affects both our Agriculture and energy sectors. Therefore, there is need for this Convention to be ratified. The Convention will also help in preventing the negative impacts of unilateral adoption measures and in maximising the economic, social, environmental and political benefits of corporation which will foster development and also consolidate peace in The Gambia. If the Convention is ratified, it will help prevent conflict within the water boundaries and that would consolidate peace. It can also reduce sectoral trade and conflicts as there are a lot of conflicts when it comes to water issues. So, if this Convention is ratified, all those conflicts will be minimised at the end of day.

Therefore, Honourable Speaker, I join other colleagues to give my blessing to these Conventions for ratification.

THE SPEAKER: Thank you very much, Honourable Member for Niani. I now give the floor to the Member for Old Yundum.

HON ABDOULIE CEESAY [OLD YUNDUM]: Thank you, Honourable Speaker. At some point, I wanted to withdraw my participation in the debate because most of the speakers have said exactly what all of us

will be saying with regard to the Convention. Even if you do not have sufficient background on what is written in the Convention when you read the text you will realise that the Ministry and those responsible have done very good job. No provision in this Convention is confusing or ambiguous.

Perhaps for regional comparison, when Gambia ratifies this Convention, we would expect to partner with other countries around the sub region. Maybe the Minister can tell us so far when the Convention has already been circulated, how many countries have already signed within Africa so that Gambia can also join? We want to know that as it is important.

Other than that, Honourable Speaker, I am convinced with what has been said, and I know most of my colleagues are convinced as well. So, let us give the blessing that Convention deserves. Thank you so much.

THE SPEAKER: Thank you very much, Honourable Member for Old Yundum. I now recognise the Member for Jeshwang.

HON SHERIFF SARR [JESHWANG]: Thank you very much, Honourable Speaker. I would also join my colleagues to say a very big thank you to the Honourable Minister who is my dad. I know I would not be fair to let this go without saying something because it concerns me very well and everybody knows that. So, dad, thank you very much with your team for coming up with this; it was a job well done.

My only concern here is on the boundary aspect of it which is very key. I think we all know there is normally an issue when it comes to boundary especially our river line or water boundary. My Serer people per se are always complaining that they are unlucky to be apprehended on Gambian boundaries because of illegal fishing. So, this Convention will surely help.

I am also appealing to you as to how best you can work with our neighbouring country to clearly demarcate our boundaries so that this issue will never happen. The more it happens; the more we expect conflicts between the two countries. So, as far as they are our neighbouring country, we are trying to define or bring in something that will bring cordial relationship tomorrow. I think it is important we know where our lines are; where to stop or engage our people. If this thing happens, there will be no complain because we do receive a lot of complaints from our people. So, our boundaries should be clearly demarcated.

I do not have much to say, so I am giving my blessing to this. I am definitely seeking for your support and approval. Thank you very much.

THE SPEAKER: Thank you. I now invite the Member for Kiang West.

HON LAMIN CEESAY [KIANG WEST]: Honourable Speaker, thank you very much. I just have one or two observations on the Conventions which I would love to look at.

The first one is the amendments to the Convention. Article 21 says that any party may propose amendments to this Convention. It says that proposals of amendments to this Convention shall be considered at a meeting of the parties, and also 23 says that the text of any proposed amendment of this Convention shall be submitted in writing to the Executive Secretary of the United Nations Economic Commission for Europe [UNECE]. I do not understand that, Economic Commission for Europe. So, are we a party to the United Nations Economic Commission for Europe [UNECE]? Is Economic Commission for Europe an international organization that Article 23 talks about? I would refer you to Article 23 because it has tried to hide out some of the international

conventions, but why the Economic Commission for Europe? Are we a party to that commission? Okay. It says that who shall communicate it to the parties at latest ninety days before the meeting at which it is proposed for adoption.

THE SPEAKER: Honourable Member, which of the Conventions are you reading?

HON LAMIN CEESAY [KIANG WEST]: I am looking at the Convention on the Protection and Use of Transboundary Water Courses and International Lakes.

THE SPEAKER: Thank you.

HON LAMIN CEESAY [KIANG WEST]: So, I have asked that question. Before I go to entry into force, I also want to look at the withdrawal from this Convention. It says that at any time after three years from the date on which this Convention has come into force with respect to a party; that party may withdraw from the Convention by giving written notification to the depository. It also says that the depository would be the Secretary General of the United Nation, but a written notice would be given to that in case of withdrawal after three years. In case of an amendment, any party that proposes an amendment; that amendment would be submitted to the Economic Commission for Europe. I need clarification on this.

Before I go back to Article 23, let me go to entry into force which is Article 26. It says that this Convention shall enter into force on the 19th day after the date of deposit of the 16th instrument of ratification, acceptance, approval and/or accession. When you go to 3 of Article 26, it says that for each state or organisation referred to in Article 23 which ratifies, accepts or approves this Convention or accedes thereto after the

deposit of the 16th instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the 19th day after the date of deposit by such state or organisation of the instrument of ratification, acceptance, approval or accession.

So, are we part of any of those organisations mentioned in Article 23? Article 23 says that this Convention shall be opened for signatures at Helsinki from 17th to 18th March, 1992 inclusive and thereafter at United Nation Headquarters in New York until 18th September 1992 by state members of the Economic Commission for Europe as well as states having consultative status with the Economic Commission for Europe pursuant to Paragraph 8 of Economic and Social Council Resolutions: Resolution 36[IV] of 28th March, 1947 by the Regional Economic Integrational Organization constituted by sovereign state members of the Economic Commission for Europe to which their member states have transferred competence over matters governed by the Convention, including the competence to enter into treaties in respect of these matters. I do not understand much about this; it talks about organisations. So, I do not know whether we have relation with the organisations highlighted here and if the organisations are already a party to this Convention or not.

The first two questions that I have asked: if an amendment is proposed, that amendment would be submitted to the Economic Commission for Europe, but if a party wants to withdraw three years after approval or ratification of this Convention, that would be submitted to this depository, and I understand the depository to this Convention is the Secretary General of the United Nation.

Honourable Speaker, these are the few issues that I want clarifications on. Thank you very much.

THE SPEAKER: Thank you, Honourable Member. I am sure the Honourable Minister will note that down as well as Page 12. I understand the Secretariat is the Commission that he mentioned. Maybe it has been replaced by the Europe Union. Also, in Page 13, that is signatory. He highlighted that most of the time we sign before we ratify. So, you can respond to those issues. Thank you. I now invite the Members for Foni Jarrol.

HON KEBBA T. SANNEH [FONI JARROL]: Thank you very much, Honourable Speaker, for giving me the floor. I just have only few concerns to raise here.

We talk of international treaties and conventions which are about equity, protection and fairness. The pervious speakers have mentioned that. I think the document to be ratified is timely because of the challenges developing nations or countries are going through.

Countries often lack the will power and resources on maritime laws to protect it. If you look at what is happening at our seas or international waters, they are being polluted by the bigger nations. We put the laws that we are equal and we going to be treated fairly, but the developing nations continue to suffer at the end. We depend on these resources or the waters for food and transportation of goods.

Leaders need to be bold enough to defend what they believe is good for all of us, and not to bring laws that would bully developing countries or smaller nations because every bill that comes here, we continue saying it is timely. Why do we continue to say it is timely because we paid a heavy price for it, and it does not benefit us at the end. This is why monitoring is very important concerning what we are discussing.

Our sea or water is what we depend for everything say: food, drinking water, transportation of goods and even our health benefits. Bigger nations will violate the laws, nothing happens to them, but if smaller nations violate the laws, they suffer or pay for it. This is what is more important, Honourable Minister. That is the concern I have to raise.

Let us not start saying it is timely because we are paying a heavy price for it. So, for us to say it is timely should mean that when the document is amended and passed, it must benefit all nations and all must be equal. So, some nations should not suffer while others enjoy.

We are in the 21st century when everything should be based on equality and fairness. It is not for the smaller nations to always suffer while bigger nations enjoy. Even the air or sea pollution that is going on is not caused by the poorer nations which are paying the heaviest price.

So, my concern here is for us to bring in laws that would benefit everyone, regardless of being a developing country or not. Thank you.

THE SPEAKER: Thank you very much. May I now call upon the Honourable Minister to respond to issues raised and to wind up the debate?

HON MUSA DRAMMEH [MINISTER OF FISHERIES & WATER RESOURCES]: Thank you, Mr. Speaker. I thank all the Members who took the floor and even those who did not speak. I know, they are all in support of the two Conventions saying that they are long overdue. The Member for Brikama North is very right that they are long overdue, but I would like to remind him that the Conventions went through Cabinet, only in January 2022. So, that might have been the reason for them to be brought to the National Assembly too late.

So many issues or concerns were raised as far as the Conventions are concerned, and I want to assure all the Members that these are our concerns too. After ratifications, the experts in the Ministry will look at them again if there are amendments, they should be deposited at the Economic Commission for Europe. It started in Europe, and it was only in 2016 that they decided to make it worldwide.

I think the concerns raised by the Member for Kiang West are procedural issues or matters, so let us be part of the global world., If we, as a nation, feel that certain things are not implementable in our country, and we want to propose some amendments, we have to be part of it first in order to propose those amendments.

My elder brother, the Member for Kombo South, mentioned that his constituency is the only region with the fishing landing sites. He also highlighted the need for monitoring the activities on that coastal line. Yes, it is very true. The Ministry is aware but I will like to assure him that the Ministry plus the departments under it are currently going through a lot of reforms. As soon as the reforms are done, we will be able to increase the level of our research, monitoring and sometimes policy enhancement.

The Member for Brikama South did mention the localisation or domestication of the Conventions. Yes, this is true and I would like to assure him that the Water Policy and the Water Bill are currently ready for submission to Cabinet. Hopefully, before next Assembly, we will be able to go through those things and then present them before this august body for approval. Members have made my work very easy. Although these documents are very technical, I can assure you that we at the level of the Ministry are looking at every aspect of concerns raised here.

I think the Member for Foni Jarrol mentioned that we should also look at the boundaries. Like I said, the man power level at the Ministry and the departments are what is lacking, but as soon as we go through the reforms, we would be able to see if we have to create some new provisions to be able to achieve some of those issues raised.

Last month, I attended a meeting in Agadez on fisheries. I did consult the Moroccan Minister of Agriculture and Fisheries because they are very much advanced and experienced in the sector. Their initial reaction was that they are willing to assist in terms of training, research and monitoring.

Recently, I attended a meeting of Sub Regional Fisheries Commission of West Africa which comprises Senegal, The Gambia, Mauritania, Guinea Bissau, Sierra Leone and The Republic of Guinea. Some of the issues that have been highlighted here were also raised and agreed upon at that meeting. There has to be information sharing, monitoring and research which we have to conduct together because we all share the same stock be it water and fisheries.

Therefore, Mr. Speaker, all the concerns raised are already issues that have been undertaken by the Ministry. As soon as we go through those reforms, we will inform the Assembly as to what areas we need the assistance of this National Assembly.

Also, I think the Member for Kiang West asked about the countries that have already ratified these Conventions. Is that not so? Oh, it was the Honourable Member for Old Yundum. I want to tell the Assembly that Chad, Senegal, Guinea Bissau, Togo, Cameroon, and recently Nigeria and Ghana have ratified the Conventions. Another fifteen countries in Africa are in accession process, and hopefully, all the other fifteen

countries would have ratified the Conventions before attending the Water Conference by the 21st of this month in New York.

By and large, I think these are the issues I can remember that have been said. Unless I left out something, I will be able to address it. Thank you, Mr. Speaker.

THE SPEAKER: Thank you, Honourable Minister, for tabling these two Conventions, and I want to thank all the Honourable Members who participated and those who did not. We agree with those who contributed. On behalf of all of us, I thank you very much Honourable Members.

[Question Proposed Put and Agreed to]

[That this Honourable Assembly do ratify the Convention on the Law of Non-navigational Uses of International Water Courses (1997 Convention) and the Convention on the Protection and the Uses of Transboundary Water Courses and International Lakes done on 17th March, 1992 in Helsinki.]

ADJOURNMENT

Honourable Members, be it resolved that this august Assembly do stand adjourned until Monday 20th March 2023, at 10am.

[Question proposed and agreed to]

[That the Assembly stood adjourned until Monday 20th March, 2023 at 10 am.]