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**Trade Policy Review Body**

**TRADE POLICY REVIEW**

REPORT BY THE SECRETARIAT

THE GAMBIA

This report, prepared for the third Trade Policy Review of The Gambia, has been drawn up by the WTO Secretariat on its own responsibility. The Secretariat has, as required by the Agreement establishing the Trade Policy Review Mechanism (Annex 3 of the Marrakesh Agreement Establishing the World Trade Organization), sought clarification from The Gambia on its trade policies and practices.

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## SUMMARY

1. The Gambia has maintained its generally open trade and investment regime since the last TPR in 2010. The main trade policy reform has been the adoption of the five-band ECOWAS Common External Tariff (CET) from 1 January 2017.
2. The Gambia is the smallest country on the African mainland. It ranks among the poorest countries in the world, with a per capita income of less than US\$500 and approximately half of the population of two million living below the poverty line (US\$1.25/day).
3. The Gambia has weathered the global financial crisis relatively well, recording solid economic growth in the period 2007-10 (averaging over 5.6%). However, real GDP growth has been considerably weaker, averaging 2.9% in the period 2010-16, owing to mismanagement of public finances and mounting public debt, compounded by external shocks.
4. The Gambia's new Government is facing a series of economic challenges, particularly in the area of public finance. The State continues to have an important role in the economy; virtually all state-owned enterprises are in financial distress. High government borrowing combined with tight monetary policy conditions, resulting in very high interest rates, has crowded out the private sector. While the country is open to foreign investment, economic growth has been hampered by weaknesses of the business environment, including a complex tax system and infrastructure bottlenecks. Foreign direct investment (FDI) flows to The Gambia have been volatile, and remain far below levels preceding the global financial crisis.
5. The Gambia's economy relies mainly on services (66% of GDP in 2016) as the main driver of growth, and a volatile, drought-prone agriculture sector (21% of GDP in 2016). Remittances and international aid play an important role in sustaining the economy. In the services sector, tourism contributes about 16-20% of GDP and has been the largest foreign exchange earner, albeit in a difficult environment (due to an Ebola outbreak in neighbouring countries). Wholesale and retail trade is also a major services sector of the economy (about 25% of GDP), reflecting the contribution of re-exports (mainly textiles), which accounted for about 70-80% of total exports in recent years. The manufacturing sector (about 5-6% of GDP) caters largely for the small domestic market. The fisheries sector contributes about 2% to GDP. A moratorium on the industrial fisheries was lifted in May 2017.
6. The Gambia's merchandise imports far outstrip exports. The export base is very small (US\$19.1 million in 2015), consisting mainly of groundnuts and fish. The main trading partners for exports are the European Union, Viet Nam, India and China; imports come mainly from the European Union, West Africa (Côte d'Ivoire and Senegal), Brazil and China.
7. The Gambia deposited its instrument of acceptance of the Trade Facilitation Agreement on 11 July 2017. The Gambia is a member of the least developed countries (LDC) and African, Caribbean and Pacific (ACP) groups, the African Group, the G-90, and the "W52" sponsors. In the period under review, The Gambia provided some 20 notifications to the WTO, although some notifications (e.g. domestic support in agriculture) are outstanding.
8. The WTO and the Economic Community of West African States (ECOWAS) trade regime provide the basic parameters for The Gambia's trade policies. The Ministry of Trade, Industry, Regional Integration, and Employment (MOTIE) is responsible for formulating and coordinating trade policy. Some of the trade policy programmes and plans, including on agricultural policy, have expired or may benefit from a review of direction.
9. In January 2017, The Gambia implemented – with a two-year delay – the new five-tiered ECOWAS Common External Tariff (CET). Except for goods covered by the ECOWAS Trade Liberalization Scheme (ETLS), which enter duty free, The Gambia applies the CET to all of its trading partners (including other ECOWAS members) at present, without any exceptions or supplementary protection measures allowed under ECOWAS regulations. All imported goods are subject to the ECOWAS Community levy and the African Union levy.
10. For The Gambia, the change from the national customs tariff (2010) to the ECOWAS CET is a major tariff reform, entailing adjustments in the customs duty rates for nearly two thirds (4,000

of all tariff lines. The ECOWAS CET classification consists of essential social commodities (duty-free); essential commodities, raw materials, and capital goods (rate of 5%); intermediate products (rate of 10%); consumer goods (rate of 20%); and specific goods for economic development (rate of 35%). Overall, the implementation of the new ECOWAS CET means a small tariff cut for the Gambian economy. The simple average applied MFN tariff rate of the CET (12.3%) is lower than that of the Gambian customs tariff of 2010 (14.1%), and a wider range of products is now classified as inputs (essential commodities, raw materials, and capital goods), which have had their tariffs reduced to 5%. The highest average tariffs apply to live animals and meat (24.1%, up from 15.2%), and clothing (20%). However, the ECOWAS CET is considered problematic in a number of sectors from the point of view of competitiveness and food security.

11. None of the ECOWAS CET rates exceeds The Gambia's tariff bindings, but there is a large gap between the average bound rate (103.4%) and the average applied MFN rate (12.3%). Most tariffs on agricultural products are bound at a ceiling rate of 110% (some 90% of all agriculture tariff lines), while the binding coverage of non-agricultural tariff lines is low (0.7% of total non-agriculture tariff lines). This reduces the predictability of the tariff regime, although in practice the ECOWAS CET is effectively the bound customs tariff for The Gambia with a commitment to apply these rates on an MFN basis.

12. The Gambian customs procedures with respect to customs valuation, rules of origin, and transit are governed by ECOWAS rules. The Gambia has notified the WTO that its laws, regulations and administrative procedures are in line with the provisions of the WTO Agreement on Customs Valuation. The Inter-State Road Transit Scheme of ECOWAS was implemented in The Gambia in July 2013. The Gambia uses ASYCUDA++ as its customs management system.

13. Most goods can be traded without any restrictions. Although it is difficult to establish an exhaustive inventory of non-tariff measures applied by The Gambia, some import prohibitions and restrictions are maintained, mainly for reasons of national security, to protect public morals, and to ensure compliance with international commitments. Nonetheless, The Gambia has notified the WTO that it does not maintain an import licensing system. It has never used trade contingency measures.

14. In general, export procedures are similar to those applied to imports. The Gambia does not levy export taxes, except on precious metal scrap and waste. It has imposed, from time to time, export bans on timber.

15. The Gambia Investment and Export Promotion Agency (GIEPA) is responsible for investment and export promotion, administering the Special Investment Certificate (SIC) scheme and the export processing zone near Banjul International Airport. SICs offer a range of incentives (with minimum FDI of US\$250,000 in priority sectors and areas).

16. Customs duties, excises, and VAT are the Government's principal sources of revenue. They fall mainly on imported goods since the domestic industrial base is very small. Imported goods destined for re-export are also subject to customs duties and import taxes. A VAT regime was introduced in January 2013 (replacing the sales tax), which is applicable to all taxable goods and services at a standard rate of 15%. However, substantial import duty and tax exemptions have been granted on imports of capital and intermediate goods to safeguard the competitiveness of the economy.

17. Selected products and services are excisable. The taxation system differs between imported and domestically-produced goods. Excise "duties" apply to certain locally-produced goods and telecommunications services; the rates are *ad valorem*. Imported goods are subject to excise "taxes"; the rates are specific for some products and *ad valorem* for other items. Whether or not there is differential treatment between imported and locally-produced goods depends on the price of the product. However, it would appear that there is differential treatment for used cars.

18. The Gambia has made progress in the area of standards and technical requirements. The Gambia Standards Bureau (TGSB) became operational in 2011 and has since promulgated 33 standards, most of them directly adopted from international standards. The TGSB participates in the ECOWAS Standard Harmonization process (ECOSHAM). There are currently no technical regulations in force. Regarding SPS measures, a new Food Safety and Quality Act entered into

force in 2011, followed by the establishment of a Food Safety and Quality Authority. The animal health and plant protection regimes, on the other hand, appear to be obsolete and require modernization with international assistance.

19. Competition rules are governed by the Competition Act of 2007, with The Gambia Competition and Consumer Protection Commission (GCCPC) as the enforcement agency. The GCCPC has been taking a more active role with investigations followed by remedial actions, and market studies, notably in the rice and sugar markets.

20. The Gambia has reformed its government procurement regime in line with international best practice, according to the authorities. The Public Procurement Authority Act was amended in 2014, and an Independent Complaints Review Board has been established to handle disputes. The procurement thresholds remain unchanged; no procurement valued above the thresholds is allowed unless prior approval has been obtained from the Authority. The approval for projects valued at more than D 10 million now rests with the Major Tender Board. International competitive tendering may only be used if the goods, works, or services are not available at competitive prices and conditions from at least three suppliers in The Gambia.

21. The Gambia amended its Industrial Property Act in 2015, extending the protection period for patents from 15 years to 20 years; introducing provisions to ensure conformity with the Madrid Protocol relating to the international registration of marks; and increasing the penalty against infringements. The African Regional Intellectual Property Organization is the substantive examiner for patent and utility model applications. Geographical indications are protected as collective marks.

22. With regard to developments in the services sector, the banking sector is liquid and profitable, according to the authorities. Nevertheless, banks tend to be overly exposed to government debt, which may increase risks in the long run. Most banks are foreign-owned. The payments system, including the clearing and settlement infrastructure, has been modernized through technical improvements. The telecom infrastructure has been substantially upgraded, with the establishment of the African Coast to Europe submarine cable landing station in 2012 and the completion of a nationwide fibre-optic backbone network in 2015. The new National Information and Communication Infrastructure Policy 2017-2025 aims at technology neutral regulatory environment and more affordable broadband access in the country. Two out of four mobile carriers are foreign-owned.

23. About half of the Gambian population relies on subsistence farming and a few cash crops (mainly groundnuts) for their livelihood. Yet, the country is a net food importer by a wide margin, being vulnerable to drought and other natural disasters. The agriculture sector also suffers from under-investment and low productivity. Most of the country's rice needs (the main staple) are imported, but the Government has ambitious plans to increase production with the aim of becoming self-sufficient in rice.



## 1 ECONOMIC ENVIRONMENT

### 1.1 Main Features of the Economy

1.1. The Gambia is the smallest country on the African mainland.<sup>1</sup> The Gambia ranks among the poorest countries in the world with a per capita income of US\$487 in 2016 and approximately half of the population of 2 million living below the poverty line (US\$1.25/daily).<sup>2</sup> The Gambia was ranked 173<sup>rd</sup> (out of 188 countries) on the 2015 Human Development Index. The Gambia has a long history of migration, which has deteriorated in recent years as economic mismanagement and external shocks have moved the country close to economic crisis.<sup>3</sup>

1.2. The Gambian economy is little diversified relying mainly on agriculture, tourism, re-export trade; it also relies substantially on remittances and international aid. Its status as a regional entrepôt centre has been in decline. Agriculture is one of the main pillars of the economy, contributing about 21% to GDP in 2016 (Table 1.1). Approximately 46% of the population<sup>4</sup> works in agriculture. Swings between good and poor harvests have a significant impact on economic performance. Given that The Gambia lies in the Sahel belt, agriculture is vulnerable to natural disasters (drought) and the country faces chronic food deficits. Subsistence agriculture predominates; groundnuts are the leading cash crop. The fisheries sector contributes about 2% to GDP. The fishery resources are important for food security as well as in terms of export earnings.

1.3. Manufacturing contributes about 5-6% to annual GDP and caters largely for the small domestic market; its GDP share has recently been in decline against the background of high input costs and taxes, and competition from imports, amongst others. Other main industries include fish processing, and the brewery and water bottling.

1.4. The services sector has been the main driver of growth in the period under review, contributing about 66% of GDP in 2016 (up from 56.3% in 2010). The tourism sector has contributed approximately 16-20% of GDP and has been the largest foreign exchange earner. Wholesale and retail trade was also a major sector of the economy (contributing about 25% of GDP), reflecting the importance of re-exports.

1.5. The Gambia's new government faces a series of economic challenges. The country has been running large budget deficits leading to substantial levels of public debt, while the debt service has significantly limited the Government's fiscal space. The State continues to have an important role in the economy; virtually all state-owned enterprises are in financial distress and constitute a major fiscal burden. High government borrowing combined with tight monetary policy conditions have crowded out the private sector with very high interest rates. Economic growth has also been hampered by weaknesses in the business environment (particularly the tax system), infrastructure bottlenecks (notably ports and bridges), and the high price of electricity (along with frequent power outages).<sup>5</sup>

### 1.2 Recent economic developments

1.6. The Gambia has weathered the global financial crisis relatively well. The country recorded solid economic growth in the period 2007-10 (averaging 5.6%), despite being hit by a crisis-related drop in tourism and remittances. In the period following the last TPR in 2010, the economic performance was considerably weaker (growth averaged 2.9% in 2010-16), owing partly to mounting public debt compounded by external shocks.

<sup>1</sup> The largest towns are Serrekunda (with a population of 382,000) and the capital Banjul (31,000).

<sup>2</sup> World Food Programme (2017), *The Gambia Country Brief*, January 2017. Viewed at: [http://reliefweb.int/sites/reliefweb.int/files/resources/The%20Gambia\\_CB\\_Jan-17%20OIM.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/The%20Gambia_CB_Jan-17%20OIM.pdf).

<sup>3</sup> Delegation of the European Union to The Gambia, "New Gambia, new migration?", 29 March 2017. Viewed at: [https://eeas.europa.eu/delegations/gambia/23698/new-gambia-new-migration\\_en](https://eeas.europa.eu/delegations/gambia/23698/new-gambia-new-migration_en).

<sup>4</sup> Aged 7 years and above (Integrated Household Survey 2015/16).

<sup>5</sup> IMF (2015), *The Gambia – 2015 Article IV Consultation*, IMF Country Report No. 15/272, p. 29. Viewed at: [IMF online information, http://www.imf.org/external/pubs/cat/longres.aspx?sk=43306.0](http://www.imf.org/external/pubs/cat/longres.aspx?sk=43306.0).

**Table 1.1 Selected macroeconomic indicators, 2010-16**

	2010	2011	2012	2013	2014	2015	2016 <sup>a</sup>
Nominal GDP at market prices (Dalasi million)	26,679	26,641	29,273	32,498	35,436	39,927	43,263
Nominal GDP at market prices (US\$ million)	952	904	913	904	853	939	1,037
Real GDP growth (annual %)	6.5	-4.3	5.9	4.8	0.9	4.3	2.2
GDP per capita (US\$)	579	532	543	450	446	476	487
Population (million)	1.6	1.7	1.7	2.0	1.9	2.0	2.1
<b>GDP by economic activity (% of GDP at basic prices)</b>							
Agriculture	30.7	23.6	23.5	22.6	20.3	20.5	20.6
Crops	19.9	12.0	12.4	11.1	8.6	8.4	8.1
Livestock	8.4	9.0	8.7	9.1	9.4	9.6	9.9
Forestry	0.5	0.5	0.5	0.4	0.4	0.4	0.4
Fishing	1.9	2.0	2.0	1.9	2.0	2.0	2.1
Manufacturing	5.0	5.8	6.0	5.8	5.5	5.1	4.8
Construction	3.9	4.5	4.8	4.8	5.1	6.1	5.6
Mining and quarrying	2.8	3.1	3.2	3.3	2.6	2.3	2.1
Electricity, gas and water supply	1.3	1.3	1.2	1.2	1.3	1.3	1.3
Services	56.3	61.7	61.2	62.4	65.2	64.7	65.6
Wholesale and retail trade	24.3	25.6	25.3	24.4	25.6	25.2	25.2
Hotels and restaurants	2.2	2.8	2.7	2.9	3.6	3.0	3.5
Transport, storage, communication	12.4	13.7	14.2	15.9	15.6	16.2	16.3
of which: communication	8.4	9.2	9.6	11.0	10.2	11.0	11.5
Finance and insurance	9.3	11.1	10.9	11.1	12.0	12.1	12.4
Real estate, renting and business activities	3.4	3.5	3.2	3.2	3.1	2.9	2.9
Public administration	2.1	2.2	2.2	2.2	2.4	2.4	2.4
Education	1.1	1.2	1.2	1.2	1.2	1.2	1.2
Health and social work	1.1	1.2	1.1	1.0	1.3	1.2	1.3
Other community, social and personal services	0.4	0.4	0.4	0.4	0.4	0.4	0.4
<b>Government fiscal operation (% of GDP)</b>							
Revenue	18.9	21.2	25.3	18.5	22.2	21.6 <sup>a</sup>	20.0 <sup>a</sup>
Expenditures	23.6	26.0	29.7	27.1	28.0	29.7 <sup>a</sup>	29.8 <sup>a</sup>
Overall balance	-4.7	-4.7	-4.4	-8.5	-5.8	-8.1 <sup>a</sup>	-9.7 <sup>a</sup>
<b>Prices and exchange rates</b>							
CPI (%age change)	5.0	4.8	4.3	5.7	5.9	6.8	7.2
Dalasi/US\$	28.0	29.5	32.1	36.0	41.5	42.5	41.7
Nominal effective exchange rate (index, 2000 = 100) <sup>b</sup>	100.0	91.7	88.1	79.1	69.5	66.3	67.0
Real effective exchange rate (index, 2000 = 100) <sup>b</sup>	100.0	92.4	90.1	83.4	76.1	75.8	80.7
<b>Public debt</b>							
Domestic public debt	29.4	33.2	33.3	37.1	46.4	53.9 <sup>a</sup>	67.9 <sup>a</sup>
External public debt	40.2	44.1	43.7	46.2	58.4	51.4 <sup>a</sup>	52.4 <sup>a</sup>
External public debt (Millions of US\$)	377.6	386.2	375.8	394.1	448.8	499.0 <sup>a</sup>	504.2 <sup>a</sup>
<b>External sector (in Dalasi million, unless otherwise indicated)</b>							
Current account	542	-3,363	-2,467	-3,526	-3,491	-4,535	-3,207
% of GDP	2.0	-12.6	-8.4	-10.8	-9.9	-11.4	-7.4
Goods and services	-1,379	-3,684	-3,802	-3,710	-7,425	-8,710	-7,758
Goods	-2,964	-5,600	-6,392	-6,023	-8,633	-10,457	-8,137
Exports	3,926	3,014	4,028	4,732	5,141	4,871	3,971
Imports (f.o.b.)	-6,890	-8,614	-10,420	-10,755	-13,774	-15,328	-12,108
Services	1,585	1,917	2,589	2,313	1,207	1,747	380
Exports	3,633	3,993	4,767	4,657	6,053	6,984	5,710
Imports	-2,047	-2,076	-2,178	-2,344	-4,846	-5,241	-5,326
Income	-231	-1,226	-1,212	-1,064	-1,207	-1,509	-2,244
Current transfers, of which:	2,152	1,547	2,547	1,248	5,142	5,683	6,794
Remittances	1,478	799	2,004	1,727	5,118	5,747	8,279
% of GDP	5.5	3.0	6.8	5.3	14.4	14.4	19.1

	2010	2011	2012	2013	2014	2015	2016 <sup>a</sup>
Capital and financial account	365	5,860	4,466	2,956	-280	2,138	467
Capital account	1,065	1,355	1,973	566	1,631	880	446
Financial account	-701	4,505	2,492	2,391	-1,912	1,258	25
Errors and omissions	-1,229	-1,594	-876	383	1,373	2,436	2,319
Overall balance	-321	903	1,123	-187	-2,398	38	-421
<b>Gross international reserves</b>							
US\$ millions	157.6	169.7	183.8	161.1	111.9	76.1 <sup>a</sup>	59.8 <sup>a</sup>
Months of current year's imports of goods and services	4.7	5.5	5.5	5.2	3.3	2.0 <sup>a</sup>	1.8 <sup>a</sup>
Months of next year's imports of goods and services	5.1	5.1	6.0	4.8	3.7	2.3 <sup>a</sup>	1.6 <sup>a</sup>

a Preliminary.

b An increase means appreciation of the national currency.

Source: Information provided by the authorities of The Gambia; Central Bank of The Gambia, Statistical online information. Viewed at: <http://www.cbg.gm/> [July 2017]; IMF Country Report (2015) No. 15/272, September; IMF Country Report (2017) No. 17/179, June; IMF online information. Viewed at: <http://elibrary-data.imf.org/DataExplorer.aspx> [July 2017]; and World Bank's World Development Indicator database. Viewed at: <http://databank.worldbank.org/data/views/variableselection/selectvariables.aspx?source=world-development-indicators> [July 2017].

1.7. In 2010, the Gambian economy continued to perform well with real GDP growing by 6.5%. The economy expanded despite an already high debt burden (around 70% of GDP) and interest payments on the public debt consuming nearly 20% of government revenues.<sup>6</sup> However, in 2011, real GDP dropped by 4.3%, mainly as a consequence of severe drought and a poor harvest (Table 1.1). The Government declared a state of emergency in early 2012, triggering relief imports of food, seeds and fertilizer to assist about a quarter of the population facing food shortages.<sup>7</sup> In the course of 2012, the economy recovered from the 2011 contraction and posted 5.9% growth, in part owing to a regular harvest and an increase in tourist arrivals.

1.8. In 2013, economic grew by 4.8%. The introduction of VAT in January 2013 marks one of the main economic reforms implemented in The Gambia since the last TPR. The VAT replaced the sales tax with the objective of broadening the tax base (see also Table 2.2). Nonetheless, the fiscal deficit surged to 8.5% of GDP. In 2014, GDP growth was down to less than 1%, as the country experienced another poor harvest due to late rains, and the Ebola outbreak in Liberia, Guinea and Sierra Leone prompted a sharp drop in tourist arrivals in the 2014-15 season (Table 4.3). In 2014, the public debt for the first time exceeded 100% of GDP, largely on account of emergency spending for state-owned enterprises (SOEs). Fuel subsidies were eliminated in 2014.<sup>8</sup> In 2015, the Gambian economy recovered (GDP up by 4.3%), as farmers harvested an above-average crop. Fiscal policy in 2015 remained expansionary with a budget deficit of around 6% of GDP.

1.9. The International Monetary Fund (IMF) estimates that real GDP growth in 2016 would be at 2.2%, due to limited foreign exchange, tourism being adversely affected by the political impasse (Section 2.1), and a weaker harvest. Parts of the country were affected by heavy rains and windstorms. A large part of the budget deficit was due to a bail-out of SOEs that had defaulted on their external debts.

### *Fiscal policy*

1.10. The Gambia's fiscal deficit has been financed mainly through domestic borrowing and monetization (about half of the deficit in 2015), as the Central Bank converts government overdrafts to short-term treasury bills (charging market interest rates). In accordance with the Central Bank Act, the Government is entitled to borrow 10% of a preceding year's tax revenues from the Central Bank.

<sup>6</sup> IMF (2015), *The Gambia – 2015 Article IV Consultation*, IMF Country Report No. 15/272, p. 29. Viewed at: <http://www.imf.org/external/pubs/cat/longres.aspx?sk=43306.0>.

<sup>7</sup> The donor community provided about US\$14.3 million in drought relief (Central Bank (2012), p. 26).

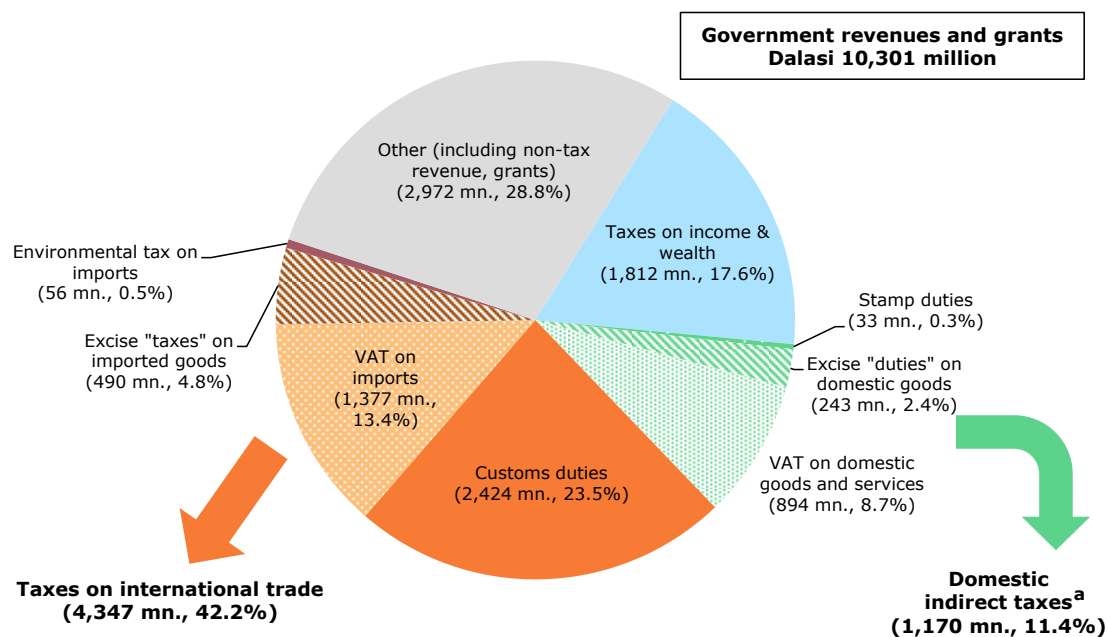
<sup>8</sup> IMF (2015), *The Gambia – 2015 Article IV Consultation*, IMF Country Report No. 15/272, p. 29. Viewed at: <http://www.imf.org/external/pubs/cat/longres.aspx?sk=43306.0>.

1.11. The public debt (domestic and external) reached 105.3% of GDP in 2015 (Table 1.1). The debt service consumed nearly 40% of the Government's tax revenues, constraining public sector investments for development. Capital expenditures in 2015 (D2 billion) accounted for about 20% of the government expenditures (including net lending) and were mostly financed from external sources. In the first nine months of 2016, capital expenditures dropped to D0.8 billion.<sup>9</sup> While budget grants for development projects have been an important source of revenue, donors withdrew their budget support under the previous government.<sup>10</sup>

1.12. The Gambia's tax system comprises a host of taxes and charges (Section 2.4). The Government's principal sources of revenue are "international trade taxes" (i.e. customs duties, excise taxes and VAT collected on imports) (Chart 1.1). Entrepôt trade (including importation of goods destined for re-exports) is subject to these taxes.

### Chart 1.1 Government revenues and grants, 2016

(Dalasi million and % of total revenues and grants)



Note: The total for government revenues and grants in 2016 is not consistent with IMF data in Table 1.1.

a Including environmental tax with an amount of Dalasi 0.41 million.

Source: Information provided by the authorities.

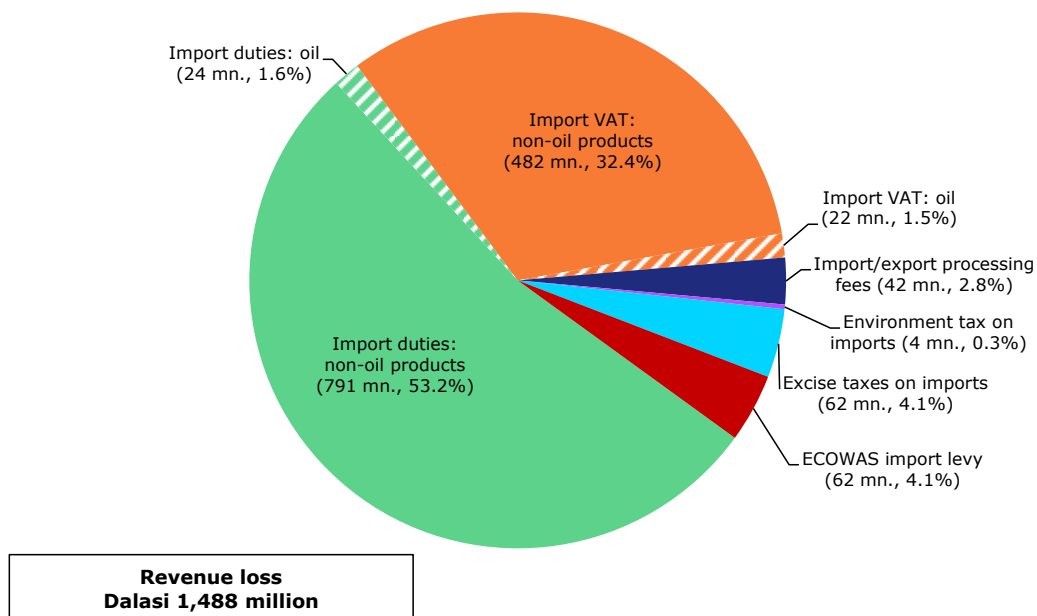
1.13. To safeguard the competitiveness of the economy, various exemptions have been granted by the Ministry of Finance and Economic Affairs and other agencies (Gambia Investment & Export Promotion Agency – GIEPA) to allow duty-free importation of capital and intermediate goods (Section 3.3.2). Fiscal (and tariff) policy has featured a relatively high share of revenue foregone due to such import duty and tax exemptions (Chart 1.2 and Table A1.1). The revenue foregone amounted to D1.734 billion in 2015, equivalent to about 40% of The Gambia Revenue Authority's revenue projections on international trade in 2015. In 2016, the revenue foregone amounted to D1.488 billion. Exemptions on customs duties and VAT (on imported goods) accounted for most of the revenue foregone, followed by excise tax exemptions on imported goods.

<sup>9</sup> Central Bank of The Gambia (2016), *Quarterly Bulletin, January-March*; Ministry of Finance and Economic Affairs (2016), "Budget Speech 2017", p. 14.

<sup>10</sup> During the period 2010-17, The Gambia only received budget support in 2012 (IMF 2015, p. 29).

**Chart 1.2 Revenue foregone due to tariff and tax exemptions, 2016**

(Dalasi million and % of total revenue foregone)



Source: WTO Secretariat based on information provided by the authorities of The Gambia.

### Monetary policy

1.14. The commercial banks' lending rates in 2015 averaged about 22%, reaching up to 30%, crowding out the private sector. Commercial credit to the private sector contracted significantly (down 13% in March 2016, compared with one year earlier).<sup>11</sup> The Gambia's monetary policy remained tight in 2016; it was geared towards controlling inflation and supporting a stronger Dalasi. Inflation reached 7.9% by end-December 2016, mainly driven by food price inflation with serious consequences for the largely rural population - subsistence farmers are amongst the poorest and tend to be net buyers of food. The Central Bank's policy rate (rediscount rate) stood at 23% as of March 2017 (up from 12% in July 2012).

1.15. According to the authorities, The Gambia maintains a flexible exchange rate policy; the Central Bank may intervene in the foreign exchange market to build foreign currency reserves.

1.16. However, during the period under review, several presidential directives have imposed overvalued exchange rates of the Dalasi, the national currency.<sup>12</sup> The most recent and long-lasting presidential directive of 4 May 2015 set a target range for the U.S. dollar exchange rate at D/US\$35-40, an overvaluation of about 30% according to IMF estimates. This had various adverse effects on the economy, notably foreign exchange shortages (resulting in reduced imports and lower government tax receipts on imports) and reduced exports. The exchange rate directives have not been able to halt the steady decline of the external value of the Dalasi. By 2016, the Dalasi had depreciated by about 20% in real terms compared with its value in 2010 (Table 1.1). The presidential exchange rate directive was lifted in January 2017.

1.17. The Gambia does not maintain any restrictions on payments and transfers for current and capital transactions.

1.18. The banking sector is adequately capitalized and profitable, according to the authorities. However, the sector tends to be overly exposed to government debt, as approximately 70% of the

<sup>11</sup> Central Bank of The Gambia (2016), *Quarterly Bulletin, January-March*.

<sup>12</sup> IMF (2015), *The Gambia – 2015 Article IV Consultation*, IMF Country Report No. 15/272. There were five exchange directives for the following periods: 22 October to 15 November 2012; 26 June to 15 July 2013; 26 July to 14 August 2013; 14 August to 9 October 2013; and 4 May 2015 to January 2017.

treasury bills are held by the banks. Interest rates are market determined. The Gambia currently has 12 banks, most of them foreign owned (Section 4.3.1.1).

1.19. The Gambia's balance of payments was in a relatively healthy position up to 2012, when its international reserves (US\$183.8 million) were equivalent to about 6 months' import cover of goods and services. Current account deficits increased from 2013, as tourism receipts in the 2014/15 season dropped following the Ebola outbreak. By the end of 2014, international reserves dropped to US\$111.9 million covering approximately 3 months of import requirements. Traditionally, The Gambia relies heavily on remittances as a source of finance. Partly owing to a significant increase in remittances (Table 1.1), a major balance-of-payments crisis was averted in 2014-15. However, the Gambian balance-of-payments remain precarious. In June 2017, the IMF approved a US\$16.1 million emergency loan for The Gambia.

### 1.3 Developments in Trade and Investment

#### 1.3.1 Trends and patterns in merchandise and services trade

1.20. Merchandise trade data are collected by the Gambia Revenue Authority (Customs and Excise Department) through the Automated System for Customs Data (ASYCUDA). The raw data are then used by the Gambia Bureau of Statistics (GBOS) to produce trade statistics using the Eurotrace software developed by the European Union. However, there is a need to improve the availability and quality of merchandise trade data, particularly from 2015 and with regard to re-export trade.<sup>13</sup>

1.21. The Gambia has been running current account deficits, owing to large deficits in its merchandise trade. Traditionally, the port of Banjul has functioned as a regional centre for re-exports – with little, if any, further processing – into Senegal and beyond, benefiting from relatively low import taxes, a well-functioning port in Banjul, and limited administrative barriers.<sup>14</sup> Over time, however, the importance of entrepôt trade has diminished for reasons such as the harmonization of the external tariffs in the Economic Community of West African States (ECOWAS) and efficiency gains in competing ports, notably in Senegal.<sup>15</sup> The ratio of merchandise trade-to-GDP (imports and exports, including re-exports) averaged 46% in 2010-16 (down from 71% in 2003), which reflects in part the decline in re-exports (Chart 1.3). According to the authorities, most re-exports have been destined for ECOWAS countries (Mali, Guinea, and Senegal) (Table A1.6). The entrepôt trade has been mainly in textiles.

1.22. The Gambia has a small export base. The main domestic export products in 2015 and 2016 were groundnuts and cashew nuts, and fish and crustaceans (Chart 1.4 and Table A1.2). The main export destinations were the European Union, Viet Nam, India and China (Chart 1.5 and Table A1.3.) The main imported products were foodstuffs (particularly rice, sugar and vegetable oils), fuels, cement, vehicles, and capital goods (Chart 1.4 and Table A1.4). In 2015, imports mainly originated from the European Union, West Africa (Côte d'Ivoire and Senegal), Brazil (notably sugar) and China (Table A1.5 and Chart 1.5).

1.23. The Gambia is a net exporter of services (Table 1.1). Services exports are dominated by tourism, which is also the most important foreign exchange earner (US\$120 million in 2015). Services imports are largely due to travel (mainly education) and transportation services.

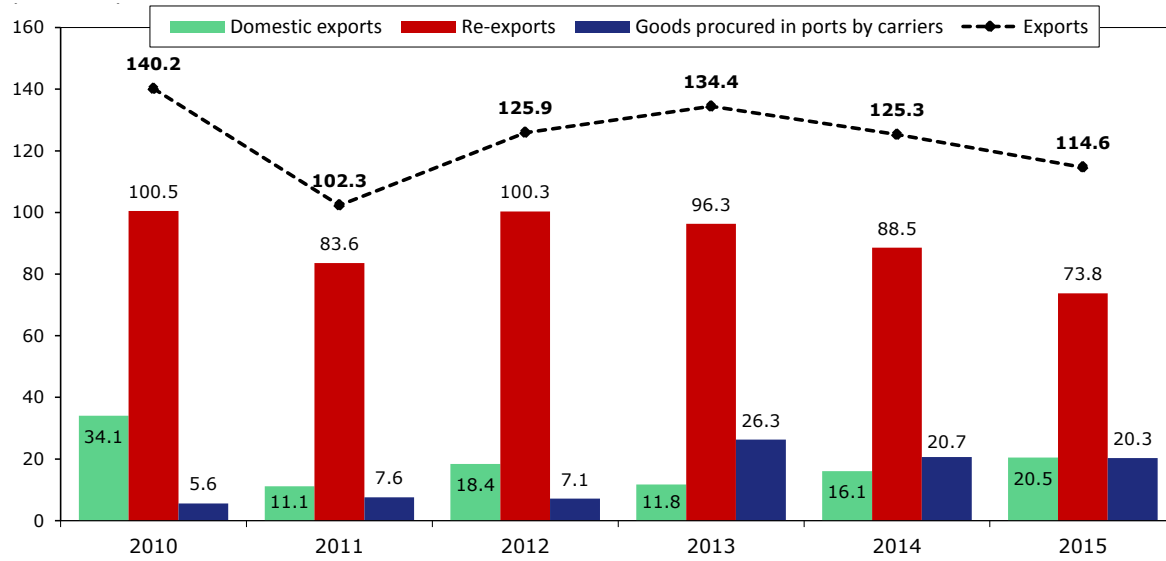
<sup>13</sup> See Enhanced Integrated Framework (2013), *Diagnostic Trade Integration Study Update for The Gambia: Harnessing Trade for Growth and Employment*. Viewed at: <http://www.enhancedif.org/en/document/diagnostic-trade-integration-study-update-gambia-harnessing-trade-growth-and-employment>.

<sup>14</sup> Integrated Framework (2007), *Diagnostic Trade Integration Study for the Integrated Framework for Trade-related Technical Assistance to Least Developed Countries, The Gambia - From Entrepôt to Exporter and Eco-tourism*.

<sup>15</sup> WTO (2010), *Trade Policy Review of The Gambia*, Geneva.

**Chart 1.3 The Gambia's merchandise exports, 2010-15**

(US\$ million)

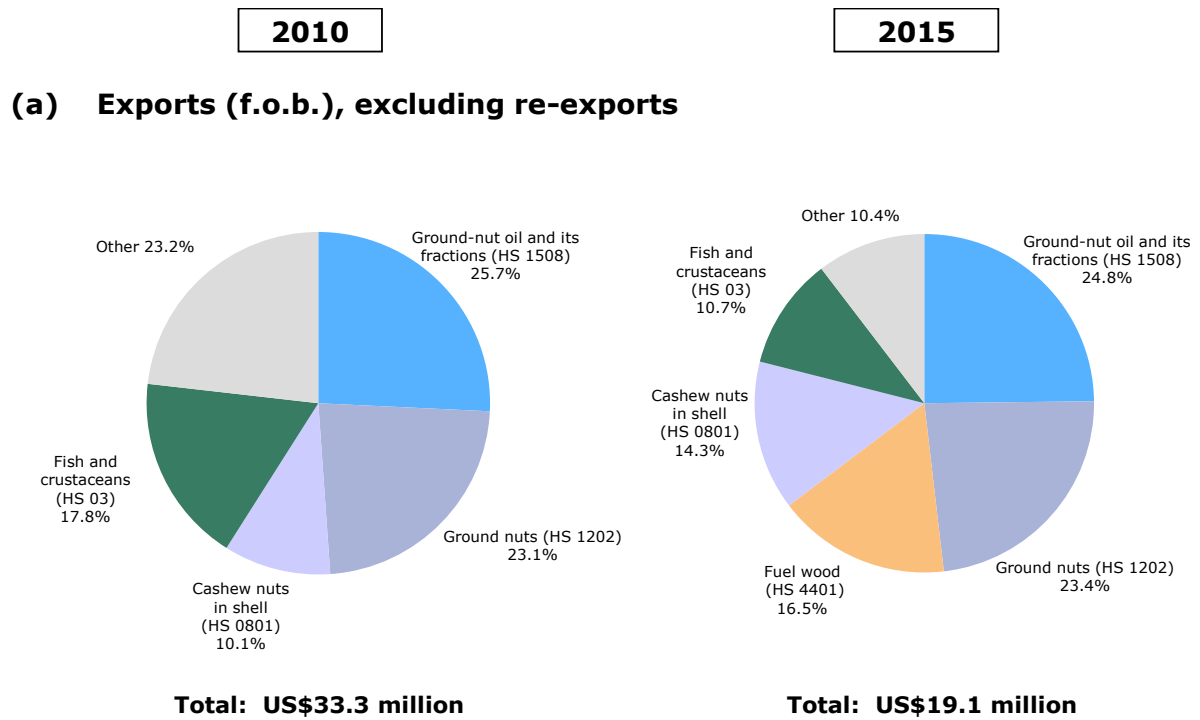


Note: Based on balance-of-payments statistics.

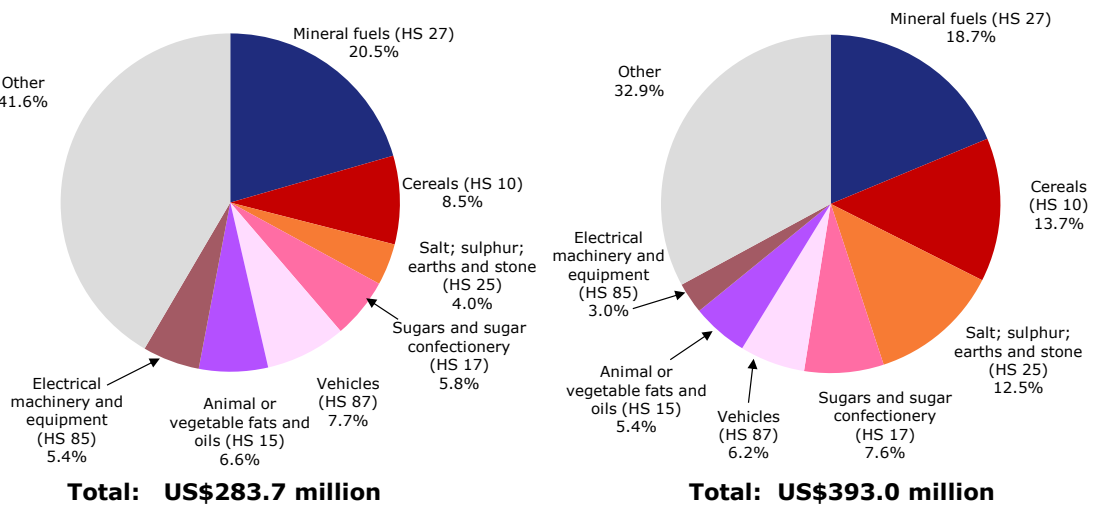
Source: Central Bank of The Gambia.



**Chart 1.4 Composition of merchandise trade, 2010 and 2015**



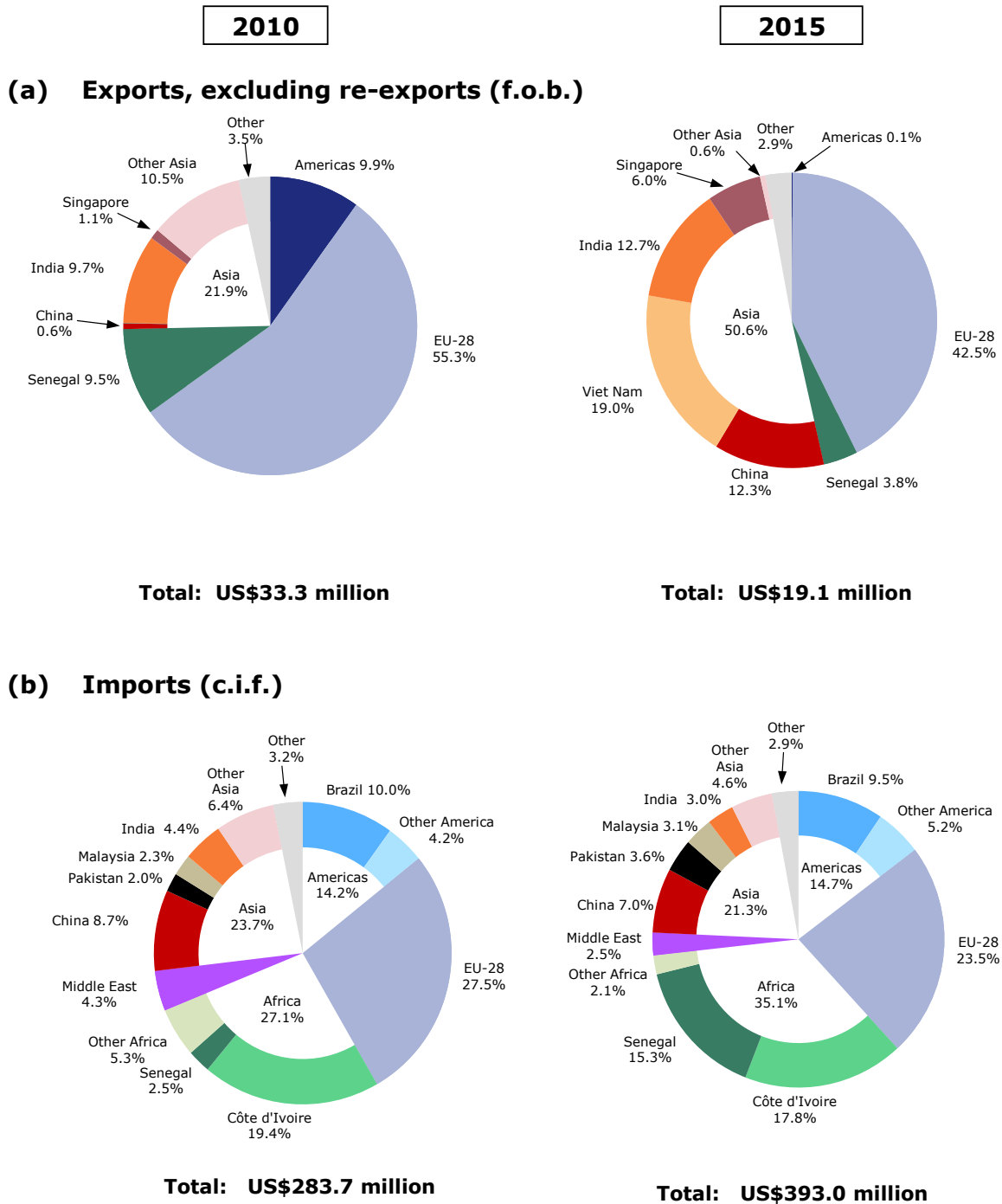
**(b) Imports (c.i.f.)**



Source: WTO Secretariat calculations, based on UNSD Comtrade database; and trade data provided by the authorities of The Gambia.



**Chart 1.5 Direction of merchandise trade, 2010 and 2015**



Source: WTO Secretariat calculations, based on UNSD Comtrade database; and trade data provided by the authorities of The Gambia.

**1.3.2 Trends and patterns in FDI**

1.24. Foreign direct investment flows into The Gambia have been volatile (Chart 1.6). From a peak of US\$93 million in 2012, FDI inflows dropped to US\$11 million in 2015. In 2013 and 2015, outward FDI flows exceeded inward FDI. Data regarding foreign investment flows by partner and sector are not available. The Gambia's stock of FDI stood at US\$350 million in 2015, equivalent to about 40% of GDP.

**Chart 1.6 FDI in The Gambia, 2005-07 and 2010-15**

(US\$ million)



a Simple average over 2005-07.

Source: UNCTAD Stat. Viewed at: <http://unctadstat.unctad.org/EN/Index.html> [July 2017].

## 2 TRADE AND INVESTMENT REGIMES

### 2.1 General Framework

2.1. In January 2017, The Gambia experienced the first change in government since 1994. Presidential elections held on 1 December 2016 were followed by a political impasse before a transfer of authority was accomplished and a new government took office on 19 January 2017. Parliamentary elections were held in April 2017.

2.2. Under The Constitution of 1997, The Gambia maintains a presidential form of government.<sup>1</sup> The President is elected by direct universal suffrage for five years, without constitutional limit on the number of terms. Executive power is exercised either directly by the President, or indirectly through the Cabinet, appointed by the President. The Gambia maintains a large administration to run the country, comprising 17 ministries [July 2017] and numerous government agencies (Table 2.1). The Government is also the main employer. The IMF has recommended that in the context of restoring budget sustainability the size of government should be reduced.

2.3. Legislative power is vested in a unicameral National Assembly. Cabinet members cannot by law also be members of the National Assembly. All changes in legislation, including amendments of laws, and new or modified regulations, must be published in the National Gazette at least 14 days prior to their entering into force. A bill passed by the National Assembly and given assent by the President becomes law as an act.<sup>2</sup> Table A2.1 provides a list of legal acts approved by the President since the last TPR in 2010, as well as selected legal notices (i.e. measures with particular relevancy for trade policy). International treaties require ratification.<sup>3</sup> ECOWAS Regulations (including the Common External Tariff) are binding and directly applicable in the ECOWAS member States.<sup>4</sup>

**Table 2.1 Ministries and selected agencies, July 2017**

<b>Ministries and selected agencies</b>
Office of the President
National Disaster Management Agency
Office of the Vice-President
Food Safety and Quality Authority (FSQA)
Ministry of Foreign Affairs and Gambians Abroad
Ministry of Finance and Economic Affairs (MOFEA)
The Gambia Revenue Authority (GRA)
The Gambia Public Procurement Authority
The Gambia Bureau of Statistics
Ministry of Trade, Industry, Regional Integration, and Employment (MOTIE)
The Gambia Investment and Export Promotion Agency (GIEPA)
The Gambia Competition and Consumer Commission
The Gambia Standards Bureau (TGSB)
Ministry of Justice
Industrial Property Office
National Law Report Council
National Agency for Legal Aid (NALA)
Alternative Dispute Resolution Secretariat
Law Reform Commission
Ministry of Interior
Ministry of Agriculture
The Gambia Livestock Marketing Agency
National Agriculture Research Institute
Ministry of Transport, Works and Infrastructure
The Gambia Maritime Administration

<sup>1</sup> According to the authorities, a new Constitution is to be drafted.

<sup>2</sup> Once a bill is passed, the President has thirty days to give his assent or to return it to Parliament for reconsideration.

<sup>3</sup> Article 79(c) of the Gambian Constitution of 1997.

<sup>4</sup> Supplementary Protocol A/SP.1/06/06 Amending the Revised Treaty of ECOWAS (1993). Viewed at: [http://documentation.ecowas.int/download/en/legal\\_documents/protocols/Supplementary%20Protocol%20Amending%20the%20Revised%20ECOWAS%20Treaty.pdf](http://documentation.ecowas.int/download/en/legal_documents/protocols/Supplementary%20Protocol%20Amending%20the%20Revised%20ECOWAS%20Treaty.pdf)

<b>Ministries and selected agencies</b>
The Gambia Ports Authority
The Gambia Civil Aviation Authority
National Roads Authority
Ministry of Health and Social Welfare
National Nutrition Agency
Ministry of Basic and Secondary Education
Ministry of Higher Education, Research, Science, and Technology
Ministry of Tourism and Culture
Tourism Board
National Centre for Arts and Culture
Ministry of Information, Communication and Infrastructure
Public Utilities Regulatory Authority (PURA)
Ministry of Energy and Petroleum
Ministry of Fisheries and Water Resources
Ministry of Forestry and Environment
National Environment Agency
Ministry of Local Government and Lands
NGO Board
Ministry of Youth and Sports
National Enterprise Development Initiative (NEDI)

Source: Information provided by the authorities.

2.4. The judicial system is based on a combination of English common law, Sharia law as it relates specifically to marriage, inheritance, and divorce among Muslims, and treaties and international conventions. Judicial power is vested in the courts, with the Supreme Court as the final court of appeal. A tax tribunal was established in 2013 for settlement of tax disputes between citizens and The Gambia Revenue Authority (GRA) – there have been no cases since its establishment. Foreign lawyers are permitted to practice domestic and international law, and may be appointed as judges. A new Legal Practitioners Act, 2016 has been enacted. The General Legal Council is the regulator of the legal services profession, comprising 9 members, including the Chief Justice (chairperson), Minister of Justice, a Judge of the Court of Appeal, the Director of the Gambian Law School and two legal practitioners.

2.5. The Gambia is divided into five administrative regions and the city of Banjul. Local government is based on a system of democratically elected councils "with a high degree of local autonomy", which have competence in, *inter alia*, infrastructure development, encouragement of commercial enterprises, provision of essential and other services, and raising of local revenue, as provided for in the Constitution (Articles 192-193) and the 2002 Local Government Act.

## **2.2 Trade Policy Formulation and Objectives**

2.6. The Ministry of Trade, Industry, Regional Integration, and Employment (MOTIE), together with its related agencies, is the principal institution responsible for formulating and coordinating trade policy (Table 2.2). MOTIE is one of the main actors in the inter-ministerial National Trade Policy Decision-Making Committee, which meets on a quarterly basis, to ensure regulatory consistency at the national level. It has three sub-committees: Trade Negotiations Committee, National Trade Facilitation Committee, and Committee on Market Access. A Technical Regulation Coordination Committee meets as necessary when new technical regulations are being developed (Section 3.3.3). The Gambia Chamber of Commerce and Industry (GCCCI) represents the private sector in many fora and in relations with the Government.

2.7. The Ministry of Finance and Economic Affairs (MOFEA) is responsible for tariff policy in collaboration with MOTIE. A National CET Committee was established in 2006 to deal with matters related to the negotiation and implementation of the ECOWAS CET; its 2017 work programme focuses on CET-related sensitization of policy-makers and training of customs officials.

**Table 2.2 Main trade policy developments in The Gambia, 2010-17**

Year	Trade policy developments
<b>2010</b>	Customs and Excise Act, 2010 enacted Gambia Investment and Export Promotion Act, 2010 enacted (repealed in 2015)
<b>2011</b>	Food Safety and Quality Act, 2011 enacted
<b>2012</b>	The Gambia Standards Bureau operational
<b>2013</b>	VAT introduced on 1 January (replacing sales tax) Food Safety and Quality Authority established on 1 July ECOWAS Inter-State Road Transit (protocol) implemented on 15 July Merchant Shipping Act, 2013 enacted
<b>2014</b>	Single window business registration launched Gambia Public Procurement Authority Act, 2014 enacted
<b>2015</b>	The Gambia Investment and Export Promotion Agency Act, 2015 enacted
<b>2016</b>	-
<b>2017</b>	ECOWAS CET implemented on 1 January WTO Trade Facilitation Agreement ratified on 13 March

Source: Information provided by the authorities.

2.8. The Gambia has a national Trade Policy in place, which is part of a broader hierarchy of government policy (Chart 2.1):

- a. *Vision 2020* – At the base, "The Gambia Incorporated: Vision 2020" is the former government's overarching long-term policy statement, implemented since 1998 through a number of development plans. Vision 2020 has the goal of transforming The Gambia into a middle-income economy by 2020.<sup>5</sup> For now [July 2017], Vision 2020 remains government policy.
- b. *Programme for Accelerated Growth and Employment (PAGE)* – PAGE succeeded the (IMF-supported) Poverty Reduction Strategy Paper II and was The Gambia's development plan and investment programme during the period 2012-16, focusing on agriculture and infrastructure development.<sup>6</sup> PAGE served as the main interface between the Government and the donor community. A new national development plan is under consideration to cover the final stage of Vision 2020 and beyond (2018-21).
- c. *The Gambia Trade Policy 2011* – The trade policy, adopted in 2011, remains in force. The policy has the objective "to maintain an open and liberal trading environment", and use "international trade as an engine of economic revival, growth in industrial transformation and export diversification" for poverty reduction.<sup>7</sup> The policy statement affirms that the principal objective of the tariff policy was to maximize government revenues from international trade taxes (i.e. customs duties, excise taxes and VAT collected on imports), rather than serving protectionist or infant-industry purposes. However, it recognizes that a tariff-for-revenue policy is not conducive to the promotion of domestic industry or export diversification; and that reliance on trade taxes may not be viable in the long term with the implementation of the ECOWAS CET and the EU-West Africa Economic Partnership Agreement. Trade policy should focus on measures to improve competitiveness; support production activities for the domestic and international markets; establish and strengthen infrastructure for enhanced market access abroad; ensure a fair trading environment for producers and consumers; establish an efficient trade information system; and strengthen bilateral, regional and multilateral trade cooperation. For concrete measures, the trade policy statement refers to the action matrix provided by the Diagnostic Trade Integration Study (DTIS) of 2007.
- d. *MOTIE Medium-Term Plan (2016-20)* - The 2007 DTIS under the EIF was updated in 2013.<sup>8</sup> While there has been little change regarding the prioritization of efforts

<sup>5</sup> Office of the President online information. Viewed at: <http://statehouse.gov.gm/vision-2020-overview/#>.

<sup>6</sup> European External Action Services (EEAS) online information. Viewed at: [http://eeas.europa.eu/archives/delegations/gambia/documents/about\\_us/page\\_2012\\_2015\\_en.pdf](http://eeas.europa.eu/archives/delegations/gambia/documents/about_us/page_2012_2015_en.pdf).

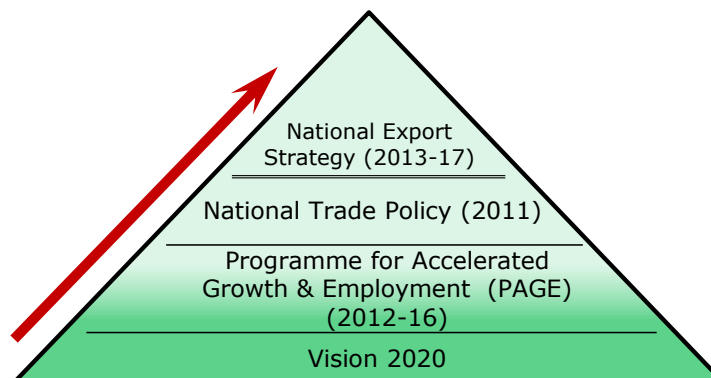
<sup>7</sup> MOTIE (2011), *The Gambia Trade Policy 2011*. Viewed at: [http://www.motie.gov.gm/images/stories/The-Gam-Trade-Policy-2010-\(final\).pdf](http://www.motie.gov.gm/images/stories/The-Gam-Trade-Policy-2010-(final).pdf).

<sup>8</sup> Enhanced Integrated Framework (2013), *Diagnostic Trade Integration Study Update for The Gambia: Harnessing Trade for Growth and Employment*. Viewed at:

(agriculture, fisheries, business environment and governance), the revised DTIS recommends, *inter alia*, creating programmes in the fishery sector to improve business opportunities for women. The findings of the DTIS Update Study were incorporated, in part, in the Medium-Term Plan that guides the work of the MOTIE.

- e. *National Export Strategy 2013-17* – The national export strategy was developed to develop and diversify the country's export base, and to complement PAGE and the national trade policy.<sup>9</sup> The targeted sectors are the traditional ones (groundnuts, cashew nuts, fisheries, horticulture, tourism, manufacturing, and re-exports). The Gambia Investment and Export Promotion Agency (GIEPA) is responsible for implementation of the strategy (currently under review).

**Chart 2.1 Hierarchy of government trade policy, 2017**



Source: Information provided by the authorities.

## 2.3 Trade Agreements and Arrangements

### 2.3.1 WTO

2.9. The Gambia has been a WTO Member since 23 October 1996. As a least-developed country, it is a beneficiary of the special and differential treatment provisions applicable to LDCs under WTO agreements. The Gambia is not a party to any of the WTO plurilateral agreements and has not been involved in any WTO dispute settlement procedures (as of July 2017). The Gambia deposited its instrument of acceptance of the Trade Facilitation Agreement (TFA) on 11 July 2017. As at the end of September 2017, The Gambia has not yet submitted its Category A notification.

2.10. The Gambia is committed to the multilateral trading system.<sup>10</sup> The Gambia has no mission in Geneva; its embassy in Brussels, staffed with one trade attaché, serves as a contact point in WTO matters. In the period under review, The Gambia provided 21 notifications to the WTO (Table A2.2), including a number of "nil" notifications (e.g. inexistence/non-application of agricultural export subsidies, contingency measures, and pre-shipment inspection) and a number of substantive notifications (e.g. regarding TBT, intellectual property). Some notifications (e.g. domestic support in agriculture) remain outstanding.

2.11. The Gambia is a member of the LDC and ACP groups, the African Group, the G-90, and the "W52" sponsors.<sup>11</sup> At the tenth WTO Ministerial Conference at Nairobi, The Gambia emphasized the

<http://www.enhancedif.org/en/document/diagnostic-trade-integration-study-update-gambia-harnessing-trade-growth-and-employment>.

<sup>9</sup> GIEPA online information. Viewed at:

[http://www.giepa.gm/sites/default/files/NESFinal\\_PostNationalVaidation.pdf](http://www.giepa.gm/sites/default/files/NESFinal_PostNationalVaidation.pdf).

<sup>10</sup> MOTIE (2011), The Gambia Trade Policy 2011. Viewed at:

[http://www.motie.gov.gm/images/stories/The-Gam-Trade-Policy-2010-\(final\).pdf](http://www.motie.gov.gm/images/stories/The-Gam-Trade-Policy-2010-(final).pdf).

<sup>11</sup> The "W52" sponsors support a proposal for modalities in the negotiations on geographical indications (establishing a multilateral register for wines and spirits, and extending the higher level of protection beyond wines and spirits), and for patent applicants to disclose the origin of genetic resources and traditional knowledge used in their inventions. Viewed at:

[http://www.wto.org/english/tratop\\_e/dda\\_e/negotiating\\_groups\\_e.htm](http://www.wto.org/english/tratop_e/dda_e/negotiating_groups_e.htm).

relevance of Aid for Trade and called on WTO Members to: provide LDCs with enhanced technical assistance to increase their capacity for services exports; operationalize the LDC Services Waiver; implement the Hong Kong Ministerial Decision on duty-free and quota-free market access for LDCs; and widen the scope of the preferential rules of origin.<sup>12</sup>

### 2.3.2 Regional and preferential agreements

#### 2.3.2.1 Economic Community of West African States (ECOWAS)

2.12. The Gambia is a founding member of the ECOWAS, established in 1975.<sup>13</sup> Its main trade-related preferential arrangements concern duty removal of import duties on certain imports from other ECOWAS member States under the ECOWAS Trade Liberalization Scheme (see below). The ECOWAS legislation implemented by The Gambia includes the following:

- a. *Common External Tariff (CET)* – The Gambia applies CET to all of its trading partners, including other ECOWAS member States. The first ECOWAS CET with four bands was implemented by The Gambia (with many deviations from the CET) from 2010.<sup>14</sup> ECOWAS members decided in 2013<sup>15</sup> to implement a (new) five-band ECOWAS CET from 1 January 2015 (based on the HS 2012 nomenclature).<sup>16</sup> The Gambia has implemented the new CET with a two-year delay from 1 January 2017 (Section 3.1.3.1).
- a. *ECOWAS Community Levy* – To finance the activities of ECOWAS, a Community Levy applies in member states. The Gambia has applied the levy since the beginning, according to the authorities.<sup>17</sup> The Government raised the levy on 1 January 2013 from 0.5% to 1% of the c.i.f. value of imports as a temporary measure in order to pay its contribution arrears.<sup>18</sup>
- b. *ECOWAS Trade Liberalization Scheme (ETLS)* – The purpose of the scheme is to improve intra-ECOWAS trade by removing import duties and taxes on qualifying products, including agricultural and industrial products (Section 3.1.2).
- c. *ECOWAS Inter-State Road Transit Scheme (ISRT)* – Implementation of the ISRT began in July 2013 and is monitored by the national Committee on Market Access. Since July 2015, it is mandatory for transit goods to be entered under the ISRT (Section 3.1.1).
- d. *Free Movement of Persons, Right of Residence and Establishment*<sup>19</sup> – The Gambia has started issuing ECOWAS passports and is currently [July 2017] working on the

<sup>12</sup> The Gambia's Minister of Trade, Industry, Regional Integration and Employment. Tenth WTO Ministerial Conference, Nairobi, Kenya. December 2015. Viewed at: [https://www.wto.org/english/thewto\\_e/minist\\_e/mc10\\_e/statements\\_e/gmb\\_e.pdf](https://www.wto.org/english/thewto_e/minist_e/mc10_e/statements_e/gmb_e.pdf).

<sup>13</sup> The ECOWAS membership comprises 15 members: Benin, Burkina Faso, Côte d'Ivoire, Mali, Niger, Senegal, and Togo (members of the UEMOA), The Gambia, Ghana, Guinea, Nigeria, Sierra Leone (members of the West African Monetary Zone), Cabo Verde, Guinea-Bissau, and Liberia.

<sup>14</sup> ECOWAS Decision A/DEC. 17/01/06, as amended by the Supplementary Act A/SA.1/06/09. A joint ECOWAS/WAEMU Committee for the management of the ECOWAS CET was created by Decision A/DEC. 14/01/06. Viewed at: <http://www.ecowas.int/wp-content/uploads/2015/01/2-Customs-Value.pdf>. Entry into force of the first ECOWAS CET was 1 January 2006.

<sup>15</sup> ECOWAS Heads of State and Government decided at a summit in Dakar on 25 October 2013 that the CET would come into effect in member States on 1 January 2015 (Regulation C/REG.1/06/13 and Regulation C/REG.2/06/13). Viewed at: <http://www.ecowas.int/ecowas-cet-will-be-implemented-as-of-january-2015/> and <http://www.ecowas.int/ecowas-law/regulations-directives-and-other-acts/70th-ordinary-session-of-council-of-ministers/>.

<sup>16</sup> Declaration of Heads of State and Government of the ECOWAS on the Implementation of the ECOWAS Common External Tariff (CET), 15 December 2014, Abuja. Viewed at: <http://www.ecowas.int/wp-content/uploads/2015/01/2-CET-Implementation.pdf>.

<sup>17</sup> Recommendation C/REG. 1/06/13. Viewed at: <http://www.ecowas.int/wp-content/uploads/2015/01/22-Community-Levy-Integrated.pdf>.

<sup>18</sup> Ministry of Finance and Economic Affairs (2013), "Budget Speech 2013", p. 42.

<sup>19</sup> ECOWAS Protocol A/P1/5/79 on the Free Movement of Persons, Right of Residence and Establishment and Protocol A/SP.1/7/85 on the Code of Conduct for the implementation of the Protocol on the Free Movement of Persons, Right of Residence and Establishment. Viewed at: <http://www.ecowas.int/ecowas-law/find-legislation/45th-ordinary-session-of-the-authority-of-heads-of-state-and-government-accra-10-11-july-2014/>



introduction of the ECOWAS Biometric ID Card.<sup>20</sup> Entry visas and permits for ECOWAS nationals have been abolished. The Gambia has also introduced the ECOWAS Travel Certificate (in lieu of a passport) to facilitate the movement of persons.

2.13. The Gambia is a participant in the West African Power Pool (WAPP), a specialized agency of ECOWAS, with the mandate of promoting and developing electricity generation and transmission infrastructures and to coordinate electricity trade among the ECOWAS member States.<sup>21</sup> The National Water and Electricity Company (NAWEC) of The Gambia is a member utility of the WAPP. However, The Gambia is not connected to the regional electricity grid at present.

2.14. The Gambia is a member of the West African Monetary Zone (WAMZ).<sup>22</sup> Since the early 1980s, the ECOWAS members have envisaged the establishment of a monetary union. In the first stage, a single currency (the Eco) was to be created within the WAMZ, which was to be merged later with the West African Economic and Monetary Union (WAEMU).<sup>23</sup> However, the plan to launch an (intermediate) WAMZ currency union by 2015 was postponed several times and eventually abandoned. In 2014, the ECOWAS authorities decided instead to prepare directly for the creation of a single currency among all 15 ECOWAS members by 2020.<sup>24</sup>

### 2.3.3 Other agreements and arrangements

#### 2.3.3.1 Preferential treatment accorded by The Gambia's trading partners

2.15. The Gambia is eligible as a beneficiary of non-reciprocal duty-free or preferential treatment under the GSP schemes implemented by a number of industrialized trade partners, including Australia, Canada, the European Union (Everything But Arms), Iceland, Japan, Kazakhstan, New Zealand, Norway, the Russian Federation, Switzerland, Turkey, and the United States.<sup>25</sup>

2.16. As an LDC, The Gambia also benefits from duty-free or preferential treatment under LDC-specific schemes offered by a number of trade partners, including: Chile; China; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei); the European Union (Everything But Arms); India; the Republic of Korea; Morocco; Kyrgyz Republic; Tajikistan; and Thailand.<sup>26</sup>

#### *European Union*

2.17. The Gambia has been eligible as an LDC to benefit from preferential treatment granted by the European Union under the Everything but Arms (EBA) initiative since its introduction in 2001.<sup>27</sup>

2.18. The Gambia is one of the 79 ACP countries with which the EU signed the Cotonou Agreement on 23 June 2000 (replacing the Lomé Convention), providing for non-reciprocal preferential treatment to all ACP countries (except South Africa) until 31 December 2007.<sup>28</sup> The Cotonou Agreement envisaged that new trading arrangements between the EU and the ACP countries would take effect from January 2008 (Article 37.1). However, negotiations for a regional

<sup>20</sup> Decision A/DEC.01/12/14, amending Decision A/DEC.2/7/85 establishing a Travel Certificate. <http://www.ecowas.int/wp-content/uploads/2015/01/3-Travel-Certificate.pdf>.

<sup>21</sup> ECOWAS and WAPP online information. Viewed at: <http://www.ecowas.int/specialized-agencies/the-west-african-power-pool-wapp/> and <http://www.ecowapp.org/>.

<sup>22</sup> The WAMZ comprises The Gambia, Ghana, Guinea, Liberia, Nigeria, and Sierra Leone.

<sup>23</sup> The WAEMU was established in 1994 by Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, and Togo. The francophone member countries already shared a common currency, the CFA franc.

<sup>24</sup> Ferdinand Bakoup and Daniel Ndoeye (2016), African Development Bank Group. "Why and when to introduce a single currency in ECOWAS". Viewed at: [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AEB\\_Vol\\_7\\_Issue\\_1\\_2016\\_Why\\_and\\_when\\_to\\_introduce\\_a\\_single\\_currency\\_in\\_ECOWAS.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AEB_Vol_7_Issue_1_2016_Why_and_when_to_introduce_a_single_currency_in_ECOWAS.pdf).

<sup>25</sup> WTO online information. Viewed at: <http://ptadb.wto.org/Country.aspx?code=270>.

<sup>26</sup> WTO online information. Viewed at: <http://ptadb.wto.org/Country.aspx?code=270>.

<sup>27</sup> Under the EBA, the EU grants duty-free and quota-free access to all LDCs for all exports, except arms and ammunition.

<sup>28</sup> At the Doha Ministerial Conference, WTO Members granted the waiver from the obligations under Article I:1 of GATT 1994 (MFN treatment), requested by the parties to the Agreement, for the period up to 31 December 2007. WTO document WT/MIN/(01)/15, 14 November 2001.



Economic Partnership Agreement (EPA) between the EU and West Africa were not closed until February 2014.<sup>29</sup> The EPA was initialled on 30 June 2014 between the EU and 16 West African States (Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, The Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo), the Economic Community of West African States (ECOWAS) and the West African Economic and Monetary Union (WAEMU).<sup>30</sup> After signature by all parties, the EPA must be ratified by the EU member States and two-thirds of the West African States in order to enter into force.<sup>31</sup> As of July 2017, all parties had signed the EPA, except Mauritania, Nigeria and The Gambia. According to the authorities, The Gambia is at present [July 2017] considering the signing of the EPA.

2.19. While the EPA is a reciprocal agreement, the parties agreed to take into account the level of development in the West African region and introduce special and differential treatment and progressive asymmetric liberalization.<sup>32</sup> The EPA establishes tariff liberalization periods (between 5 and 20 years) for different categories of products in order to allow the West African region to progressively reduce or eliminate customs duties<sup>33</sup>; and provides for a transitional period of 5 years for introducing modern customs techniques and the single administrative document for import/export customs declarations.<sup>34</sup>

2.20. According to EU data, Gambian imports from the EU increased from €113 million in 2010 to €136 million in 2016, while its exports to the EU decreased from €18 million in 2010 to €15 million in 2016.<sup>35</sup> In 2016, 70% of Gambian exports to the EU benefited from the EBA regime (€9.9 million).<sup>36</sup>

#### United States

2.21. The Gambia was eligible as a beneficiary under the African Growth and Opportunity Act (AGOA) of the United States during the period December 2002 to December 2014. Enacted in 2000, the AGOA grants duty-free access to the U.S. market for qualifying Sub-Saharan African countries, conditional on meeting certain requirements such as improvement of the rule of law, human rights, and respect of core labour standards.<sup>37</sup> From April 2008, The Gambia was granted a "textile visa" whereby it qualified for AGOA's special textile and clothing provisions. Its eligibility under AGOA was terminated by the United States on 1 January 2015 for lack of progress in meeting certain eligibility requirements.<sup>38</sup> The Gambia has expressed its willingness to apply for readmission.

2.22. According to US data, Gambian imports from the United States increased from US\$29.3 million in 2010 to US\$40.2 million in 2016, while exports to the United States declined from US\$3.1 million in 2010 to US\$0.7 million in 2016.<sup>39</sup> The Gambia has not exported under AGOA in 2012-14, while 20% of Gambian exports to the United States in 2015 benefited from the GSP regime (US\$176,000); and 4% in 2016 (US\$26,000).<sup>40</sup>

#### 2.3.3.2 Others

2.23. In addition to the WTO, The Gambia is a member of the following multilateral economic organizations or groupings: Food and Agriculture Organization (FAO), G-77, World Bank,

<sup>29</sup> European Commission online information, "Overview of Economic Partnership Agreements" (updated in April 2017). Viewed at: [http://trade.ec.europa.eu/doclib/docs/2009/september/tradoc\\_144912.pdf](http://trade.ec.europa.eu/doclib/docs/2009/september/tradoc_144912.pdf).

<sup>30</sup> See the EU's early announcement of the EU-West Africa EPA at: <http://rtais.wto.org/UI/PublicShowMemberRTAIDCard.aspx?rtaid=896>.

<sup>31</sup> EPA Article 107. The EU has "stepping stone" EPAs in place with Côte d'Ivoire and Ghana.

<sup>32</sup> EPA Article 53.3.

<sup>33</sup> EPA Article 10 and Annex C.

<sup>34</sup> EPA Article 44.

<sup>35</sup> European Commission (2017), *Trade in goods with The Gambia*, 17 February, p. 8. Viewed at: [http://trade.ec.europa.eu/doclib/docs/2011/january/tradoc\\_147283.pdf](http://trade.ec.europa.eu/doclib/docs/2011/january/tradoc_147283.pdf).

<sup>36</sup> Eurostat database.

<sup>37</sup> AGOA online information. Viewed at: <https://agoa.info/about-agoa.html>.

<sup>38</sup> U.S. President's Proclamation to take action under the AGOA, 23 December 2014. Viewed at: <https://agoa.info/images/documents/2451/agoa-proclamation-23-12-2014.pdf>.

<sup>39</sup> U.S. Department of Commerce. Viewed at: <https://www.census.gov/foreign-trade/balance/c7500.html> and <https://agoa.info/profiles/gambia.html>.

<sup>40</sup> U.S. ITC database.

International Fund for Agricultural Development, International Labour Organization (ILO), IMF, International Telecommunications Union, Islamic Development Bank, Multilateral Investment Guarantee Agency, Organization of the Islamic Conference, United Nations, United Nations conference on Trade and Development (UNCTAD), Universal Postal Union, World Customs Organization, World Intellectual Property Organization, World Meteorological Organization, and World Tourism Organization. Following its withdrawal from the Commonwealth in October 2013, The Gambia is in the process of re-joining the association under the new Government.

2.24. The Gambia is a founding member of the African Union and a signatory to its economic development programme, the New Partnership for African Development (NEPAD) created in 2010. The Gambia is also a member of the African Economic Community (AEC), which provides for the creation of a Pan-African Economic and Monetary Union (by 2028). Moreover, The Gambia is a member of the Permanent Inter-State Committee for Drought Control in the Sahel (*Comité Permanent Inter-États de Lutte contre la Sécheresse dans le Sahel* – CILSS).<sup>41</sup>

2.25. The Gambia has signed bilateral trade (cooperation and promotion) agreements with Ethiopia, Mauritania, Nigeria, and Tunisia.

## 2.4 Investment Regime

2.26. The legal framework for the establishment of a business in The Gambia has been revised since the last TPR in 2010 and comprises the Companies Act, 2013; the Single Window Registration Act, 2013; and the GIEPA Investment and Export Promotion Agency Act, 2015.<sup>42</sup>

2.27. Following the enactment of the Single Window Registration Act, 2013<sup>43</sup>, a one-stop business registry was established in 2014 to provide for an electronic registration system and the registration of business names. The registry is located near the Ministry of Justice in Banjul, comprising the Registrar of Companies (Attorney General's Chambers and Ministry of Justice) and The Gambia Revenue Authority (GRA) (for business registration fees). Businesses may be registered in various forms, including as sole proprietorship, limited-liability company, joint venture or partnership.<sup>44</sup> While registration within one day is the norm for sole proprietorships, registration involves in practice several steps and institutions, including the municipal authorities (for a municipal trade licence), GRA (for payment of stamp duties and tax deposit, and receipt of a Tax Identification Number), and if applicable, licensing (permits) by sectoral regulators. The Gambia has a complex tax regime with numerous payroll taxes and charges (Section 3.3.1).<sup>45</sup>

2.28. In the Gambia, corporate income tax is payable on assessable profits of a company (including a branch of a foreign company) at a rate of 30% [July 2017]. If profits are below the "minimum income tax" threshold, the total revenue of an enterprise is subject to the tax at a rate of 1.5%.<sup>46</sup>

2.29. Capital gains tax is imposed on the consideration received or increase in the capital value of a capital asset between the date of acquisition and the date of its disposal. For a partnership, company or trustee, the tax is charged at 25% of the capital gain arising on disposal, or 10% of the sale price, whichever is higher. Capital gains of less than D 7,500 are exempted from the tax; exemptions also are applied to the sale of agricultural land, and a gain derived by a governmental institution or a charitable organization.

2.30. A withholding tax is applied at a rate of 15% to receipts from interest, dividends, royalties, and consulting and technical service fees, except that a rate of 10% is applied to a person who retains the services of a contractor or subcontractor to carry out work, or supply labour or materials. The withholding tax is not applied to the interest paid to financial institutions.

<sup>41</sup> Burkina Faso, Cabo Verde, Chad, The Gambia, Guinea-Bissau, Mali, Mauritania, Niger, and Senegal.

<sup>42</sup> UNCTAD has completed an Investment Policy Review – The Gambia (2017), publication forthcoming.

<sup>43</sup> WTO document G/TBT/N/GMB/1, 22 January 2014 (see also Table A2.2).

<sup>44</sup> For registration requirements, see GIEPA online information at: <http://www.giepa.gm/node/51> and MOTIE online information at: <http://www.gambiatradinginfo.org/business-requirements/export-business-registration-and-requirement>.

<sup>45</sup> See also IMF (2015).

<sup>46</sup> The tax rate on total revenue is 2.5% instead of 1.5% if a company is not audited for any reason.

2.31. In the National Export Strategy (Section 3.2.4), stakeholders expressed their concerns that the tax burden was too high, and urged the Government to review the tax structure to improve the business environment. The authorities noted that in order to address the concerns, reviews on income taxes and the value-added tax (VAT) were carried out in 2016, and that the regulations associated with the relevant acts have been drafted; the authorities further indicated that simplifying the overall tax structure as well as amendments to the income taxes acts, the VAT act, and the stamp duty act are under consideration.

2.32. A new GIEPA Investment and Export Promotion Agency Act, 2015 was enacted, following the repeal of the Gambia Investment and Export Promotion Act, 2010.<sup>47</sup> While the repealed legislation focused on foreign direct investment, the new Act expands the scope to cover investment by, and incentives for, local businesses (SMEs). The main features of the investment framework include the following:

- a. *Restrictions on foreign investment* – The Gambia is open to foreign and domestic investment in any "field of lawful economic activity" (Article 28) either through joint ventures, without any limits on foreign participation, or full ownership by Gambian or foreign citizens (Article 31). The only exclusions are activities prejudicial to national security, detrimental to the natural environment, public health or public morality, or that contravene the laws of The Gambia (Article 29). The Government may reserve the right to own some or all of the shares in an enterprise operating in a "strategic industry", designated as mining, petroleum exploration and refinery activities (Article 31). Investments relating to the exploitation of mineralogical, petroleum, and fisheries resources are subject to certain restrictions as stipulated in the Fisheries Act, the Mines and Quarries Act, and the Petroleum Act and Petroleum Exploration and Production Act. The Gambia also maintains a few statutory state monopolies in certain areas of activity (mainly utilities, such as NAWEC).

There is no mandatory screening of foreign investment, although such screening may be conducted as part of a due diligence exercise (by the Financial Intelligence Unit of the Central Bank) if there is suspicion of money laundering or terrorism financing (for investments in the tourism sector, see Section 4.4.4). Foreign investors have the right to import or export any product without restriction or limitation (except where specifically prohibited by law). There are no restrictions on foreign investors buying or leasing land, including farm land, according to the authorities. There are no restrictions on the repatriation of profits and dividends.<sup>48</sup>

- b. *Incentives* – The legislation provides for three types of incentives (Section 3.3.2):
  - i. *Special investment certificate (SIC)*. As in the previous GIEPA Act, the widest range and highest value of incentives is given to holders of Special Investment Certificates.
  - ii. *Export promotion incentives*. The act lists a number of (additional) incentives for investors within and outside export processing zones (Section 3.2.4).
  - iii. Support for micro, small, and medium-sized enterprises.
- c. *Administration* – The Gambia Investment and Export Promotion Agency (GIEPA) is responsible for attracting foreign investment and for the administration of the act and its regulations. The Agency is accountable to the Minister of Trade, Industry, Regional Integration, and Employment, while the Minister of Finance and Economic Affairs has the authority to grant (tax) incentives under the GIEPA Act, 2015 (Article 37).

2.33. The Gambia has concluded 16 bilateral investments treaties (BITs), of which: five are in force (Chinese Taipei, Morocco, Netherlands, Qatar, and Switzerland); and eleven are awaiting ratification (Guinea, Iran, Kuwait, Libya, Mali, Mauritania, Mauritius, Spain, Switzerland, Turkey

<sup>47</sup> Viewed at: <http://www.giepa.gm/sites/default/files/GIEPA%20Act%202015.pdf>.

<sup>48</sup> Schedule I of the GIEPA Act, 2015.

and Ukraine).<sup>49</sup> The Gambia is a member of the International Centre for the Settlement of Disputes (ICSID).

2.34. The Gambia has concluded double taxation agreements with Australia, Chinese Taipei, Denmark, Norway, Morocco, Mauritius, Switzerland, Sweden and the United Kingdom.

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<sup>49</sup> UNCTAD online information. Viewed at: <http://investmentpolicyhub.unctad.org/IIA>.

### 3 TRADE POLICIES AND PRACTICES BY MEASURE

#### 3.1 Measures Directly Affecting Imports

##### 3.1.1 Customs procedures, valuation, and requirements

3.1. In general, customs matters in The Gambia are governed by the ECOWAS regimes, where applicable; for example, in the areas of import duties (ECOWAS CET), rules of origin (ETLS) and transit (ISRT). The national Customs and Excise Act, 2010 (together with its Customs and Excise Regulations of August 2013) regulates other customs matters such as import restrictions.

3.2. The Gambia Revenue Authority (GRA) is responsible for customs matters, while other agencies, such as the Food Safety and Quality Authority (FSQA) and the Ministry of Agriculture, are responsible for SPS controls at the border.

3.3. According to the World Bank, trading across borders in The Gambia is more efficient than the average for the Sub-Saharan Africa region. Indeed, The Gambia was ranked number two in the region in terms of ease of cross-border trade in 2017 (following Mali).<sup>1</sup> It appears that compliance with the documentation requirements for imports is far less costly and time-consuming than completing other border procedures (Table 3.1). The authorities are of the view that the World Bank study includes some procedures that are not directly related to Customs and are therefore beyond the control of Customs.

**Table 3.1 Time and cost for imports to The Gambia, 2017**

		The Gambia	Sub-Saharan Africa average
Time to import (hours)	Border compliance	87	144
	Documentary compliance	32	107
Cost to import (US\$)	Border compliance	326	676
	Documentary compliance	152	320

Source: World Bank Group (2017), *Doing Business 2017: Equal Opportunity for All, Economy Profile 2017: The Gambia*. Viewed at: <http://www.doingbusiness.org/reports/global-reports/~media/WBG/DoingBusiness/documents/profiles/country/GMB.pdf>.

3.4. Any legal or natural person may engage in import/export business without prior registration. All imports, irrespective of its commercial or non-commercial<sup>2</sup> nature, must be declared when entering The Gambia. A declaration of commercial imports must be lodged in the electronic customs data system (ASYCUDA) by the traders or their appointed agents (such as customs brokers).<sup>3</sup> A pre-arrival declaration may be submitted to GRA before the cargo arrival. Customs usually takes less than one day to process a declaration.

3.5. In 2010, The Gambia upgraded its electronic data system from ASYCUDA 2.7 to ASYCUDA++ and completed the rollout of the system to all key border posts<sup>4</sup> in 2013. The authorities indicated that a further upgrade of the system to ASYCUDA World will be carried out in the near future. ASYCUDA allows all stakeholders along the customs clearance process to lodge and exchange information electronically. According to the authorities, all partner agencies expressing the need to be connected to the ASYCUDA++ are connected. For traders (including their agents) without computer facilities at their offices, GRA opened a Direct Trade Input centre at its headquarters to facilitate traders' access to ASYCUDA.

3.6. Upon payment of customs duties and other internal taxes (Section 3.1.5), traders apply for the release of imports from customs.<sup>5</sup> All imports are subject to customs inspection, with the

<sup>1</sup> World Bank Group (2017), *Doing Business 2017, Equal Opportunity For All, Economy Profile 2017: The Gambia*. Viewed at: <http://www.doingbusiness.org/reports/global-reports/~media/WBG/DoingBusiness/documents/profiles/country/GMB.pdf>.

<sup>2</sup> Non-commercial imports include those of personal effects or of small parcels by post.

<sup>3</sup> Simplified declaration methods are used at the land border posts where no customs brokers are present.

<sup>4</sup> These key posts include Banjul International Airport, Banjul Port, as well the three designated check points for transit traffic (Basse Santa Su, Farafenni, and Soma).

<sup>5</sup> Importers are required to pay the customs duties determined by GRA in order to clear imports from customs. Importers may dispute the customs valuation decision after the customs clearance.

inspection method being determined by risk profiling (ASYCUDA selectivity module). Importers of perishable goods may apply to Customs for a direct delivery permit, which allows imports to be released prior to paying customs duties and other taxes. There are no provisions on advance ruling.

3.7. The Customs and Excise Act, 2010 makes provision for an accredited user scheme (not yet implemented) with simplified procedures and fewer documentation requirements.<sup>6</sup> The benefits include, *inter alia*, acceptance of electronic declaration, partial processing of declaration prior to goods arrival, release of goods against simplified declaration,<sup>7</sup> and the scaling down of physical examination.

3.8. The Gambia implemented the ECOWAS Inter-State Road Transit (ISRT) Scheme in July 2013. Under the ISRT, transportation of goods is allowed by road from one customs office in one ECOWAS member State to another through one or more member States free of import duties, taxes, and restrictions while in transit. Additional measures put in place to ensure the operation of the ISRT include the setting of annual quotas between countries in respect of vehicles licensed to undertake interstate transport of goods; the development of regulations to govern the sharing of freight between the country of transit and the land-locked country for both transit goods and local goods from the country of transit; and the drawing up of itineraries for interstate traffic. Transit goods are no longer subject to customs escort as long as their seal is checked at designated checkpoints. Owners of transit goods are required to pay a "levy" to the national guarantor and deposit a bond with GRA to cover any irregularities that may occur during transit. The Gambia Chamber of Commerce and Industry (GCCCI) is the national guarantor for the ISRT, which applies a service charge of 0.25% of the c.i.f. price. Any registered business or agent may participate in the ISRT Scheme.

3.9. According to the authorities, using clearing agents (customs brokers) is in practice compulsory. A clearing agent must be licensed by GRA and must be a Gambian citizen. A clearing agent licence is valid for a calendar year, and renewable. There are 85 clearing agents licensed by GRA in 2017.

3.10. Disputes regarding Customs' decisions may be brought to the Customs Tribunal.<sup>8</sup> Importers may then refer the case to the High Court if they are not satisfied with the outcome of the Tribunal. The High Court's decision is final. According to the authorities, no appeal cases have been lodged since the Tribunal was established in 2012.

3.11. The Gambia's rules on customs valuation are (in practice) governed by the Customs and Excise Act, 2010 (Articles 173-178 and the Seventh Schedule of the Act), which brought its regime in line with the ECOWAS valuation system.<sup>9</sup> However, according to the authorities, The Gambia has yet to implement the latest ECOWAS regulation of 2013 regarding customs valuation [July 2017].<sup>10</sup>

3.12. As stipulated in the Customs and Excise Act, the provisions of the WTO Agreement on Customs Valuation are applied in The Gambia. The Gambia has notified the WTO that its laws, regulations and administrative procedures are in line with the provisions of the WTO Agreement.<sup>11</sup> Transaction values, generally c.i.f. prices, are used as a basis for customs valuation. In case of doubt, the GRA may require further information, and may use other methods of valuation set forth in the Seventh Schedule of the Act. The authorities consider that under-invoicing is the main problem in customs valuation.

3.13. The Gambia does not have pre-shipment inspection requirements.<sup>12</sup>

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<sup>6</sup> Article 34, Customs and Excise Act.

<sup>7</sup> A full declaration must be submitted within a prescribed time limit after the release.

<sup>8</sup> Article 261, Customs and Excise Act.

<sup>9</sup> WTO (2010), *Trade Policy Review: The Gambia*, Geneva.

<sup>10</sup> Regulation C/REG.2/06/13 Determining the Customs Value of Products in ECOWAS of 21 June 2013.

Viewed at: <http://www.ecowas.int/wp-content/uploads/2015/01/2-Customs-Value.pdf>.

<sup>11</sup> WTO documents G/VAL/N/1/GMB/1, 11 April 2014; and G/VAL/N/4/GMB/1, 1 May 2014.

<sup>12</sup> WTO document G/PSI/N/1/Rev.1/Add.4, 1 May 2014.



### 3.1.2 Rules of origin

3.14. The Gambia does not have non-preferential rules of origin.<sup>13</sup> The Gambia applies the ECOWAS preferential rules of origin for goods entering duty-free under the ECOWAS Trade Liberalization Scheme (ETLS).<sup>14</sup> The ETLS covers the following products: agriculture and livestock products; fishery products; mining products; artisanal handicrafts; and industrial goods.

3.15. The ECOWAS rules of origin are expressed as:

- Wholly produced criterion;
- A change of HS tariff sub-heading criterion; or
- Value-added criterion.

3.16. Goods are regarded as wholly produced within ECOWAS if at least 60% of the raw materials used in their production originate from the ECOWAS region. Regarding the value-added criterion, the goods are considered as ECOWAS originating if the materials used in producing the product receive a value addition in the production process of at least 30% of the ex-factory price of the finished goods. Regional cumulation within the ECOWAS region is allowed under the rules.

3.17. A harmonized ECOWAS Certificate of Origin is required under the ETLS.<sup>15</sup> Products that satisfy ECOWAS rules of origin from ETLS-certified enterprises can enter The Gambia duty-free. In 2002, ECOWAS adopted a new procedure for approval of industrial products, which led to the establishment of a National Approvals Committee (NAC) in each member State. The NAC is responsible for issuing the enterprise-specific and product-specific ECOWAS certificates, after approval by the ECOWAS Commission.<sup>16</sup> The ECOWAS Commission maintains a list of approved enterprises (22 for The Gambia) and approved products.<sup>17</sup>

### 3.1.3 Tariffs

#### 3.1.3.1 Applied MFN customs duties

3.18. In overview, The Gambia has implemented the new five-tiered ECOWAS Common External Tariff without exceptions since 1 January 2017. The tariff reform entails adjustments in the customs duty rates for nearly two-thirds of all tariff lines, taking the Customs Tariff of 2010 of The Gambia as a benchmark.<sup>18</sup> Under the ECOWAS CET, the average level of nominal protection for The Gambia is lower than that under the 2010 Customs Tariff of The Gambia, and a wider range of products is now classified as inputs (essential commodities, raw materials, and capital goods), which have had their applied rates reduced to 5%. However, the ECOWAS CET is considered problematic in a number of sectors from the point of view of competitiveness or food security. Furthermore, actual applied tariffs differ from the statutory rates because of widespread tariff relief (exemptions, remissions). Tariff relief is one of the key parameters when assessing the new CET in terms of tax revenues and tariff protection.

3.19. The Customs Tariff of 2010 of The Gambia is the benchmark for purposes of this analysis. The previous major tariff reform in the Gambia was undertaken in 2010 when it moved towards the (then) four-band Common Customs Tariff of ECOWAS (itself based on the customs tariff originally applied by WAEMU/UEOMA).<sup>19</sup> Although The Gambia's Customs Tariff was then based on the four-tier ECOWAS CET of zero, 5%, 10% and 20%, the rates of thousands of lines differed. With the adoption of the new customs tariff in 2010, The Gambia's simple average applied MFN

<sup>13</sup> WTO document G/RO/N/109, 31 January 2014.

<sup>14</sup> ECOWAS Protocol A/P/1/03 of 31 January 2003. Viewed at: <http://www.etls.ecowas.int/etls/about-etls/>.

<sup>15</sup> No certificate is required for agricultural, livestock products and handicraft goods.

<sup>16</sup> Regulation REG./3/4/02 of 23 April 2002. Viewed at: <http://www.aidfortrade.ecowas.int/programmes/ecowas-trade-liberalization-scheme-etls>.

<sup>17</sup> ECOWAS Commission online information, "Approved Products". Viewed at: <http://www.etls.ecowas.int/approved-products/>.

<sup>18</sup> The changes affect 3,820 lines at HS12 ten-digit level (65% of the total), when compared with The Customs Tariff of 2010.

<sup>19</sup> Decision A/DEC.17/1/06 Adopting the ECOWAS Common External Tariff by the Authority of Heads and State and Government, Niamey, 12 January 2006. Cited at: <http://www.ecowas.int/wp-content/uploads/2015/01/1-Tariff-and-Statiscal-Nomenclature.pdf>.

tariff rate declined to 14.1% (down from 19%) and the share of duty-free tariff lines increased to 15.1% (up from 0.7%). This reform was covered in the previous TPR of The Gambia.<sup>20</sup>

3.20. Since 2010, a few tariff adjustments have been made. For instance, with effect from 1 January 2013, the applied MFN tariffs were increased for rice (to 5%, up from zero); and sugar, flour, and cooking oil (to 20%, up from 5%).<sup>21</sup>

3.21. On 25 October 2013, the Heads of State and Government of ECOWAS adopted a new five-tiered ECOWAS CET, which took effect on 1 January 2015.<sup>22</sup> As of July 2017, it is being applied by all ECOWAS members with the exception of Cabo Verde and Liberia [July 2017]. In The Gambia, the ECOWAS CET entered into force – with a two-year delay – on 1 January 2017.<sup>23</sup>

3.22. The following are some of the main features of the ECOWAS CET, as applied by The Gambia.

- a. *Structure* – The ECOWAS members introduced a fifth tier, at 35%. Previously, the maximum tariff was 20%. The tariff classification consists of essential social commodities (duty-free); essential commodities, raw materials, and capital goods (rate of 5%); intermediate products (rate of 10%); consumer goods (rate of 20%); specific goods for economic development (rate of 35%). The new maximum tariff applies at 35% to 130 tariff lines (2.2% out of a total of 5,899 tariff lines at HS12 ten-digit level, Table A3.1). It covers selected agricultural products; cotton (HS52), and soap and products (HS34).
- b. *Tariff average* – The simple average MFN customs duty rate of the new CET (12.3%) is lower than The Gambia's simple average applied MFN tariff in 2010 (14.1%) (Table 3.2). Tariffs on agricultural products (WTO definition) average 15.5% (down from 16.5%) and the average tariff on non-agricultural products is 11.7% (down from 13.7%). The highest tariffs apply, on average, to live animals and meat (24.1%, up from 15.2%), and clothing (20%). The new common tariff shows a classic pattern of tariff escalation providing higher effective than nominal protection to goods classified as consumer goods and economic development goods (Table A3.2).

**Table 3.2 Structure of applied MFN tariffs – The Gambia Customs Tariff 2010 and ECOWAS CET**

(%)		2010	2017	Final bound <sup>a</sup>
1.	Bound tariff lines (% of all tariff lines)	n.a.	n.a.	14.8
2.	Simple average applied MFN tariff rate	14.1	12.3	103.4
	Agricultural products (WTO definition)	16.5	15.5	105.1
	Non-agricultural products (WTO definition)	13.7	11.7	61.3
	Agriculture, hunting, forestry and fishing (ISIC 1)	15.5	11.9	106.3
	Mining and quarrying (ISIC 2)	7.5	5.1	40.0
	Manufacturing (ISIC 3)	14.1	12.4	102.4
3.	Duty-free tariff lines (% of all tariff lines)	15.1	1.4	0.0
4.	Simple average rate of dutiable lines only	16.6	12.4	103.4
5.	Tariff quotas (% of all tariff lines)	0.0	0.0	0.0
6.	Non- <i>ad valorem</i> tariffs (% of all tariff lines)	0.0	0.0	0.0
7.	Domestic tariff peaks (% of all tariff lines) <sup>b</sup>	0.0	0.0	0.0
8.	International tariff peaks (% of all tariff lines) <sup>c</sup>	57.5	38.9	14.8

<sup>20</sup> WTO (2010), *Trade Policy Review of The Gambia*, Geneva.

<sup>21</sup> Ministry of Finance and Economic Affairs (2016), "Budget Speech 2013", p. 41.

<sup>22</sup> Declaration of Heads of State and Government of the ECOWAS on the Implementation of the ECOWAS Common External Tariff (CET), 15 December 2014, Abuja. Viewed at: <http://www.ecowas.int/wp-content/uploads/2015/01/2-CET-Implementation.pdf>.

<sup>23</sup> It appears that the ECOWAS CET, as of January 2017, is identical with the original ECOWAS CET of 2015, apart from 43 amendments between 2015 and 2017. These amendments have not been taken into account in the Secretariat's tariff analysis.



		2010	2017	Final bound <sup>a</sup>
9.	Overall standard deviation of applied rates	7.5	7.5	21.0
10.	Coefficient of variation	0.5	0.6	0.2
11	Nuisance applied rates (% of all tariff lines) <sup>d</sup>	0.0	0.0	0.0

n.a. Not applicable.

a Final bound rates are based on The Gambia's schedule of concessions in HS 2012 version from the Consolidated Tariff Schedules (CTS) Database. Calculations are based on total tariff lines.

b Domestic tariff peaks are defined as those exceeding three times the overall simple average applied rate.

c International tariff peaks are defined as those exceeding 15%.

d Nuisance rates are those greater than zero, but less than or equal to 2%.

Note: The 2010 tariff is based on HS07 nomenclature consisting of 5,091 tariff lines (at the 8-digit tariff line level). The 2017 tariff is based on HS12 nomenclature consisting of 5,899 tariff lines (at the 10-digit tariff line level).

Source: WTO Secretariat calculations based on tariff information provided by authorities and WTO IDB database.

c. *Reclassification* – There are some important shifts in the distribution of tariffs owing to reclassification of tariff lines. In particular, tariff lines were reattributed to the 5% tier of "essential commodities, raw materials, and capital goods" (Chart 3.1). The total number of tariff lines that are now classified as "essential commodities/raw materials/capital goods" increased almost ten-fold (to 2,146 tariff lines compared with 225 lines in the 2010 customs tariff). As a result, the share of all tariff lines that are within the second band (5% tier) has increased to 36.4% of tariff lines (up from 3.8%). The reattribution to the second band has three "origins", as can be seen in Table A3.3 (providing a breakdown of the tariff shifts from the 2010 customs tariff to the ECOWAS CET):

i. Products previously classified as essential social commodities (duty-free) that are now subject to a 5% tariff rate (second band) (see arrow in Chart 3.1). Products affected by the tariff increase include, for example, capital goods (HS 84, 85, 86, 88 and 90) – 412 tariff lines. Live animals (HS 01 all lines) were duty-free in the 2010 customs tariff, whereas tariffs in the ECOWAS CET are set at 5% (13 tariff lines) or 10% (25 tariff lines).

ii. Products previously classified as consumer goods that are now in the second band, as indicated by the arrow in Chart 3.1 (with tariffs reduced from 20% to 5%). For example, capital goods (HS 84 and 85 – 179 tariff lines); plastics (HS 39 – 65 tariff lines); iron and steel (HS 72 – 48 tariff lines) (Table A3.3).

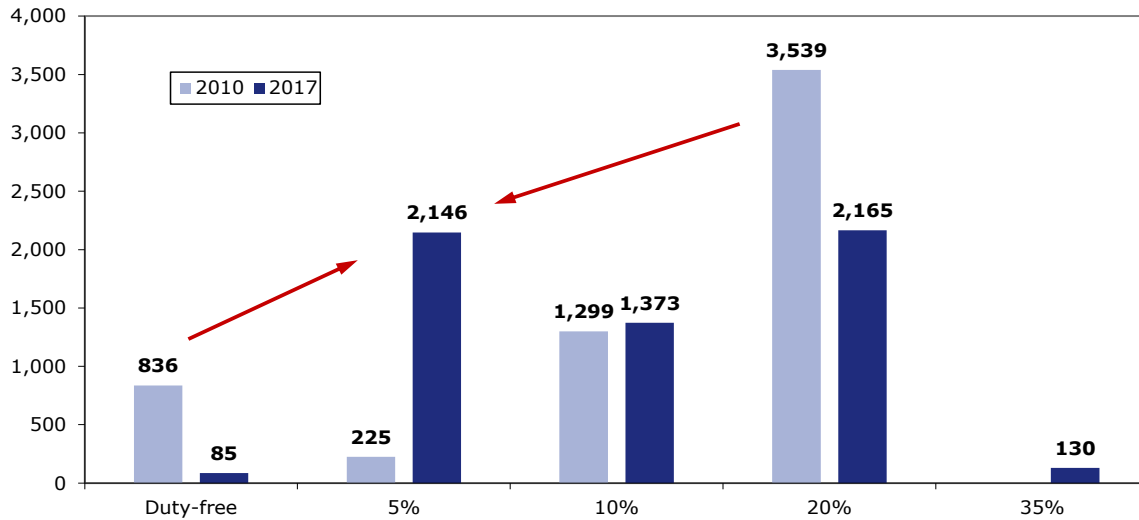
iii. Products previously classified as intermediate products that are now in the second band (with tariffs reduced from 10% to 5%). For example, iron and steel (HS 72) – 71 tariff lines; or organic chemicals (HS 29) – 342 tariff lines (Table A3.3).

3.23. Table 3.3 and Chart 3.2 show the tariff shifts between bands, when moving from the 2010 customs tariff to the ECOWAS CET. The numbers in bold (Table 3.3) or bars outlined in bold (Chart 3.2) indicate the number of tariff lines remaining unchanged. For example, the 2010 customs tariff had 836 duty-free tariff lines, of which: 40 remain duty-free; 701 become dutiable at 5%; 68 at 10%; 27 at 20%; and no tariff lines are shifted into the 35% band.

3.24. For previously duty-free tariff lines (first band) or subject to 5% duty (second band), the new ECOWAS CET results in more tariff increases than decreases (see orange areas in Table 3.3); and for the tariff lines previously in the third and fourth tier (10% or 20% tariff), the new CET results in more tariff decreases than increases. On balance, with the tariff reclassification, the simple average tariff rate is reduced, albeit not significantly (from 14.1% to 12.3%).

**Chart 3.1 Distribution of applied MFN tariffs – The Gambia Customs Tariff 2010 versus ECOWAS CET**

Number of tariff lines



Note: For the purposes of comparison between applied MFN rates of the 2010 customs tariff and the ECOWAS CET (where the HS nomenclature and the number of tariff lines differ), the 2010 tariffs (HS 2007 nomenclature) are aligned with the ECOWAS CET schedule (HS 2012 nomenclature) using the WCO correlation table. This chart is based on a standardized set of 5,899 tariff lines (based on the ECOWAS CET schedule) for 2010 and 2017. Therefore, Table 3.2 and Chart 3.1 do not show exactly the same results. See also the note to Table 3.2.

Source: WTO Secretariat estimates, based on tariff information provided by the authorities and WTO IDB database.

3.25. Overall, the reattribution of products to the second tariff band (essential commodities/raw materials/capital goods) should enhance the competitiveness of the economy, other factors remaining equal. Moreover, the average level of nominal protection has been slightly reduced. However, the new CET raises a number of issues for individual products. First, it considerably reduces the scope (number) of essential social commodities (first band) benefitting from duty-free treatment. Only 1.4% of lines remain duty-free (down from about 15% in the 2010 customs tariff), as 796 previously duty-free tariff lines were moved to the bands with higher tariffs ranging from 5% to 35% (Table 3.3). For example, rice is the main staple of the population; the country's needs are largely imported, and imports were duty-free, but the new rice tariffs range up to 10% (husked rice, semi-milled or wholly-milled rice, and broken rice). The consumers will have to face the bill of higher customs duties for these products. Second, the new CET may give rise to issues of competitiveness for some products, where the total border taxation appears to be high (tariff plus VAT and ECOWAS levy and other charges). For instance, the CET tariffs for packaging material (HS 48), where The Gambia relies on imports, range from 5 to 20% under the new CET, which including other taxes may result in a total border taxation of up to 40%.

**Table 3.3 The Gambia Customs Tariff 2010 and ECOWAS CET, by band**

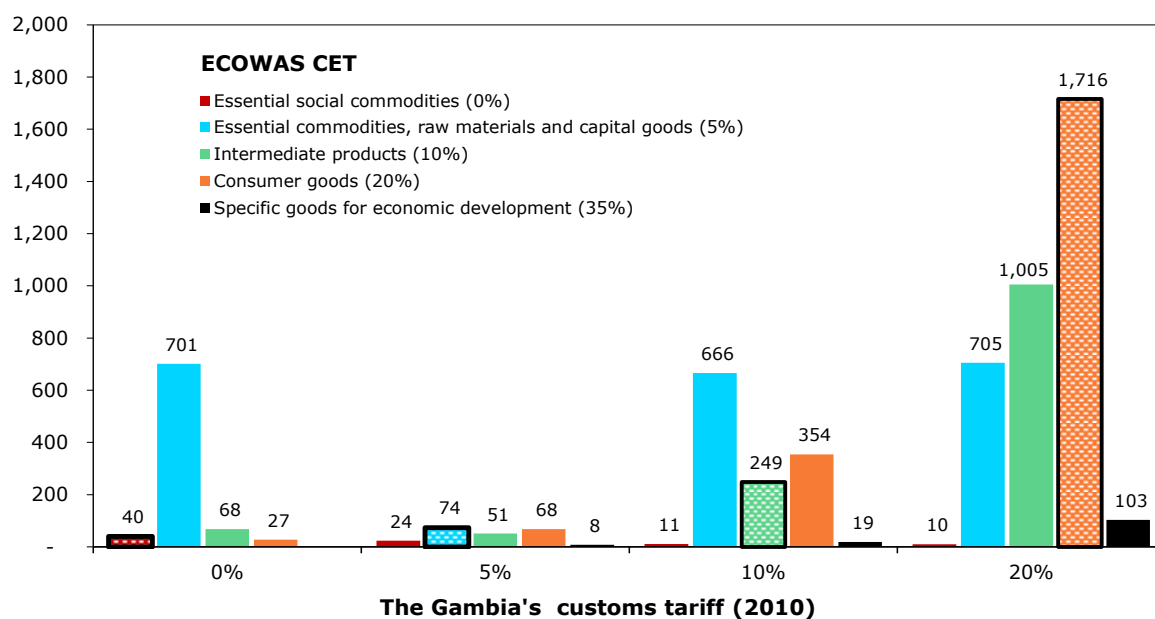
		ECOWAS CET					Total
		0	5	10	20	35	
The Gambia tariff (2010)	0	40	701	68	27	0	836
	5	24	74	51	68	8	225
	10	11	666	249	354	19	1,299
	20	10	705	1,005	1,716	103	3,539
	Total	85	2,146	1,373	2,165	130	5,899

Note: 1. See the note to Chart 3.1.  
2. Areas in orange refer to increases in duty rates, areas in green to tariff reduction, and grey to no tariff changes in the ECOWAS, compared with The Gambia's customs tariff in 2010.

Source: WTO Secretariat estimates, based on tariff information provided by the authorities and WTO IDB database.

**Chart 3.2 Tariff shifts from The Gambia's customs tariff (2010) to ECOWAS CET (2017)**

Number of tariff lines



Source: WTO Secretariat estimates, based on tariff information provided by the authorities and WTO IDB database.

3.26. The ECOWAS customs tariff allows temporary, national exceptions to the CET of up to 3% of tariff lines for "sensitive" products. The transitional period for exceptions from the CET expires on 1 January 2020, i.e. in practice five years after entry into force of the CET. The Gambia has not availed itself of this flexibility and is currently implementing the ECOWAS CET without exceptions. With less than three years of the transitional period remaining [July 2017], the finalization of a national list of exclusions for sensitive products (179 tariff lines) is pending. In general, The Gambia intends to set rates lower than the CET on certain basic commodities; and rates higher than the CET on harmful products, such as tobacco. The exceptions list may still be applied in 2017, according to the authorities.

3.27. Owing to tariff exemptions (or remissions), the "actual" customs duties paid may differ from the statutory rates. In The Gambia, the incidence of tariff exemptions and the resulting revenue foregone has been high (Section 1.1). Exemptions are like tunnels in the tariff wall; they affect tax revenues, and protection and competitiveness. An assessment of the CET not only depends on the statutory tariffs, but also on the extent to which tariff exemptions will be granted in the future. It is an open question whether the new CET will allow the Government to reduce the tariff exemptions – while many tariffs on inputs (raw materials, capital goods) were reduced by shifting them into the second band, they still remain dutiable at 5%.

3.28. The ECOWAS CET does not provide for tariff quota access and The Gambia does not maintain any tariff quotas.

3.29. The 2010 Customs and Excise Act (Eleventh Schedule) provides for goods liable to variable import duty in case of emergencies. This "safeguard" in exceptional circumstances was last applied to rice in 2012, according to the authorities.

### 3.1.3.2 Bound duties

3.30. The Gambia has bound 14.8% of its tariff lines at *ad valorem* rates ranging from 20% to 110%; the simple average bound rate is 103.4% (Table 3.2). Most tariffs on agricultural products are bound at a ceiling rate of 110% (some 90% of all agriculture tariff lines); lower bound rates (20%-85%) apply to a few agricultural products such as essential oils, albumins and raw furskins. The binding coverage of non-agricultural tariff lines is low (0.7% of total non-agriculture tariff lines); the bindings mainly cover gemstones (HS 7102, 7103), silver waste and scrap

(HS 711299), goldsmiths' and silversmiths' wares (HS 7114), and motor vehicles (HS 8702, 8703).

3.31. No applied rates exceed the tariff bindings. There is a large gap between the average bound (103.4%) and applied MFN rates (12.3%), and there are no bindings for close to 90% of all tariff lines. This reduces the predictability of the tariff regime, although in practice, the ECOWAS common external tariff effectively serves as the bound customs tariff for The Gambia with a commitment to apply these rates on an MFN basis.

### 3.1.3.3 Tariff exemptions

3.32. The exemption regime has remained largely unchanged since The Gambia's previous review. Customs duties may be waived either under the Customs and Excise Act, 2010 or as part of incentive packages under the GIEPA Investment and Export Promotion Agency Act, 2015 (Section 3.1.2).

3.33. Exemptions from customs duties are listed in the Third Schedule to the Customs and Excise Act, 2010.

- a. Part A includes goods for use by the President, the armed forces, Commonwealth and other governments, certain goods imported under diplomatic privileges or by aid agencies, by the African Development Bank for official use, *bona fide* gifts to charitable institutions, consumables imported for use in religious services, materials and equipment for use by or for disabled, blind or physically handicapped persons, badges and record books for the President's Award Scheme, goods for the Desert Locust and Red Locust Control Organizations, goods for military canteen organizations, equipment, drugs and motor vehicles for the Medical Research Council, passenger cars imported by military and police personnel returning from peace-keeping duties outside The Gambia, rewards and prizes obtained by Gambian sports-men and -women, and equipment and parts for the rehabilitation of power-generating plant imported before 2003.
- b. Part B (General Exemption) includes operations-related goods for aircraft operations by designated airlines, containers and pallets, effects of deceased persons, fish, crustaceans and molluscs landed by Gambian canoes or vessels, life-saving marine apparatus, passengers' baggage in general, protective clothing and equipment, samples, ships and other vessels, goods for national museums, seeds for sowing, breeding animals, semen and fish ova, raw materials for manufacture of medicaments, plastic sheetings for agri-, flori- or horticultural use, hatching eggs, power generating equipment, chemical fertilizers, medical hygienic bags, and ship-loading equipment.
- c. Part C specifies that capital goods, plant and machinery for investment, with written approval of the Minister, as well as cold storage equipment and refrigerated goods transport vehicles imported by farmers, with the written approval of the Director of Agriculture, are importable duty free.

3.34. The Second Schedule to the 2010 Customs and Excise Act allows the Minister of Finance and Economic Affairs to suspend import duties on refined petroleum products. Currently [July 2017], the imports carry customs duties of 20% (apart from zero-rated aircraft fuels), which are collected at the point of sale rather than importation.

3.35. The Minister of Finance and Economic Affairs may also, under Section 190 of the Act, remit import duties, in whole or in part, if he finds it is in the public interest to do so, on goods imported by registered non-profit institutions approved by the Government; raw materials for use in the manufacture of insecticides, fungicides, and similar products; component parts used in the manufacture of agricultural and horticultural equipment; capital equipment and machinery imported for use in licensed customs bonded factories for export; goods imported by oil exploration companies in accordance with the Petroleum Act 2004; and goods for official-aid-funded projects.

### 3.1.3.4 Tariff preferences

3.36. The Gambia levies the MFN customs duties on imports from all of its trading partners including other ECOWAS members, except for goods covered by the ECOWAS Trade Liberalization Scheme (ETLS), which enter The Gambia duty-free.

### 3.1.4 Other charges affecting imports

3.37. Indirect taxes (import duties, VAT, and excises) are the main source of government revenues (Table 3.4), and, given The Gambia's small industrial base, most of the indirect taxes are sourced from imports ("international trade taxes") (Table 3.5).

**Table 3.4 Tax revenues, 2010-16**

(Dalasi million)

	2010	2011	2012	2013	2014	2015	2016 <sup>a</sup>
<b>Tax revenues</b>	<b>3,176</b>	<b>3,799</b>	<b>4,261</b>	<b>4,619</b>	<b>5,517</b>	<b>6,827</b>	<b>7,329</b>
<b>Direct tax</b>	<b>1,129</b>	<b>1,222</b>	<b>1,521</b>	<b>1,379</b>	<b>1,590</b>	<b>1,720</b>	<b>1,812</b>
of which:							
Personal income	447	620	758	574	617	730	758
Corporate income	535	507	653	685	848	507	945
Capital gains	112	45	44	50	51	64	44
Payroll tax	32	35	43	49	49	44	43
<b>Indirect tax</b>	<b>2,048</b>	<b>2,577</b>	<b>2,740</b>	<b>3,240</b>	<b>3,927</b>	<b>5,107</b>	<b>5,517</b>
of which:							
Sales tax	1,113	1,509	981	26	19	1	n.a.
Value-added tax	n.a.	n.a.	n.a.	1,483	1,804	2,165	2,271
Import duties	722	853	870	1,303	1,546	2,128	2,424
Export duties	0	0	0	0	0	0	0
Stamp duties	42	17	21	20	41	97	33
Excise duties	159	198	237	369	484	627	733

n.a. Not applicable.

a Provisional.

Source: Information provided by the authorities.

**Table 3.5 Selected indirect tax revenues, by source, 2011-16**

(Dalasi million)

	Source	2011	2012	2013	2014	2015	2016 <sup>a</sup>
Sales tax	Domestic	517	594	26	19	1	n.a.
	Import	948	981	n.a.	n.a.	n.a.	n.a.
VAT	Domestic	n.a.	n.a.	645	724	819	894
	Import	n.a.	n.a.	838	1,081	1,346	1,377
Excise "duties"	Domestic	n.a.	22	110	165	208	243
	Import	200	214	259	318	419	490
Environmental tax	Domestic	0.28	0.11	0.10	0.12	0.15	0.41
	Import	10	12	10	41	57	56

n.a. Not applicable.

a provisional.

Source: Information provided by the authorities.

### Value-added tax

3.38. A (VAT) was introduced in January 2013, replacing the sales tax. The VAT is applied to goods and services (both imported and domestically-produced) at a standard rate of 15%. VAT on exports is zero rated. Exemptions from VAT apply to 15 types of goods and services, including basic food and drinks, books and printed matter, prescription medicine, agricultural and aquaculture supplies and equipment, medical, dental, optical and veterinary services, educational materials and services, and gold (in investment form). According to the authorities, aviation services are also exempted from VAT.

### Excises

3.39. Selected products and services are excisable (Table 3.6). The taxation system differs between imported and domestically-produced goods, although there is no local manufacturing of certain products, such as cigarettes or cars. Excise "duties" apply to domestically produced goods; the rates are *ad valorem*, based on the ex-factory price. Imported goods are subject to excise "taxes"; the rates are specific for some products and *ad valorem* for other items (based on the c.i.f. price plus the customs import duty and other charges). Whether or not there is differential treatment between imported and locally produced goods depends on the price of the product. It would appear that there is differential treatment for used cars.

3.40. For onions, potatoes, and cement, excise taxes were eliminated in 2017. The excise tax (and the environmental tax) on cigarettes and tobacco have been raised due to public health concerns as well as in fulfilment of WHO Framework Convention on Tobacco Control (FTCT) commitments. The excise tax for cigarettes in 2017 is D20/pack (up from D5/pack in 2013); for tobacco, it is D330/kg in 2017 (up from D37.5/kg in 2013).

**Table 3.6 Excise tax and excise duty rates, 2017**

Goods/services	Excise tax	Excise duty
Cigarettes	D20/pack	20%
Beer	D100/litre	10%
Wine	D150/litre	10%
Spirits	D175/litre	15%
New cars	25%	5%
Used cars	15%	5%
Soft drinks	D5/litre	5%
Juice	D5/litre	5%
Mineral water	D5/litre	5%
Nails	5%	5%
Wheel barrows	5%	n.a.
Laundry soap	D7.5/kg	5%
Sugar confectionary	5%	n.a.
Tobacco	D330/kg	n.a.
Telecommunication services	n.a.	5%

n.a. Not applicable.

Source: Information provided by the authorities.

### Other duties and charges (ODCs)

3.41. The Gambia levies a number of "other duties and charges" (ODCs) at the border; ODCs are bound at 10% in its schedule of concessions<sup>24</sup>:

- a. *ECOWAS Community levy* (Section 2.3.2.1).
- b. *African Union levy* – The new tax took effect on 1 January 2017 and is levied at 0.2% on the c.i.f. value of imports from non-African origins.<sup>25</sup>
- c. Environmental tax on imports.

<sup>24</sup> Schedule CX – The Gambia. Viewed at: [https://www.wto.org/english/thewto\\_e/countries\\_e/the\\_gambia\\_e.htm](https://www.wto.org/english/thewto_e/countries_e/the_gambia_e.htm).

<sup>25</sup> "Budget Speech 2017", p.44.

3.42. The Gambia does not, at present, apply any of the "supplementary protection measures" allowed under ECOWAS regulations.<sup>26</sup> These trade policy instruments allow ECOWAS members, transitionally and under certain conditions, to exceed the CET rates and levy additional duties in the form of an "import adjustment tax" (which resembles a snap-back tariff to temporarily restore the previous tariff rate) and/or "supplementary protection tax" (which resembles a volume- or price-based safeguard measure). The additional duties apply to imports from third countries and application is limited to 3% of the tariff lines for a period of five years. ECOWAS members are free to determine the supplementary protection tax consistent with their WTO commitments; prior authorization by the ECOWAS Commission is required for implementing the tax. The maximum aggregate MFN duty (CET plus any import adjustment tax and supplementary protection tax) cannot exceed 70%. These import measures replace the cyclical import tax (*taxe conjoncturelle à l'importation*) and the degressive importation tax (*taxe digressive de protection*), formerly applied in the WAEMU region.

### 3.1.5 Import prohibitions, restrictions, and licensing

#### 3.1.5.1 Import prohibitions

3.43. Prohibited imports are listed in the Eighth Schedule (Part A) of the Customs and Excise Act, 2010. Import prohibitions are imposed on the grounds of, *inter alia*, public health, public order and safety, public morality, and international obligations.<sup>27</sup> Goods subject to import prohibition include false or counterfeit money, indecent or obscene articles, matches containing white phosphorous, articles deceptively marked with Gambian coats of arms, advertisements for cures for cancer, tuberculosis or venereal/sexual diseases or complaints<sup>28</sup>, firearms and ammunition etc., any organic phosphorous compound, and asbestos in all forms. The Act prohibits importation of goods that do not meet Gambian Standards set by the Gambia Standards Bureau, although all Gambian Standards are deemed to be voluntary (Section 3.3.3). In addition, skimmed milk, and "exhausted" tea are prohibited from entering the country, pursuant to the Customs and Excise Act, 2010.

3.44. It is difficult to establish an exhaustive list of products subject to import prohibition (or restriction). In 2015, a ban on imports of plastic bags and related plastic materials was introduced. In the past, bans were periodically placed on imports of potatoes and onions to protect local producers at the harvest time. It appears that The Gambia also has occasionally also placed a ban on the import of poultry products.<sup>29</sup>

3.45. The Gambia is a signatory of the Rotterdam Convention and the Stockholm Convention, under which imports are prohibited for DNOC, parathion, dustable powders of benomyl, thiram and carbofuran, ethylene dichloride and oxide, and monocrotophos and persistent organic pollutants (POPs) listed in Annex A.<sup>30</sup>

#### 3.1.5.2 Import restrictions

3.46. Importation of some prohibited products may be permitted if certain conditions are met. Such products are listed as "restricted imports" in Part B of the Eighth Schedule of the Customs and Excise Act, 2010. According to the authorities, import restrictions may be implemented for reasons of public safety, environment, and revenue management. Import restrictions cover products of, *inter alia*, tear gas (and other similar substances), potable spirits, denatured spirits, postal franking machines, game animal traps, used motor vehicles, and live fish (except "live fish

<sup>26</sup> ECOWAS Commission, Regulation C/REG.1/09/13 on Supplementary Protection Measures (SPM) for the Implementation of the ECOWAS Common External Tariff.

<sup>27</sup> Article 38(1), Customs and Excise Act 2010.

<sup>28</sup> Any medicine, appliance or articles affixed such an advertisement or statement are also prohibited.

<sup>29</sup> U.S. International Trade Administration online information, "Gambia – Trade Barriers". Viewed at: <https://www.export.gov/article?id=Gambia-Trade-Barriers>.

<sup>30</sup> Annex A comprises Aldrin, Chlordane, Chlordecone, Dieldrin, Endrin, Heptachlor, Hexabromobiphenyl, Hexachlorodiphenyl ether and heptabromodiphenyl ether, Hexachlorobenzene (HCB), Alpha hexachlorocyclohexane, Beta hexachlorocyclohexane, Lindane, Mirex, Pentachlorobenzene, Polychlorinated biphenyls (PCB), Tetrabromodiphenyl ether and pentabromodiphenyl ether, and Toxaphene. See Stockholm Convention on Persistent Organic Pollutants online information, "What are POPs?". Viewed at: <http://chm.pops.int/Convention/ThePOPs/tabid/673/language/fr-CH/Default.aspx>.



indigenous to The Gambia"). Most products subject to import restriction require an import permit granted by the relevant line ministry prior to importation.

### 3.1.5.3 Import licensing

3.47. While permits are required to import certain products subject to import restriction, The Gambia has notified the WTO that it does not maintain an import licensing system.<sup>31</sup>

### 3.1.6 Anti-dumping, countervailing, and safeguard measures

3.48. Trade contingency measures in The Gambia (i.e. anti-dumping, countervailing and safeguard measures) are governed by ECOWAS rules.<sup>32</sup>

3.49. The Gambia notified the WTO in 2014 that it had not established a competent authority to undertake anti-dumping or countervailing investigations, nor did it anticipate taking any actions in the foreseeable future.<sup>33</sup>

3.50. The Gambia does not maintain any safeguard measures.<sup>34</sup>

### 3.1.7 Other measures affecting imports

3.51. The Secretariat is not aware of any trade-related investment measures (TRIMs).<sup>35</sup>

## 3.2 Measures Directly Affecting Exports

### 3.2.1 Customs procedures and requirements

3.52. In general, procedures applied to exports are similar to those applied to imports. Pre-departure declarations for exports must be submitted to GRA. Certain goods for exportation, including warehoused goods, goods on which drawback may be claimed, and dutiable goods intended for transshipment, may be subject to a deposit payment prior to loading of goods on vessels or aircrafts.

3.53. According to the World Bank's studies, exports from The Gambia are more efficient in terms of time and money than the regional average for Sub-Saharan Africa; however, the time spent by exporters on border procedure compliance is greater than the regional average (Table 3.7).

**Table 3.7 Time and cost for exports from The Gambia, 2017**

		The Gambia	Sub-Saharan Africa average
Time to export (hours)	Border compliance	109	103
	Documentary compliance	61	93
Cost to export (US\$)	Border compliance	381	583
	Documentary compliance	183	230

Source: World Bank Group (2017), *Doing Business 2017: Equal Opportunity For All, Economy Profile 2017: The Gambia*. Viewed at: <http://www.doingbusiness.org/reports/global-reports/~media/WBG/DoingBusiness/documents/profiles/country/GMB.pdf>.

### 3.2.2 Taxes, charges, and levies

3.54. Goods subject to export taxes are listed in the Fourth Schedule of the Customs and Excise Act. Currently, export taxes are applied to waste and scrap of precious metal, at a rate of 5%.

3.55. There are no other taxes, levies, and charges applied to exports, according to the authorities.

<sup>31</sup> WTO document, G/LIC/N/3/GMB/4, 20 January 2014.

<sup>32</sup> ECOWAS Regulations C/REG.5/6/13, C/REG.6/6/13, and C/REG.4/06/13.

<sup>33</sup> WTO documents G/ADP/N/193/GMB and G/SCM/N/202/GMB, 7 February 2014. See also WTO documents G/ADP/N/1/GMB/1 and G/SCM/N/1/GMB/1, 7 February 2014.

<sup>34</sup> See also WTO document, G/SG/N/1/GMB/1, 21 January 2014.

<sup>35</sup> WTO document, G/TRIMS/N/2/Rev.23, 9 September 2013.



### 3.2.3 Export prohibitions, restrictions, and licensing

3.56. Similar to import prohibitions, goods prohibited from export are listed in the Eighth Schedule of the Customs and Excise Act. The Schedule contains a broad definition, i.e. "All goods the exportation of which is prohibited under this Act or any law for the time being in force in The Gambia". Firearms and ammunition, as well as asbestos, are prohibited from exportation.

3.57. The Act also restricts exports of rough or uncut diamonds, except under licence issued by the Minister; goods officially exported by or on behalf of the Armed Forces or the Government; and warehoused goods, goods under duty drawback, and goods for transshipment shipped in vessels of less than 250 registered tonnes.

3.58. The Gambia imposed a ban on timber exports and re-exports in February 2017, which was lifted in May 2017.

3.59. The Gambia does not have an export licensing regime, according to the authorities.

### 3.2.4 Export support and promotion

3.60. The Gambia Investment & Export Promotion Agency (GIEPA), established in 2010, is responsible, *inter alia*, for Special Investment Certificates (SICs) (Section 3.3.1) and export processing zones. The Gambia has a National Export Strategy in place, implemented by the GIEPA (Section 2.3.3). GIEPA also offers programmes for participating in international trade fairs and trade missions.

3.61. EPZ enterprises are exempted from import duties and excise duties, and corporate income tax and municipal taxes. Enterprises located outside an EPZ exporting at least 30% of their products may enjoy a 10% reduction in annual corporate or turnover tax liability for five years.

3.62. The Gambia set up the "July 22<sup>nd</sup> Business Park" in 2001 as its first EPZ under the management of GIEPA. The Business Park occupies 168 hectares, and is located near to the Banjul International Airport. The Park offers infrastructure such as electricity, water, telecommunications and waste management. Businesses engaged in manufacturing and processing, agribusiness, assembling, bulk breaking, labelling, packaging and repackaging, warehousing, information and communication technology, and financial and offshore services are invited to operate in the Park. Businesses operating in EPZs must be licensed by GIEPA. The licence is valid for ten years and not transferable. Licensed business in an EPZ must export at least 80% of their output in order to enjoy the incentives granted to EPZ enterprises.

3.63. According to the authorities, other standalone EPZs are operating throughout the country (nine, as of July 2017). These EPZs are approved but not managed by GIEPA.

### 3.2.5 Export finance, insurance, and guarantees

3.64. The Gambia does not provide, or participate in, export financing. There is no scheme to cover political risk or other types of insurance guarantees.

## 3.3 Measures Affecting Production and Trade

### 3.3.1 Incentives

3.65. The Gambia grants incentives to certain qualifying investments; in accordance with the Gambia Investment & Export Promotion Agency (GIEPA) Act (see also Section 3.2.4), tax incentives are provided for investments in priority sectors (Table A3.4).<sup>36</sup> To be eligible, the investment must be of at least US\$100,000 (for domestic investors), or US\$250,000 (for foreign investors). A qualified investment project benefits from a tax holiday with respect to corporate

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<sup>36</sup> Priority areas cover almost the whole territory outside the city of Banjul, i.e. Western Region (Foni, Kombo East and Kombo Central except the town of Brikama), Lower River Region, North Bank Region, Central River Region, and Upper River Region.

income tax and depreciation allowance for five years;<sup>37</sup> import duties, VAT, and excise taxes are exempted for the imported capital goods for the investment project. A Special Investment Certificate (SIC) is required for the qualified investment in order to enjoy the incentives. GIEPA is the sole agency responsible for assessing the investment application and issuing an SIC. An SIC is valid for five years, and not transferable. An SIC may be extended, subject to meeting some conditions, for another two years.

3.66. For eligible investment projects of at least US\$5,000,000 in agriculture, fisheries, energy or the technology sector, an "enhanced incentive" may be granted to investors. Enhanced incentives include all the incentives under an SIC, but extended for an additional period of five years<sup>38</sup>; in addition to zero withholding tax on dividends for ten years from the date of first declaration (if no dividend was declared in the first five years since the issuance of the SIC).

3.67. For eligible domestic investments of less than US\$100,000, the following incentives are available: exemption from turnover tax for three years, reduced corporate tax rate (i.e. 15%) for three years, and import duty waiver on capital goods. A Domestic Investment Certificate from GIEPA is required for enjoying these benefits. For micro, small, and medium-sized enterprises in the priority sectors, "exemptions for tax and municipal taxes" are granted for five years.

### 3.3.2 Standards and other technical requirements

3.68. The Gambia has made progress in the area of standards and technical requirements since the last TPR in 2010. Its standards regime is subject to ECOWAS rules on standard harmonization (ECOSHAM); the authorities state that ECOSHAM is based on WTO and ISO/IEC rules. The Gambia Standards Bureau Act 2010 is the main national legislation. The Gambia Standards Bureau (TGSB) under the Ministry of Trade, Industry, Regional Integration and Employment (MOTIE) became operational in 2011. The Bureau is responsible for standardizing methods, processes and products in the country, and is the WTO TBT enquiry point; the MOTIE is responsible for WTO notifications.<sup>39</sup> No specific trade concerns have been raised against The Gambia's TBT measures in the WTO TBT Committee.

3.69. Interested parties (public sector, private sector, academia, and the public) may submit proposals for national standards to TGSB. National standard technical committees under the TGSB prepare draft standards, and publish them for comments. The authorities indicated that a 60-day period is usually given for public comments; the TGSB provides written responses to comments received. Final texts of standards must be approved by the TGSB Board of Directors<sup>40</sup> prior to being declared by the Minister and published in the Government Gazette. In 2016, with support from the International Standards Organization (ISO), the TGSB began to develop a National Standardization Strategy for the period 2017-2020.

3.70. The authorities indicated that the TGSB, in practice, seeks as far as possible to adopt existing international standards when it prepares the Gambian standards; most Gambian standards currently in force are directly adopted from international standards except where necessary local adaptation has to be made to reflect Gambia-specific conditions (e.g. climate, geographical factors, indigenous products). The TGSB, as a participant in the process of ECOSHAM<sup>41</sup>, adopts the harmonized regional standards as Gambian standards.<sup>42</sup> As of July 2017, there were 33 national Gambian standards in force, covering, *inter alia*, wheat flour, groundnuts, sugars, rice, edible fats and oil, natural mineral water, bottled water, and pre-packaged food; this includes three local standards.

3.71. Under the Gambia Standards Bureau Act, all Gambian standards are voluntary except those designated as technical regulations in the respective legislation. Technical regulations are

<sup>37</sup> The tax holiday is granted for a period of eight years if the investment project is established in a designated priority area.

<sup>38</sup> Enhanced incentives for investment in the energy sector: the SIC incentives are extended for a further period of up to ten years.

<sup>39</sup> See also WTO document G/TBT/CS/N/183, 20 January 2014.

<sup>40</sup> The authorities indicated that the Board of Directors represents the stakeholders, whose members come from both public and private sectors.

<sup>41</sup> ECOWAS Regulation C/REG.14/12/12 Adopting ECOWAS Standards Harmonization Model and Procedures.

<sup>42</sup> If a national standard exists, it will be repealed and replaced by the relevant ECOWAS standard.

developed by sectoral regulatory bodies in close consultation with TGSB; all draft technical regulations must be vetted by a Technical Regulation Coordination Committee before submission to the legislature. Currently, there are no technical regulations in force.

3.72. TGSB does not carry out market surveillance operations<sup>43</sup> and does not have standards officers at any border posts. There are no provisions on certification requirements for both imports and locally produced goods. TGSB provides conformity assessment of products, upon request from producers.

3.73. TGSB is a member of the following international organizations: the International Organization for Standardization (ISO), the International Electrotechnical Commission (IEC), and the Standards and Metrology Institute for Islamic Countries (SMIIC). The Gambia has no mutual recognition agreements (MRAs) with any countries, nor is it a member of any international accreditation organization such as the International Accreditation Forum, Inc. (IAF).

3.74. Telecommunication equipment, including radio communication devices, is subject to type-approval tests before being placed in the market. The type-approval tests are carried out by the Public Utility Regulatory Authority (PURA). According to the authorities, technical standards applied to telecommunication equipment are based on parameters recommended by the International Telecommunication Union (ITU).

3.75. Labelling requirements<sup>44</sup> are enforced by the Food Safety and Quality Authority (FSQA). The FSQA is in the process of preparing a regulation on labelling of pre-packaged food.<sup>45</sup>

### 3.3.3 Sanitary and phytosanitary requirements

3.76. The Gambia has reformed its food safety regime. A new Food Safety and Quality Act, 2011 was enacted, followed by the establishment of the Food Safety and Quality Authority with unified responsibilities to ensure the safety of food and feed. The animal health and plant protection regimes, on the other hand, appear to be obsolete and require (assisted) modernization. ECOWAS has adopted a regulation to improve cooperation in the region and harmonize the rules with respect to food safety, and animal and plant health.<sup>46</sup> No specific trade concerns have been raised against The Gambia's SPS measures in the WTO SPS Committee.

#### *Food safety*

3.77. The Food Safety and Quality Act, 2011 applies to all food products of plant and animal origin destined for human consumption<sup>47</sup>, and animal feed – whether locally produced or imported. The legislation was notified to the SPS Committee in 2010.<sup>48</sup> The Act provides that SPS measures must be based on the principles of non-discrimination, scientific evidence, effectiveness, equity, proportionality, the use of precaution, and transparency (Art. 24-27). Subject to the constitution of The Gambia, the provisions of the Act prevail in the event of conflicting legislation (Art. 60).<sup>49</sup>

3.78. The new Food Safety and Quality Authority (FSQA) became operational in July 2013 and reports to the Office of the Vice-President.<sup>50</sup> The agency is funded from the general budget and licensing fees; it has a staff of about 50 [July 2017]. The newly-established Food Control Advisory Committee has the task of providing advice to the Vice-President on the development of food safety legislation, and monitoring the performance of the FSQA with a view to ensuring compliance with international commitments (Art. 15).

<sup>43</sup> The authorities indicated that market surveillance operations are carried out by sectoral regulators instead.

<sup>44</sup> Article 8 of the Consumer Protection Act also sets forth principles for labelling requirements.

<sup>45</sup> Currently, there is a Gambian Standard for Labelling of Pre-packaged Foods (see Table A2.1).

<sup>46</sup> Regulation C/REG.21/11/10.

<sup>47</sup> Including water, additives and supplements.

<sup>48</sup> WTO document G/SPS/N/GMB/1, 4 March 2010. The Gambia also notified the Fisheries Act 2007 to the SPS Committee, WTO document G/SPS/N/GMB/2, 7 January 2011.

<sup>49</sup> The Food Act 2005 and the Public Health Act were partially repealed (Art. 62): some provisions of the former remain applicable to the National Nutrition Agency (NaNA), while the provisions regarding import inspections were removed from the latter.

<sup>50</sup> FSQA online information. Viewed at: <http://www.fsga.gm/>.

3.79. The FSQA's responsibilities comprise overall government surveillance to ensure compliance with safety and quality requirements for food and feed; inspections, sampling and certification for import and export (Art. 4); and promulgation of regulations (Art. 41). The FSQA also serves as the National Codex Alimentarius contact point. Certain tasks previously performed by other Ministries have been transferred to the FSQA:

- a. control, licensing, and inspection of poultry establishments and slaughterhouses; inspection of slaughtered animals; control of poultry and animal products on farms and production sites (transferred from the Ministry of Agriculture);
- b. control of fish and fish products and fish processing establishments (transferred from the Ministry of Fisheries);
- c. control of food hygiene in food establishments and markets (transferred from the Ministry of Health).

3.80. The general food import requirements provide that the food (or feed) must comply with the relevant requirements of the Act or equivalent conditions recognized by the FSQA or the requirements of any agreement between The Gambia and the exporting country (Art. 30).<sup>51</sup>

3.81. In addition, the FSQA has issued guidelines for food importers, available on its website. Accordingly, all importers of food and feed must be registered (small-scale food businesses) or licensed (large-scale and importers/exporters), subject to exemptions that may be granted by the Vice-President (Art. 32). The FSQA will inspect premises and facilities, including vehicles or vessels. Importer permits (licences) are valid for one year, renewable. Licensed importers must submit an import declaration at least 21 days before arrival of the consignment; and, upon arrival, a certificate of origin and a certificate issued by the food safety authority of the exporting country.

3.82. Specific guidelines apply to imports of pre-packaged fresh or frozen meat and meat products (including offal). These are: importers require a consignment-specific import permit; the products must come from approved export establishments and be accompanied by an inspection certificate; and be labelled (name of product, date of slaughter, date of packaging). The same requirements apply to imports of frozen poultry products.

3.83. It is reported that in June 2013 the Government announced a ban on imports of frozen poultry parts. The ban was lifted in November 2013, followed by a new requirement that imports of poultry products must be SGS-certified to be hormone-free. In October 2014, the Government banned the importation of beef offal (liver and kidney) regardless of origin, because of concerns over the manner in which it had been handled and sold to the public. The ban was lifted in December 2014.<sup>52</sup>

3.84. For potatoes, onions, and edible fat and oils, three (product-specific) food safety regulations were adopted that provide for standards based on Codex Alimentarius and national minimum quality requirements (size etc.). Imports of these products require, *inter alia*, an import permit issued by the FSQA.

3.85. In 2013, The Gambia adopted ten Codex-based food standards (Table A2.1). The Gambia has implemented the Codex Principles of Food Import and Export Inspection and Certification (CAC/GL 20-1995) and the Guidelines for Food Import Control Systems (AC/GL47/2003).

3.86. There are four official testing laboratories, none of which has international accreditation: the National Agricultural Research Institute Laboratory, for aflatoxin testing on groundnuts (for exports, lab analysis is outsourced to Dakar-based and European labs); the Fisheries Laboratory, for microbiology testing of fish; the National Health Laboratory, for chemical testing of food items; and the Veterinary Laboratory, for microbiology testing of foods of animal origin and eggs; there is no local lab capacity for testing of honey. According to the Food Safety and Quality Act, official testing laboratories must comply with ISO Standard 17025 (Art. 53). The National Food Testing Laboratory (once operational) is to perform all food testing and seek international accreditation.

<sup>51</sup> There are no equivalency lists to date.

<sup>52</sup> U.S. Department of State. Viewed at: <https://www.state.gov/e/eb/rls/othr/ics/2016/af/254201.htm>.

3.87. The authorities are developing regulations on certain matters such as labelling (Labelling of Pre-Packaged Foods Regulation), accreditation of testing laboratories, and the composition of food and feed. The Act prohibits false or misleading descriptions and requires labelling to be at least in English. Non-compliance with this provision may entail a fine of up to five hundred thousand dalasis, imprisonment not exceeding five years, or both.

#### *Veterinary measures*

3.88. The Directorate of Veterinary Services in the Ministry of Agriculture is responsible for animal health and veterinary measures.<sup>53</sup> The Gambia has been a member of the World Organisation for Animal Health (OIE) since 2005. It is also a member of the African Union Interafrican Bureau for Animal Resources (AU-IBAR) in Nairobi.

3.89. The animal health regime appears to be obsolete. A modernized legal framework is to be developed in collaboration with the OIE, according to the authorities. The Directorate has adopted a "cautious approach" to cattle imports, following an outbreak of Contagious Bovine Pleuropneumonia in recent years.

#### *Phytosanitary measures*

3.90. The Directorate of Plant Protection Services in the Ministry of Agriculture, in its capacity as the National Plant Protection Organization (NPPO), is responsible for phytosanitary measures. It also participates in the National Disaster Management Agency in the event of disease outbreaks. The NPPO collaborates with the FSQS, as provided for in the IPPC.

3.91. The Gambia became a party to the International Plant Protection Convention (IPPC) on 17 November 2016.<sup>54</sup> It is also a member of the Inter-African Phytosanitary Council (a Regional Plant Protection Organization) in Yaoundé, Cameroon.

3.92. All imports of plants and plant products (commodities) require import permits and phytosanitary certifications issued by the national plant protection service of the country of origin. Import permits are issued by the Directorate, using a pest risk compendium (manual), which appears to be outdated, according to the authorities. Import requirements are to be updated, based on IPPC standards.

3.93. A Plant Health Protection Bill, 2014 has been drafted (with assistance from FAO) and is awaiting enactment. The new bill intends to repeal the present legal framework for phytosanitary measures (Prevention of Damage by Pests Act of 1962, and the Plant Importation and Regulation Act, 1996). Under the new legal framework, the NPPO has the authority, amongst others, to implement phytosanitary measures (based on science, pest risk assessment, and proportionality principles, and harmonized with international standards); issue import permits and phytosanitary certificates; establish lists of quarantine pests; carry out inspections and surveillance of growing plants; conduct inspections of consignments for internal movement, import, export and transit; notify and provide justification to other countries of phytosanitary measures and where phytosanitary import requirements are non-compliant with IPPC standards.<sup>55</sup> Under the new Plant Health Protection Bill, imports of regulated plants and plant products require a phytosanitary export certificate conforming to the IPPC model, and an import permit issued by the NPPO, which may waive the import permit upon pest risk analysis. All plants, plant products and regulated articles are subject to inspection at the border. The NPPO is also to set up a registry of import and export establishments.

<sup>53</sup> A draft MoU between the FSQA and the Directorate is pending.

<sup>54</sup> IPPC online information. Viewed at: <https://www.ippc.int/es/news/welcome-to-the-republic-of-gambia-as-the-183rd-contracting-party-to-the-ippc/>.

<sup>55</sup> Article 6 of the Plant Health Protection Bill, 2014.

### 3.3.4 Competition policy and price controls

#### 3.3.4.1 Competition policy

3.94. The main competition legislation in The Gambia is the Competition Act, 2007, unchanged since its previous review. The Gambia Competition and Consumer Protection Commission (GCCPC)<sup>56</sup> remains the enforcement agency.<sup>57</sup> In the utility sector, the Public Utility Regulatory Authority (PURA) has the competence to ensure competition in the sector.

3.95. The Competition Act prohibits two forms of business practices: collusive horizontal arrangements (that have the object or effect of preventing, restricting or distorting competition, by in any way fixing the selling or purchase price of the goods or services, or sharing markets or sources of supply), and bid-rigging agreements (where one of the parties to the agreement agrees not to submit a bid or tender in response to a call or request for bids or tenders; or the parties to the agreement agree on the price, terms or conditions of a bid or tender to be submitted in response to a call or request for bids or tenders), on the grounds that they are inherently anti-competitive.

3.96. A monopoly in a market is defined as a situation where a firm or a firm with an interconnected enterprise controls more than 30% of the market, and is powerful enough to operate in the market without constraints from its competitors; in the case of three or fewer enterprises, a benchmark of 70% is applied. The existence of a dominant position is not in itself illegal, only its abuse. These criteria are used in any action by the Commission on cases of competition enforcement, including merger controls.<sup>58</sup>

3.97. The Competition Act exempts statutory monopolies<sup>59</sup>; export agreements; any agreement or conduct relating to activities within a free zone under the control of GIEPA<sup>60</sup>; and any agreement or conduct related to intellectual property rights protection or under an international agreement to which The Gambia is a contracting party.

3.98. The Commission may conduct investigations as a response to a complaint, or at its own initiative. When the Commission has determined that there are adverse effects on competition, it may issue directives to an enterprise seeking to remedy, mitigate, or prevent identified adverse effects or any detrimental effects on users or consumers. The Competition Act also allows for the adoption of interim measures by the Commission, and for enterprises to offer undertakings or commitments relating to their future conduct. The High Court is the last resort to ensure compliance with the directives issued by the Commission.

3.99. Since its establishment, the Commission has conducted a number of investigations, including on the medical insurance market (completed in 2011), and the money transfer market (completed in 2012). Regarding the medical insurance case, the Commission found that six members of the Insurance Association of The Gambia engaged in price fixing and market sharing; the Commission took remedy action to annul the price fixing, and imposed fines on each of the violators. Regarding the money transfer case, the Commission found that the exclusive clause in the services agreement serves to consolidate the dominant position in the market, and is therefore anti-competitive; the Commission ordered (through a directive) that such clauses be expunged from existing agreements and should not be included in future ones. As a result of this directive, the Central Bank of The Gambia (CBG) instructed the members of the association of licensed forex bureaus (ALFOB) to immediately expunge all such agreements in their contracts with international money transfer operators.

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<sup>56</sup> Following the enactment of the Consumer Protection Act in 2014, the Commission is also charged with the responsibility of protecting consumers from unfair and misleading market practices. Therefore, the name of the Commission was changed to the Gambia Competition and Consumer Protection Commission (GCCPC).

<sup>57</sup> The Commission may delegate its work to a designated Ministry or State agency. See Articles 37 and 38 of the Competition Act.

<sup>58</sup> Articles 25-35 of the Competition Act. At the time of the drafting of this report, the provisions on mergers were yet to be enforced.

<sup>59</sup> Statutory monopoly means an activity conducted by an entity, whether or not owned wholly or partly by the State, on the basis of statutory provisions that preclude other entities from conducting the same activity. This includes the port operator and the airport operator.

<sup>60</sup> There is currently only one free zone under the control of GIEPA.



3.100. The Commission has also carried out market studies, available on the website of the Commission.<sup>61</sup> The authorities indicated that competition investigations may be carried out in the rice and sugar markets, after preliminary studies found that competition was limited and dominated by few enterprises.<sup>62</sup>

#### 3.3.4.2 Price controls

3.101. The Price Control Act, 1974 provides that the Minister of Finance and Economic Affairs, in collaboration with the Minister of Trade, Industry, Regional Integration and Employment (MOTIE), has the power to declare and implement price controls on commodities or classes of commodities. The Act established a Price Control Committee, in which price controllers and inspectors are appointed. At present, there are no price controls imposed under the Act.

3.102. The Essential Commodities Act, 2015 entered into force in January 2016. The Act is to ensure that such commodities are available to Gambians at a fair and reasonable price. The Act covers foodstuffs<sup>63</sup> and other commodities designated by the Minister of Trade, Industry, Regional Integration and Employment. No person or corporation is allowed to import, distribute or engage in "major" retail of any essential commodity without a licence from the Minister. The GCCPC administers the licences.

#### 3.3.5 State trading, state-owned enterprises, and privatization

3.103. The Divestiture Act was repealed in December 2009 and the divestiture programme for public enterprises is no longer implemented.

3.104. There are currently 14 state-owned enterprises (Table A3.6). According to the World Bank, the performance of the SOEs steadily declined between 2010 and 2013: while total income increased from D5.2 billion in 2010 to D6.4 billion in 2013, total post-tax losses increased from D0.3 billion to D1.7 billion.<sup>64</sup> Over the same period, the net worth of the sector fell from D7.9 billion in 2010 to D5.5 billion in 2013. The decline primarily reflected the large build-up in SOE liabilities in recent years.

3.105. According to the authorities, The Gambia does not have any state-trading enterprise [July 2017].

#### 3.3.6 Government procurement

3.106. The Gambia amended its Public Procurement Authority Act in 2014. According to the authorities, the Public Procurement Authority Act 2014, compared to the predecessor, the 2001 Act, modernized the procurement regime in line with international best practice. The amended Act shifted the focus of the objective of public procurement from compliance to value for money; it also established a number of institutions to facilitate achievement of the objective: the Procurement Cadre, the Independent Complaints Review Board, and the Major Tender Board<sup>65</sup>, all of which have been fully operational since 2015.

3.107. Under the Act, the Public Procurement Authority (GPPA) determines value thresholds for procurement; no procurement valued above the threshold is allowed unless prior approval has been obtained from the Authority.<sup>66</sup> The value thresholds have remained unchanged since 2008 (Table 3.8). Pursuant to the Act, procurement projects valued at D10 million and above must be

<sup>61</sup> The Gambia Competition and Consumer Protection Commission online information, "Studies & Investigations". Viewed at: <http://gcc.gm/studies-investigations/>.

<sup>62</sup> GCCPC online information, "Rice and Sugar Market Study". Viewed at: <http://gcc.gm/wp-content/uploads/2016/08/Rice-and-Sugar-Market-Study.pdf>.

<sup>63</sup> As provided in the Essential Commodities Act 2015, foodstuff includes rice, sugar, flour, edible oil, milk, tomato paste, onions, potatoes, whole chicken and chicken parts.

<sup>64</sup> World Bank (2015), *State-Owned Enterprises in The Gambia: A Country Policy Note*.

<sup>65</sup> The Major Tender Board was abolished by the Public Procurement Authority Act 2001. The amended Public Procurement Authority Act 2014 reintroduced the Major Tender Board system.

<sup>66</sup> De-aggregation of procurement to avoid threshold control is prohibited, as per Article 21 of the Public Procurement Authority Act 2014.

approved by the Major Tender Board,<sup>67</sup> an independent institution from GPPA. The Act is applied to all bodies of The Gambia Government, including local government and public enterprises, with the exception of the Ministry of Defence.<sup>68</sup>

**Table 3.8 Value thresholds for procurement approved by GPPA, 2017**

Procurement methods	Threshold
Goods and services (single sourcing)	D 10,000
Works (single sourcing)	D 30,000
Request for quotation	D 500,000
Open/restricted tendering	D 500,000
International tendering	D 10 million

Source: Information provided by the authorities.

3.108. Public procurement must generally be conducted by open tendering. Conditions for using other methods are set out in the Act and its implementing regulation. Notably, international competitive tendering may only be used if the goods, works, or services are not available at competitive prices and conditions from at least three suppliers in The Gambia.<sup>69</sup> GPPA stated that a foreign supplier with a local agent is considered as a supplier in The Gambia. GPPA stated that no local preferences have been accorded in practice. The Act stipulates that the Authority "shall", in collaboration with procurement entities, establish a programme to facilitate participation by local small and medium-sized enterprises.<sup>70</sup>

3.109. According to the latest available data (up to 2014), public procurement showed a trend of steady decline. Tendering, including open tendering and restricted tendering, accounted for the majority of procurement. Except for 2011, restricted tendering was the most used procurement method; in 2014, about 40% of procurement was carried out through restricted tendering (Table 3.9).

**Table 3.9 Public procurement, by method, 2011-14**

(Dalasi '000)

Methods	2011	2012	2013	2014
Single sourcing	86,337.7	407,607.6	246,112.5	219,190.6
Restricted tendering	240,855.6	459,484.1	520,650.0	393,099.1
Open tendering	800,070.6	82,139.7	197,840.3	331,967.5
Request for quotation	6,990.3	7,908.0	26,253.4	23,763.3
Request for proposal	3,450	80,750	300	16,438.9
<b>Total (D million)</b>	<b>1,137.7</b>	<b>1,037.9</b>	<b>991.3</b>	<b>984.5</b>

Source: Information provided by the authorities.

3.110. Bidders whose tender or proposal has been rejected may submit a written request for reconsideration to the procuring entity concerning pre-qualification or tendering proceedings or procurement methods if the procurement proceedings did not lead to a contract award. The head of the procuring entity must respond to the request for reconsideration within ten working days of submission of the request. If not satisfied with the response, the bidder then may request a review by the Independent Complaints Review Board. Since the Board was established in 2015, there has been one case registered for review; in the review, the Board ruled in favour of the complainant.

### 3.3.7 Intellectual property rights

#### 3.3.7.1 Industrial property

3.111. During the period under review, The Gambia has made progress in aligning its industrial property regime with international standards. The Industrial Property Act was amended in July 2015. Compared to the act of 2007, the Industrial Property (Amendment) Act 2015 made three

<sup>67</sup> The Major Tender Board is chaired by the Permanent Secretary of the Ministry of Finance. Its members include GamWorks, national authorities, and representatives from the private sector. It appears to observers that the composition of the Major Tender Board has a potential conflict of interest, which needs to be addressed in the future amendment to the Act.

<sup>68</sup> Articles 2 and 20, Public Procurement Authority Act 2014.

<sup>69</sup> Article 41(1)(b), Public Procurement Authority Act 2014.

<sup>70</sup> Article 36, Public Procurement Authority Act 2014.



significant changes: it increased the protection period for patents from 15 years to 20 years; it introduced provisions to ensure conformity with the Madrid Protocol relating to the international registration of marks; and it increased the penalty against infringements from D1,000 to D 500,000, as well as imprisonment from six months to three years.

3.112. Applications for patents must be filed with the Industrial Property Office under the Ministry of Justice for preliminary examination. There are no restrictions on the nationality of patent applicants. Applications for invention patents are required to undergo substantive examination by an examination entity appointed by the Gambian authorities. The appointed substantive examiner produces substantive examination reports on applications. These reports serve as essential references for the decision whether to grant patents in The Gambia. Currently, the African Regional Intellectual Property Organization (ARIPO) is the only substantive examiner. Patents granted by another jurisdiction that is a contracting party to the Patent Cooperation Treaty are also protected in The Gambia after registration with the Industrial Property Office, on the condition that the substantive examination report for the first patent right is recognized by The Gambia.

3.113. Protection of utility models is similar to the patent protections, while the registration procedures for utility models are less stringent. Utility model applications are also examined by ARIPO. Utility models are protected for seven years from the registration date, and are non-renewable. Industrial designs are required to be registered, and are protected for a period of five years, renewable for two further consecutive periods.

3.114. There are provisions on compulsory licensing and non-voluntary licensing in the Industrial Property Act. In The Gambia, compulsory licensing refers to a situation where the patent is exploited by a government agency or a third party on the basis of a ministerial decision without the agreement of the patent right holder, while non-voluntary licensing means that a patent is exploited by any other person based on a decision of the Registrar General and approval of the Minister. Where the public interest, in particular national security, nutrition, health or the development of other vital sectors of the national economy, so requires, a compulsory licence may be granted by the Minister to a government agency or a third person designated by the Minister to exploit the patent, subject to the payment of an equitable compensation to the owner of the patent. According to the authorities, no compulsory licences have been granted since the Act was promulgated.

3.115. The Gambia joined the Madrid Protocol for the International Registration of Marks in September 2015.<sup>71</sup> As provided in the amended Industrial Property Act 2015, trademarks are now protected in line with the Madrid Protocol. Applications for trademark registration must be filed with the Industrial Property Office under the Ministry of Justice. Trademark applications are subject to both formality and substantive examination by the Industrial Property Office, to ensure certain conditions set forth in the Act are satisfied<sup>72</sup>, before being accepted and published in the Government Gazette. Trademark protection in The Gambia covers goods and services. The authorities indicated that trademark registrations usually take about four months but not more than six months to complete. A registered trademark is valid for ten years, and renewable. During the period under review, trademark applications from domestic enterprises gradually increased (Table 3.10).

**Table 3.10 Trademark applications, 2011-16**

	2011	2012	2013	2014	2015	2016
Domestic	20	23	39	91	45	68
Foreign	370	417	360	468	357	188
Total	390	440	399	599	402	256

Source: Information provided by the authorities.

<sup>71</sup> World Intellectual Property Organization (WIPO) online information, "News". Viewed at: [http://www.wipo.int/madrid/en/news/2015/news\\_0017.html](http://www.wipo.int/madrid/en/news/2015/news_0017.html).

<sup>72</sup> These conditions include the mark being: capable of distinguishing the goods and services of one enterprise from those of other enterprises, not contrary to public order or morality, not misleading, not identical or confusingly similar to, or constituting a translation of a mark or trade name which is well known in The Gambia, not identical to a mark belonging to a different proprietor and already on the register or with an earlier filing or priority date in respect of the same goods or services or closely related goods or services.

3.116. A trademark application may be denied if the mark is identical or confusingly similar to, or constitutes a translation of a well-known mark in The Gambia.<sup>73</sup> The decision to deny an application depends on whether such a mark is used for similar goods or services. To protect well-known trademarks, any interested party may raise an opposition against the relevant application for the registration within three months of publication of the application. Trademark registration may still be annulled if it was granted in breach of the provision related to well-known trademark protection. The annulment order is issued by the High Court. During the period under review, no annulment orders were issued.

3.117. Registered trademarks can be revoked if the mark was not registered in "good faith"; or if the mark is not seriously used continuously for five years. However, there are special circumstances under which non-use trademarks may not be abandoned. "Bad-faith" registrations of trademarks are not subject to the five-year exhaustion period.

3.118. Geographical indications (GIs) are protected as collective marks. The authorities indicated that thus far no registrations for collective marks have been received.

3.119. Trade secrets and know-hows are protected under the unfair competition provisions of the Industrial Property Act 2007.<sup>74</sup>

### 3.3.7.2 Copyrights

3.120. The legal and institutional framework concerning copyrights remained unchanged during the review period. The main legislation is the Copyright Act 2004.<sup>75</sup> The National Centre for Arts and Culture (NCAC) is the competent authority for copyrights and related rights.

3.121. The Copyright Act covers all original literary, artistic, musical, sound recording, audiovisual, and choreographic works, derivative works, programme-carrying signals, computer programs, and folklore, created by Gambian citizens or corporate bodies. Protection of copyrights is granted to works first published in The Gambia or in a country that is a party to a treaty to which The Gambia is also a party, or published by the United Nations and its specialized agencies, the African Union, or ECOWAS.

3.122. General works are protected during the life of the author and for 50 years after the death of the last surviving author.<sup>76</sup> Works whose authors are entities, audiovisual works, programme-carrying signals, and photographic works are protected for 50 years from first publication. Works of applied art receive 25-year protection. Folklore is protected in perpetuity.

3.123. The Copyright Act 2004 also contains provisions for the protection of related rights such as performers' rights and those of broadcasting organizations and producers of recorded material. Copyright infringement falls under the jurisdiction of the High Court, which may issue injunctions, authorize seizure of articles and order destruction of copies.

3.124. The authorities noted that non-published works in respect of which The Gambia has an obligation under an international treaty are also protected under the Copyright Act 2004.

3.125. Alleged copyright infringements under the Copyright Act are enforced both through civil suits and criminal prosecution. According to the authorities, in the case of infringement, NCAC tries to resolve the case first by alternative dispute resolution between the right holder and the infringer; if either party is not satisfied with the resolution, the case will then be heard in the High Court. In 2016, the High Court entered a default judgment against a defendant for copyright infringement.

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<sup>73</sup> Article 27(2)(e), the Industrial Property Act 2007.

<sup>74</sup> Article 36, the Industrial Property Act 2007.

<sup>75</sup> There are no implementing regulations for the Copyrights Act.

<sup>76</sup> The authorities indicated that the draft amendment to the Copyrights Act extends protection to 70 years. According to the authorities, drafting of the amendment has been finalized and the amendment awaits submission to the legislature.

### **3.3.7.3 Enforcement**

3.126. The Ministry of Justice, in collaboration with the Gambia Police Force, established Gambia Police Intellectual Property Crime Unit at the Police Headquarters in Banjul. The Unit is manned by 15 police officers. The authorities indicated that future plans to enhance the capacity of the Unit are in the pipeline.

3.127. In 2016, the Industrial Property Office, in collaboration with Gambia Police, conducted a raid in which four alleged copyright infringers dealing in programme carrying-signals were apprehended and are now being tried before the High Court.

## 4 TRADE POLICIES BY SECTOR

### 4.1 Agriculture, Forestry, and Fisheries

#### 4.1.1 Main features

4.1. The Gambian economy is primarily agrarian, with subsistence farming and a few cash crops (mainly groundnuts) being the main source of livelihood for most of the population. Agriculture contributed approximately 21% of GDP in 2016 (down from about 31% in 2010) (Table 1.1), yet employs about 46.4% of the workforce (2015-16) – the large gap between output and labour input in part being due to non-marketed production for subsistence.

4.2. Given The Gambia's location in the semi-arid to arid zone south of the Sahel, the country has been faced with chronic food deficits. Agricultural production is highly dependent on rainfall, but the rainy season (from June to October) has been erratic and rains have been declining over the past few decades.<sup>1</sup> Climate change has resulted in extreme weather patterns, increasingly affecting agriculture through severe drought (2011), late rains (2014) and floods (2012, 2013 and 2016).<sup>2</sup> In 2011, the Government declared a state of food (and seed) emergency due to drought.<sup>3</sup>

4.3. As a consequence, imports of agricultural products far outstrip exports (Table A4.2). Exports are small and undiversified, mainly groundnuts and cashew nuts. There is very little further processing of the traditional export commodities. Rice is the main import product, followed by vegetable oils, sugar and wheat.

4.4. The main field crops, in terms of cultivated land and production, are millets, groundnuts, rice, maize and sorghum (Table 4.1). Non-traditional agricultural products include cashew nuts, cow peas, and fruit and vegetables. There are a few commercial livestock farms.

4.5. Arable land is estimated at 540,000 hectares (about half of the total land area).<sup>4</sup> In 2016, about 318,000 hectares were put under cultivation for the main field crops (down from 336,000 ha on average in 2010-15), of which about 70% were for cereal production and 30% for cash crops.<sup>5</sup> Less than 2,500 hectares, mainly rice, are currently under irrigation.<sup>6</sup> The cereal harvests have been variable (Chart 4.1). Aggregate cereal production in 2016 was below average at about 173,000 tonnes.<sup>7</sup> With a normal harvest, cereal production meets approximately half of the country's needs.<sup>8</sup>

4.6. Gambian agriculture suffers from underinvestment. Only about 3% (2013) of commercial bank loans went to agriculture.<sup>9</sup> Most smallholders have less than one hectare, their productivity is low (crop yields average less than one tonne/ha), and they tend to be among the poorest and net buyers of food (as their own production tends to last far less than 12 months). They are vulnerable to increases in food prices (rice, flour, poultry meat etc.). Tariff protection of basic agricultural commodities is, on balance, unlikely to help them. According to the World Food Programme, almost half of the population lives below the income poverty line (US\$1.25/day).<sup>10</sup>

4.7. The Gambia has a dual land tenure system: statutory (governing the freehold and leasehold titles under the State Act Land 1991)<sup>11</sup> and customary (regulated by the Provinces Land Act 1991).

<sup>1</sup> The Gambia, PAGE II. Preliminary draft 2017-2020, p. 20.

<sup>2</sup> FAO (11 May 2017), *Global Information and Early Warning System (GIEWS) Country Brief*. Viewed at: <http://www.fao.org/giews/countrybrief/country.jsp?code=GMB>.

<sup>3</sup> Ministry of Finance and Economic Affairs (2013), "Budget Speech 2013", p. 21.

<sup>4</sup> The total land area is 10,689 square kilometres.

<sup>5</sup> Government of The Gambia (2015). *Report of the National Agricultural Sample Survey (NASS)*.

<sup>6</sup> The Gambia, PAGE II. Preliminary draft 2017-2020, p. 60. Pump, tidal (i.e. using ocean tides to force river water onto the fields), sprinkler, and inland valley bottoms (for rice) are the main irrigation technologies used.

<sup>7</sup> FAO (2017), *Global Information and Early Warning System (GIEWS) Country Brief*, 11 May.

<sup>8</sup> WFP website. Viewed at: <http://www1.wfp.org/countries/gambia>.

<sup>9</sup> Central Bank of The Gambia, *Annual Report 2013*.

<sup>10</sup> World Food Programme online information. Viewed at: <http://www1.wfp.org/countries/gambia>.

<sup>11</sup> Freehold and leasehold land, established during the colonial period, are most prevalent in the Banjul and Kombo St. Mary Region.

The Ministry of Lands and Regional Government has been developing a consolidated framework on land tenure (National Land Policy).

**Table 4.1 Agricultural production by main crops, 2010-16**

(1,000 tonnes; %)

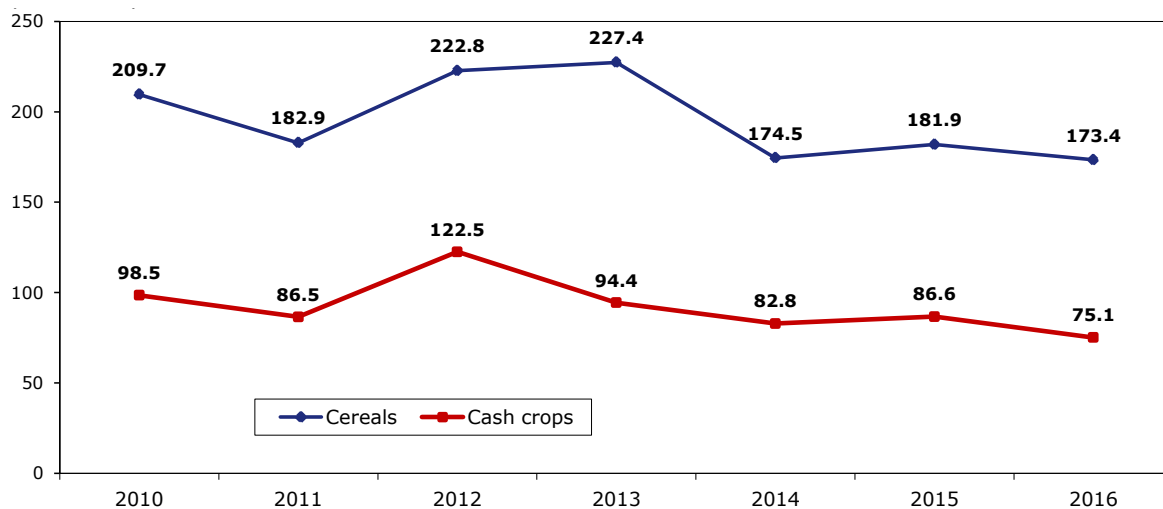
	2010	2011	2012	2013	2014	2015	2016	Average of 2010-16
<b>Total</b>	<b>308.1</b>	<b>269.4</b>	<b>345.3</b>	<b>321.7</b>	<b>257.3</b>	<b>268.5</b>	<b>248.5</b>	<b>288.4</b>
<b>Cereals</b>	<b>209.7</b>	<b>182.9</b>	<b>222.8</b>	<b>227.4</b>	<b>174.5</b>	<b>181.9</b>	<b>173.4</b>	<b>196.1</b>
Early millet	77.5	72.9	96.5	71.5	59.1	56.0	54.7	69.7
Late millet	18.9	14.3	19.6	22.3	17.7	18.3	17.8	18.4
Sorghum	14.4	20.6	23.1	30.4	20.3	21.6	20.5	21.6
Maize	35.8	23.6	28.9	33.1	30.3	32.0	31.0	30.7
Rice	62.9	51.1	54.2	69.7	46.7	53.3	0.7	48.4
Findo	0.2	0.3	0.4	0.4	0.4	0.7	48.8	7.3
<b>Cash crops</b>	<b>98.5</b>	<b>86.5</b>	<b>122.5</b>	<b>94.4</b>	<b>82.8</b>	<b>86.6</b>	<b>75.1</b>	<b>92.4</b>
Groundnuts	97.5	83.9	119.6	93.9	80.7	82.7	71.1	89.9
Sesame	1.0	2.7	2.9	0.5	1.8	2.2	2.1	1.9
Cowpea	n.a.	n.a.	n.a.	n.a.	0.4	1.8	1.9	1.4

n.a Not applicable.

Source: Government of The Gambia, *Report of the 2015 National Agricultural Sample Survey (NASS)*; and data provided by the authorities.

**Chart 4.1 Production trend of crops, 2010-16**

(1,000 tonnes)



Source: Government of The Gambia, *Report of the 2015 National Agricultural Sample Survey (NASS)*; and data provided by the authorities.

#### 4.1.2 Agricultural policy

4.8. The Ministry of Agriculture has no approved agricultural policy at present. The Agriculture and Natural Resources Policy (ANR) has expired. The ANR Policy was the agricultural policy framework for the period 2009 to 2015, establishing four key strategic objectives: food security; commercialization of the agricultural sector; strengthening public and private institutions; and sustainable management of natural resources.<sup>12</sup> In 2013-14, two major donor-financed agricultural

<sup>12</sup> The Gambia Agriculture and Natural Resources Policy 2009-2015. Viewed at: <http://www.qafsfund.org/sites/qafsfund.org/files/Documents/Attachment%201%20The%20ANR%20Sector%20Policy%20%202009-2015.pdf>.

development projects were launched – the National Agricultural Land and Water Management Development Project (NEMA) and the Food Agricultural Security Development Project (FASDEP).<sup>13</sup>

4.9. The Gambia National Agricultural Investment Programme (GNAIP) 2010-2015 has also expired. GNAIP was elaborated within the framework of the New Partnership for Africa's Development (NEPAD), specifically its agricultural component, the Comprehensive Africa Agriculture Development Programme (CAADP); and was aligned with the ECOWAS Agricultural Policy (ECOWAP) and its Regional Agricultural Investment Programme (RAIP)<sup>14</sup>, as well as with the National Development Strategy Vision 2020 (Section 2.2).<sup>15</sup> The GNAIP investment plan had six main programmes to attract investment of close to US\$300 million.<sup>16</sup> A second generation of the ECOWAP RAIP (2016-2020), including a revised GNAIP, is to be implemented in The Gambia.<sup>17</sup>

4.10. In January 2014, The Gambia submitted a domestic support notification to the Committee on Agriculture, listing its programmes implemented during the 1999-2013 period.<sup>18</sup> Budgetary expenditures totalled D206.125 million in 2013. The notified measures fall into the Green Box, mainly infrastructure services (55% of expenditures), followed by extension services (25%).<sup>19</sup> The notification indicates that the programmes do not involve direct payments to producers and were implemented by service units under the Ministry of Agriculture (Table A4.1). The Gambia also notified the Committee on Agriculture that it did not provide agricultural export subsidies from 2005 to 2010.<sup>20</sup>

4.11. In the period 2011-16, the annual budgetary allocations to the Ministry of Agriculture ranged from D227.7 million to 386.0 million, equivalent to about 6%-8% of the central government budget (albeit with an actual budget execution for agriculture averaging around 80%).<sup>21</sup> In the national budget for 2016, D292.9 million were allocated to agriculture (Chart 4.2 and Table A4.1).<sup>22</sup>

4.12. The Government provides, on a limited scale, input subsidies to farmers as an emergency measure. In the 2016 budget, funds were set aside for the provision of seeds, fertilizers, pesticides, and farm tools, of typically less than D1 million per project/activity.<sup>23</sup> According to an FAO study, the Government has donated on a very limited scale, for example, a few bags of fertilizer to women, and fertilizer was sold at less than market prices.<sup>24</sup> The National Food Security Processing and Marketing Corporation has also been involved in selling fertilizer to farmers at subsidized prices.<sup>25</sup> Furthermore, the Government organizes pest control campaigns (grasshoppers, locusts, etc.) with the support of donors.

4.13. Imports of fertilizers, though an essential input, are not entirely duty-free under the ECOWAS CET. While imports of certain fertilizers (15 tariff lines under HS 32) are classified as "essential social commodities" (duty-free), eight (HS 32) tariff lines are subject to 5% import duty

<sup>13</sup> The funding for NEMA is US\$64.9 million (2013-19) and for FASDEP US\$26.6 million (2013-18).

<sup>14</sup> Viewed at: <http://www.aidfortrade.ecowas.int/programmes/raip>.

<sup>15</sup> See also ECOWAS (2015), "Agriculture and Food in West Africa - Trends, Performances and Agricultural Policies". Viewed at: <http://ecowas-agriculture.org/sites/default/files/LivretEcowap2014-eng-light.pdf>.

<sup>16</sup> The GNAIP comprised the following programmes: improvement of agricultural land and water management; improved management of other shared resources; development of agricultural chains and market promotion, national food and nutrition security, sustainable farm development, and GNAIP coordination, monitoring and evaluation.

<sup>17</sup> The ECOWAP RAIP (2016-2020) is the first phase of the ECOWAP Strategic Policy Framework 2025, a NEPAD CAADP commitment following the Malabo Declaration of June 2014. Viewed at: [http://www.hubrural.org/IMG/pdf/final\\_report\\_minsiter\\_stmc-aewr\\_dec\\_2017.pdf](http://www.hubrural.org/IMG/pdf/final_report_minsiter_stmc-aewr_dec_2017.pdf).

<sup>18</sup> WTO document, WTO/G/AG/N/GMB/5, 10 January 2014.

<sup>19</sup> The notification lists for 2013: research (D725,000), extension services (D52.2 million), pest and disease control (D31.6 million), training (D7.3 million), and infrastructure services (D114.3 million).

<sup>20</sup> WTO/G/AG/N/GMB/4, 12 January 2011.

<sup>21</sup> This has been below the 10% commitment within the framework of the NEPAD-Comprehensive Africa Agriculture Development Programme (CAADP). See Maputo Declaration, 2003 at: <http://www.nepad.org/resource/caadp-practice-highlighting-successes>.

<sup>22</sup> Apart from the Government's support, the agricultural sector relies on technical assistance from development partners, and loans, grants and investments from international organizations.

<sup>23</sup> See also Ministry of Finance and Economic Affairs (2017), "Budget Speech 2017", p. 19.

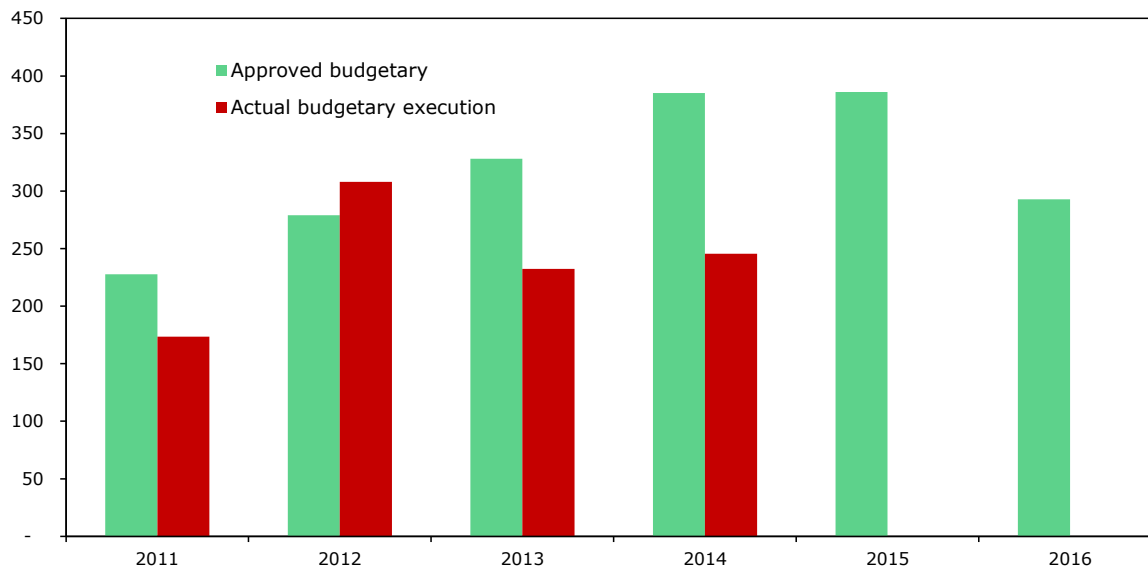
<sup>24</sup> FAO (2016), *The Gambia Case Study*, p. 17

<sup>25</sup> World Bank (2015), *State-Owned Enterprises in The Gambia: A Country Policy Note*.

(Table A3.3). ECOWAS has adopted a regulation on fertilizers to harmonize the rules on fertilizer production, trade and quality control in its member States.<sup>26</sup>

#### Chart 4.2 Ministry of Agriculture budgetary expenditures, 2011-16

(Dalasi million)



Note: No data for actual budgetary execution in 2015 and 2016 are available.

Source: Government of The Gambia.

#### 4.1.3 Key commodities

##### Rice

4.14. Rice is the main staple food. Rice production is in the range of approximately 50,000 to 60,000 tonnes in a normal year, while imports ranged from 90,000 to 140,000 tonnes in 2010-14 (Table A4.2). The area under rice cultivation has gradually increased from 62,000 ha in 2011 to 69,000 ha in 2016. Cultivation of rice (mainly by women) takes place mostly in uplands (where rice competes with other cereals and groundnuts) and in the lowlands in depressions with accumulated rainwater (inland valley bottoms).

4.15. A National Rice Development Strategy is being implemented by the Ministry of Agriculture, assisted by the National Rice Development Steering Committee, with the objective of achieving self-sufficiency in rice production by the year 2024. A lowland area of about 220,000 ha has been identified as suitable for rice production. The import substitution plan's target for milled rice is approximately 323,000 tonnes by 2025 – equivalent to about six times the current production levels.<sup>27</sup>

4.16. The retail price of rice is a sensitive social matter.<sup>28</sup> In 2010, the sales tax on rice was restored to 5%, which had been zero-rated since 2008 as a policy response to minimize the impact of the 2007-08 global food crisis. With effect from 1 January 2013, rice was zero-rated for VAT, while the import tariff was raised from zero to 5%.<sup>29</sup> With the entry into force of the ECOWAS CET on 1 January 2017, the new rice tariffs range from 5% (paddy) to 10% (husked rice, semi-milled or wholly milled rice, and broken rice). The consumers will have to pay the bill of higher customs duties for these products.

<sup>26</sup> Regulation C/Reg.13/12/12 Relating to Fertilizer Quality Control in the ECOWAS Region.

<sup>27</sup> National Agricultural Land and Water Management Development Project (NEMA) of the MoA. National Rice Development Strategy (NRDS). Viewed at: [https://riceforafrica.net/images/stories/PDF/gambia\\_en.pdf](https://riceforafrica.net/images/stories/PDF/gambia_en.pdf).

<sup>28</sup> The Competition and Consumer Protection Commission has undertaken a market study on the importation and sale of rice (and sugar). Viewed at: <http://qcc.gm/wp-content/uploads/2016/08/Rice-and-Sugar-Market-Study.pdf>.

<sup>29</sup> Ministry of Finance and Economic Affairs (2013), "Budget Speech 2013", p. 41.



### Groundnuts

4.17. Groundnuts play an important role in rural areas, providing cash, food and animal feed.<sup>30</sup> Groundnuts remain the leading crop in terms of the area under cultivation (accounting for about one-third of the total). The groundnut area was 85,000 ha in 2016 (compared with 110,000 ha on average in 2011-13). The sector's performance has remained below expectations, according to the DTIS study, and 70-80% of farmers are classified as poor.<sup>31</sup>

4.18. Groundnuts account for the bulk of agricultural exports and made up nearly half of the Gambia's merchandise exports in 2015 (Chart 1.4). In the European Union, the main export market, Gambian groundnuts have been downgraded to the bird-feed market segment due to rising SPS standards (aflatoxin).<sup>32</sup> The DTIS study lists among the challenges facing the sector, inadequate financing, processing factories, and transport facilities.

4.19. In 2015, The Gambia Groundnut Corporation (GGC) was renamed the National Food Security Processing and Marketing Corporation with an extended mandate (Table A3.5).<sup>33</sup> Under the previous Government, the groundnut regime included measures such as the compulsory crop delivery by farmers at designated buying points established by the Government, at fixed purchase prices (single buyer system). According to the authorities, the National Food Security Processing and Marketing Corporation in its current status does not legally have the exclusive right to import and export groundnuts. Other private sectors or middlemen are also permitted by law to export and import groundnuts.

4.20. Under the ECOWAS CET, groundnuts benefit from tariff protection of 5% (in shell or shelled, for oil manufacturing) or 10% (in shell or shelled, for other purposes); groundnut seeds (for planting) carry a 5% import duty.

### Cashew nuts

4.21. Cashew nut production is promoted as an alternative ("premium") cash crop for export.<sup>34</sup> The cashew nut sector was developed in the late 1980s, with production increasing from 200 tonnes in 1998 to 2,000 tonnes in 2007. The processing capacity reached about 10,000 tonnes in 2013.<sup>35</sup> Some of the challenges for the future are an over-reliance on a single market (India), concerns over quality,<sup>36</sup> and that the fact that The Gambia only exports raw (in shell) cashew nuts.<sup>37</sup> Under the ECOWAS CET, cashew nuts (in shell or shelled) benefit from tariff protection at a rate of 20%.

### Horticulture

4.22. The horticultural sector is regarded as a growth sector to cater for the domestic market (tourism sector) and export. Challenges for export include SPS and TBT requirements, high freight costs, and limited air cargo capacity.<sup>38</sup> There are three commercial enterprises at present. Gambia Horticulture Enterprises<sup>39</sup> produces and exports fresh fruit and vegetables. Radville Farms produces and exports fresh fruit (mainly mangoes) to the European Union. Kharafi Farms produces onions and Irish potatoes for the local and regional markets and has benefited from special tariff protection. Prior to the entry into force of the ECOWAS CET in The Gambia, onions and potatoes were subject to 20% import duty plus 15% excise tax (see Section 3.3.1).<sup>40</sup> Furthermore, The Gambia has adopted regulations on potatoes and onions that require notification of imports to the

<sup>30</sup> DTIS, *The Gambia DTIS*, 2013, p. 110.

<sup>31</sup> DTIS, *The Gambia DTIS*, 2013, p. 110-111.

<sup>32</sup> DTIS, *The Gambia DTIS*, 2013, p. 110-111.

<sup>33</sup> World Bank (2015), *State-Owned Enterprises in The Gambia: A Country Policy Note*.

<sup>34</sup> ITC (June 2014), *The Gambia Cashew Sector Development and Export Strategy 2014-2019*.

<sup>35</sup> ITC (June 2014), *The Gambia Cashew Sector Development and Export Strategy 2014-2019*, p. 1.

<sup>36</sup> DTIS, *The Gambia DTIS*, 2013, p. 110-112.

<sup>37</sup> ITC, *The Gambia Cashew Sector Development and Export Strategy 2014-2019*, p. 1.

<sup>38</sup> The Gambia National Development Plan 2017-2020 PAGE II, preliminary draft, p. 65.

<sup>39</sup> Viewed at: <http://www.gamhort.gm/>.

<sup>40</sup> Ministry of Finance and Economic Affairs (2013), "Budget Speech 2013", p. 41.



Food Safety and Quality Authority and compliance with the Gambian national standards regarding minimum quality requirements (Section 3.3.3).<sup>41</sup>

### Livestock

4.23. Investment in the commercial livestock sector has been mainly in poultry production, despite the high cost of imported feeds and veterinary drugs.<sup>42</sup> The sector has benefited from special tariff protection in the past (35% import duty). There have also been SPS-related import restrictions on poultry meat (Section 3.3.3). Imports of poultry meat remain subject to import duty at a rate of 35% under the ECOWAS CET.

4.24. The Gambia Livestock Marketing Agency (GLMA) was established in 2010 to promote the commercialization of the sector. The GLMA has established a price determination mechanism for live animals and meat.<sup>43</sup> As part of its mandate, the GLMA regulates the marketing of livestock and meat through a broad-based consultative approach. Due to the fact that the old concept of keeping livestock as a store of wealth still lingers in the minds of many farmers, the GLMA periodically holds sensitization meetings with the producers and livestock dealers operating at the primary markets ("lumos") and secondary markets on livestock marketing and pricing. The determination of the retail price of meat is done countrywide through the holding of consultative forums organized by GLMA, in partnership with the office of the regional governor, other local government authorities, key livestock stakeholders and consumers. At the end of the process, each region comes up with a fair retail price for meat that best suits the particular region, taking into consideration the availability of slaughter stock, the purchasing power of the local population, transportation costs, and other overheads. This culminates in the establishment of a national tariff that is endorsed, published and monitored by the GLMA. This approach meets the GLMA's regulatory mandate since both the consumers and butchers participate in the price determination exercise and therefore agreements are more binding and need less monitoring at the local level to ensure compliance.

#### 4.1.4 Fisheries

4.25. The fisheries sector's contribution to GDP is small (about 2.1% of GDP in 2016) (Table 1.1). Nevertheless, the sectoral GDP grew by 4.4% annually in the period 2010 to 2015. Annual fish consumption is estimated at 29 kg per capita, higher than the world average of 20 kg.<sup>44</sup>

4.26. The Gambia's fisheries resources comprise The Gambia River, a continental shelf of about 4,000 km<sup>2</sup>, and a 200 nautical mile Exclusive Economic Zone (EEZ). The total catch ranged from about 47,000 tonnes to 58,000 tonnes in the period 2010-16, almost 90% of which came from the artisanal fisheries (Chart 4.3).<sup>45</sup> Species caught in that sector are generally locally or regionally consumed fish (e.g. bonga, round and flat sardinella, and small pelagics) and high-value demersal fish species (e.g. sole fish, snappers, and cephalopods) for fish processing establishments for exports or markets in the tourism sector. The small export-oriented industrial sector primarily targets high value, bottom-feeding demersal fish (sole, shrimp, snappers, cuttlefish, and octopus).

4.27. A moratorium on industrial fishing was put in place from July 2015 to May 2017 through Executive Directives issued by the previous government, to await the outcome of a study in order to align The Gambia's low licensing fees with those prevailing in the region. The issuing of industrial fishing licences was resumed on 31 May 2017.

4.28. Fisheries management is under the responsibility of the Ministry of Fisheries and Water Resources, with the Department of Fisheries as the technical authority. There are fisheries

<sup>41</sup> Gambian Standard on fresh potato tubers (Gams 4-2016) and African Standard on fresh onions (ARS 921:2012).

<sup>42</sup> See also FAO (2017), *Review of the Livestock/Meat and Milk Value Chains and Policy Influencing them in West Africa*. Viewed at: <http://www.fao.org/3/a-i5275e.pdf>.

<sup>43</sup> DTIS, The Gambia DTIS, 2013, p. 114.

<sup>44</sup> Republic of The Gambia (2015), Ministry of Environment, *Climate Change, Water Resources, Parks and Wildlife, National Water Resources Assessment And Management Strategy*, March; and FAO (2016), *The State of World Fisheries and Aquaculture 2016 – Contributing to Food Security and Nutrition for All*.

<sup>45</sup> According to the information provided by the authorities, there are 1,230 head fishermen operating in all fish landing sites in The Gambia, of which 833 are Gambian nationals and 397 foreigners.

management plans for sole, oysters, and cockles.<sup>46</sup> The Gambia is a member of the Sub-Regional Fisheries Commissions (SRFC). Its objective is to reinforce cooperation and coordination of management of the fisheries resources among the 7 member States (Cabo Verde, The Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal, and Sierra Leone).

4.29. The legal framework for fisheries comprises the Fisheries Act, 2007 and the Fisheries Regulations, 2008. The Act authorizes the Minister of Fisheries to regulate the fisheries, including by declaring special management areas for community-based fisheries (artisanal or subsistence fishing operations); and specifying measures such as establishment of open or closed seasons for specific areas and fish stocks, fish size regulation, gear and fish method restrictions, and the total allowable catch. Draft amendment regulations were prepared by the previous government, but this has been put on hold by the new fisheries administration. Enforcement is under the responsibility of the Fisheries Department in collaboration with The Gambia Navy and the Community Fisheries Centres.

4.30. Industrial fishing is mainly carried out by foreign vessels in Gambian waters. There are currently [July 2017] 15 vessels (trawlers) licensed to operate in Gambian waters, of which 6 are Gambian registered but not owned by Gambians. The nine foreign fishing vessels fishing in the Gambian waters obtained fishing licences through a reciprocal agreement with Senegal, but are not necessarily owned by Senegalese nationals. The fisheries agreement with Senegal (1982) has been renewed regularly, most recently in March 2017.<sup>47</sup> According to the authorities, The Gambia has been negotiating bilateral agreements with Turkey and the European Union (the fishing protocol expired in 1986).

4.31. All local and foreign vessels require (non-transferable) licences, valid for 1 year for artisanal fisheries; for industrial fishing vessels, the Minister of Fisheries and Water Resources decides the validity period of the fishing licence (currently 3 months). Licensing is subject to conditions such as the type and method of fishing, authorized areas, use of minimum mesh size, employment of Gambian nationals, and landings, among others.

4.32. Due to the absence of infrastructure facilities, almost all of the industrial catch has been landed in foreign ports; the fish is processed, packaged and labelled as originating from those countries.<sup>48</sup> The new Banjul Fisheries Jetty and its ancillary facilities (fish handling and refrigeration) are not yet fully operational. The industrial processing plants (four) exclusively depend on raw material from the artisanal subsector; all are certified to process and export fresh and frozen fish products to the European Union and other countries; three plants are certified to export smoked fish products to the European Union (Mahoney, International Pelican Seafood, and Atlantic Seafood). The European Union remains the biggest market for the Gambia's fish exports, followed by countries in Asia and Africa.

4.33. The fisheries sector enjoys relatively high tariff protection of 15.4% (with a range of 5-20%) compared with the overall CET average of 12.3% in 2017 (Section 3.1.4).<sup>49</sup> In the WTO, none of The Gambia's tariffs on fish and fish products are bound, except for two tariff lines (corals – HS 05080000; and fish products unfit for human consumption – HS 05119100) with a bound rate of 110%.<sup>50</sup> On the other hand, certain equipment and inputs for fishery activities face relatively low tariff rates. Items such as fishing nets (HS 5608110000 and HS 5608901000), fishing vessels (HS 890200), fishing rods, hooks, and nets (HS 9507) are subject to 5% CET customs duties. Furthermore, The Customs and Excise Act, 2010 allows for duty exemptions on fishing vessels and

<sup>46</sup> A "Fisheries and Aquaculture Sector Strategy and Action Plan 2017-2021", as well as management plans for cat fish and bonga, are under preparation.

<sup>47</sup> *The Standard*, "Gambia, Senegal sign fisheries pact", 28 March 2017. Viewed at: <http://standard.gm/site/2017/03/28/gambia-senegal-sign-fisheries-pact/>.

<sup>48</sup> The DTIS Update (2013) notes that The Gambia's exports are underestimated since most fish caught in Gambian waters is landed in foreign countries and not recorded in the Gambian trade statistics. See Enhanced Integrated Framework (2013), *Diagnostic Trade Integration Study Update for The Gambia: Harnessing Trade for Growth and Employment*, 20 April.

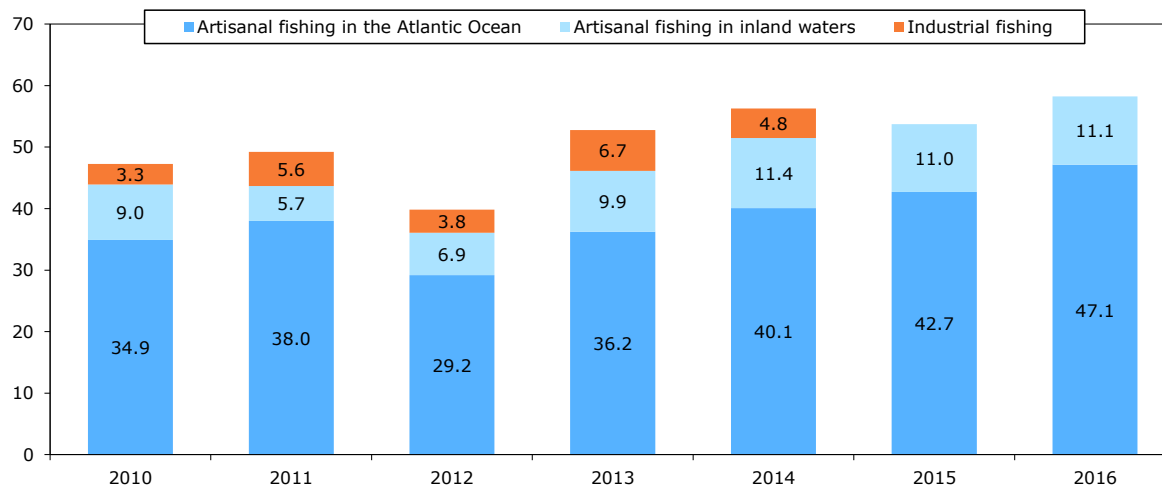
<sup>49</sup> Fish and fish products refer to HS codes under Chapter 03, HS 0508, HS 051191, HS 150410, HS 150420, HS 1603-05, and HS 230120.

<sup>50</sup> In the original schedule of concessions, two tariff lines (HS 05080000 and HS 05119100) were classified as agriculture. However, during the course of NAMA negotiations, these tariff codes were reclassified as fish and fish products. WTO document TN/MA/W/103/Rev.3/Add.1, 21 April 2011.

equipment, if approved by the Minister of Trade, Industry, Regional Integration and Employment (Section 3.1.4).

**Chart 4.3 Fish production in The Gambia, 2010-16**

(1,000 tonnes)



Note: A moratorium on industrial fisheries was imposed in 2015 and 2016.

Source: Information provided by the authorities of The Gambia.

## 4.2 Mining and Energy

4.34. In 2016, mining and quarrying accounted for 2.9% of GDP (compared with 2.8% in 2010), and electricity, gas, and water supply accounted for 1.3% (1.3% in 2010). During the period under review, there were no major developments in trade policies concerning mining, except for those described in Section 3.

4.35. The Ministry of Petroleum and Energy is the competent authority overseeing the energy sector and is responsible for setting sectoral policy.<sup>51</sup> The sector has undergone some reforms during the period under review: the national energy policy 2014-2018 was formulated; an electricity masterplan was developed; and a new Petroleum Act entered into force in 2016. The authorities indicated that the Petroleum Products Act, 2016 aims at liberalization of the sector.

4.36. The electricity sector is regulated by the Public Utility Regulatory Authority (PURA). The electricity supply is insufficient and unstable, and the equipment and the lines are aging. The authorities noted that international assistance and capacity building are essential to the development of this sector. Currently the national grid is not connected with any of its neighbouring countries. The authorities indicated that works to connect the grid with Guinea and Senegal are under way.

4.37. There are no restrictions on market entry to power generation. The electricity is provided by the state-owned National Water and Electricity Company (NAWEC) as well as by independent power producers. The authorities indicated that foreign investment in power generation, in particular renewable energy (e.g. solar power plants), is encouraged. NAWEC is the sole transmitter and distributor of electricity in the country. The authorities indicated that there is no plan to unbundle transmission and distribution in the near future. Electricity tariffs are regulated by PURA.

## 4.3 Manufacturing

4.38. The share of manufacturing in The Gambia's GDP has been declining since 2013; it accounted for 4.8% of GDP in 2016, compared with 6.0% in 2012. There have been no major

<sup>51</sup> The Ministry of Petroleum and the Ministry of Energy were merged in January 2016.

trade policy developments concerning The Gambia's manufacturing sector since its previous review, except for those described in Section 3.

## 4.4 Services

### 4.4.1 Financial services

#### 4.4.1.1 Banking

4.39. During the period under review, the legal and institutional framework for the banking sector in The Gambia remained unchanged, comprising the Central Bank Act 1992, the Financial Institutions Act 2003, the Money Laundering Act 2003, and the Banking Act 2009. The Central Bank of The Gambia is the regulator, responsible for licensing operators and prudential supervision.

4.40. The country's payments system, as well as the clearing and settlement infrastructure was modernized through technical improvements during the review period. These include the establishment of the Real Time Gross Settlement System (RTGS), Automated Cheque Processing (ACP), Automated Cheque Clearing (ACH), Securities Settlement System (SSS), and an electronic National Switch (GAMSWITCH) for retail payment.<sup>52</sup> Furthermore, a Collateral Registry and Registration System has been established pursuant to the Securities Interests in Movable Properties Act 2014. The Collateral Registry provides an efficient and cost effective credit rating service to create an enabling environment for access to credit.

4.41. All financial institutions are required to obtain a licence from the Central Bank prior to commencement of operations. No fees are charged for licences. The authorities noted that no special conditions are attached to the establishment of foreign banks. Foreign banks must be locally incorporated in The Gambia, i.e. they must be subsidiaries but not direct branches of international banks. The minimum capital requirement for banks was raised to D 200 million in 2012, compared to D 150 million in 2011.

4.42. Currently there are 12 commercial banks (including one Islamic Bank)<sup>53</sup> operating in The Gambia<sup>54</sup>, of which 2 are domestically owned and 10 are foreign-owned. Banking services are expanding in many regions of the country: as of end-2016, there were 85 branches, and the availability of POS and ATMs has increased. The authorities indicated that The Gambia's banking system is liquid and most banks are profitable.

4.43. There is no deposit threshold for customers to open a current account. Some banks still require a deposit of D 500 for customers opening other types of bank accounts such as saving accounts; a commercial decision made by the banks to recover the administrative cost of opening and maintaining accounts, according to the authorities. There are no restrictions on Gambian residents opening an account overseas.

4.44. The Central Bank's policy rate serves as the signalling rate for the economy. The market interest rates are not regulated, and are determined in the Gambian inter-bank market. The inter-bank rates are close to the 91-day Treasury Bills. Despite the rapid growth of the sector, lending rates remain high; therefore, lending to individuals and businesses is not high. Banks depend disproportionately on government assets (treasury bills) as their main avenue of investment; the Central Bank is of the view that the over-reliance on government borrowing is not sustainable and probably increases the solvency risk in the long run.

4.45. Non-bank financial institutions are subject to the Central Bank's supervision pursuant to the Non-Bank Financial Institutional Act 2016. Non-banking financial institutions are mainly engaged in the business of microfinance, in the forms of village savings and credit associations (VISACAs) and finance companies (FCs). They must be locally incorporated in The Gambia. A minimum capital of

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<sup>52</sup> From mid-2012, banks started online rendition of reports and data through the platform VRegCoss. Due to technical issues, the system is not yet fully operational, according to the authorities.

<sup>53</sup> There is no specific regulatory framework for an Islamic Bank, however the bank's board has a Sharia Supervisory Board assessing all products for Sharia compliance.

<sup>54</sup> A list of banks operating in The Gambia is published on the Central Bank of The Gambia's website. Viewed at: [http://www.cbq.gm/finance\\_systems/banking.html](http://www.cbq.gm/finance_systems/banking.html).

D50 million is required to establish a non-bank financial institution. In addition, microfinance institutions (MFIs) must keep 15% of their deposits as reserves.

4.46. VISACAs experienced market concentration during the period under review. As of end-2016, only 14 out of the 65 VISACAs that the Central Bank inspected were active in the market. However, the stock of total savings reached D14.9 million in December 2016, compared to D11.1 million one year before; total loans stood at D13.1 million in December 2016, a sharp increase from D8.6 million in December 2015. Similarly, FCs have recorded strong growth in deposits, total assets, and capital. In December 2016, total deposits in FCs reached a level of D536.7 million, total assets D852.3 million, and capital D164.5 million, growing by 14.4%, 15.3%, and 4.8% respectively in 2016. Credit union deposits and loans also grew 12.6% and 28.8%. Despite the growth, as of end-2016, credit extended by MFIs accounted for only 3.1% of total domestic credit against the share of 15.3% by commercial banks.

4.47. Mobile money services are regulated by the Financial Supervision Department of the Central Bank. According to the authorities, mobile money services have developed rapidly. In early 2016, the Central Bank granted licences to two mobile money-service providers, Afrimoney, and Qoodoo Money; both are subsidiaries of their parent mobile telecommunications companies.

4.48. Foreign exchange bureaux (BDCs) must be licensed by the Central Bank. There are 75 licensed BDCs in the country.<sup>55</sup> The BDCs are free to set their spot rates of exchange. The country does not yet have a centralized trading platform for foreign exchange. Each BDC is required to submit their daily report to the Central Bank<sup>56</sup>, and keep all transaction records. All BDCs must be a member of the Association of Licensed Foreign Exchange Bureaux. BDCs are not allowed to take deposits or engage in lending business.

4.49. As indicated in the previous Review, The Gambia had serious capacity and resource constraints in implementing the Money Laundering Act 2003. The Gambia has since established a national coordinating committee to fight against money laundering, comprising, *inter alia*, the Ministry of Finance and Economic Affairs, the Central Bank, and Customs. The authorities indicated that the Anti-Money Laundering and Combating Terrorism Financing Act 2012 provides for the establishment of an autonomous body with the necessary governance structure to address the issue.

#### 4.4.1.2 Insurance

4.50. The Gambia's legal and institutional framework for the insurance sector has remained largely unchanged since its previous review. The Insurance Act 2003 (amended in 2006) is the basic legislation and the Central Bank remains the regulator for the sector. In 2015, the Central Bank issued three supervisory guidelines, which aim to enhance prudential management in the sector.

4.51. There are 11 insurance companies operating in the country<sup>57</sup> with a network of 32 branch offices, of which five are 100% locally private-owned, two are 100% foreign-owned, and four are foreign joint ventures with Gambian partners. There is also one Islamic insurer. Two insurers offer life insurance products, and nine insurers operate in non-life insurance. Insurance companies operating in The Gambia must be a member of the Insurance Association of The Gambia (IAG).

4.52. According to the authorities, there are no restrictions on foreign investment to establish insurance companies. The criteria for establishing an insurance company are generally the same as those for banks and other financial institutions. The premiums of third-party insurance are set and regulated by the Central Bank; the premiums of other insurance products are market-determined.

4.53. There are nine brokerage firms in the insurance sector. Insurance brokers must register with the Commissioner of Insurance under the Central Bank. They are required to maintain capital of D 100,000 and to deposit D 25,000 in government securities with the Central Bank. Foreigners

<sup>55</sup> The Central Bank of The Gambia online information, "List of Registered Forex Bureaux". Viewed at: [http://www.cbg.gm/finance\\_systems/bureau%20register.xls](http://www.cbg.gm/finance_systems/bureau%20register.xls).

<sup>56</sup> Article 7(e), Revised Regulations for the Licensing and Operation of Foreign Exchange Bureaux.

<sup>57</sup> A list of insurers operating in The Gambia is published on the Central Bank of The Gambia's website. Viewed at: [http://www.cbg.gm/finance\\_systems/insurance.html](http://www.cbg.gm/finance_systems/insurance.html).

who are residents in The Gambia may operate as insurance agents; foreigners may operate as insurance brokers regardless of their residency. Banks (including branches) and non-banking institutions may not operate as insurance brokers. The insurance penetration rate in The Gambia was 0.62% in 2016.

4.54. Cross-border provision of insurance services is allowed: Gambian residents may freely purchase insurance abroad. Motor insurance under the "Brown Card" system for ECOWAS provides Gambian residents with cover in other member States, and vice versa.

#### 4.4.2 Communications

##### 4.4.2.1 Telecommunications

4.55. The legal and institutional framework of the telecommunications sector has not changed since the last TPR. The Information and Communications Act 2009 (hereafter the IC Act) is the main law governing the sector. The Ministry of Information and Communications is responsible for formulating sectoral policy as well as licensing operators,<sup>58</sup> while the Public Utility Regulatory Authority (PURA) remains the sector regulator, responsible for assessing licence applications and making recommendations to the Minister on licensing decisions.<sup>59</sup> Licences must be granted in an open and non-discriminatory manner.<sup>60</sup> According to the authorities, there are no restrictions on foreign applicants for telecommunications licences, but foreign-owned applicants must be locally incorporated in order to provide telecommunications services.

4.56. The Gambia has completed the implementation of the National Information and Communication Infrastructure Policy 2004-2015 (NICI-I). The authorities carried out a review of NICI-I in 2015, which asserted that NICI-I had successfully met over 80% of its objectives. The authorities are of the view that the success was a result of infrastructure improvement, and that the NICI-I fell short in service deployment (e.g. electronic applications) over the infrastructure due to scarcity of resources including IT-skilled personnel. A new national policy, the National Information and Communication Infrastructure Policy 2017-2025 (NICI-II), has been formulated.<sup>61</sup> According to the authorities, NICI-II is focused on not only using information and communication technologies (ICTs), but also creating services based on ICTs (e.g. cloud services). NICI-II aims at promoting open access, universal access services and cyber security measures, and in particular more affordable and secured broadband access. The new policy intends to promote private investment in the sector through an improved regulatory environment. In this regard, the new policy pursues a "technology-neutral regulatory environment", and a "fair and reasonable pricing structure".

4.57. The telecommunications market has experienced rapid growth since 2011, in particular mobile telecommunications. The mobile penetration rate was about 137% in 2016, up from 81% in 2011; mobile subscriptions increased by 103% in the same period, reaching 2.8 million in 2016. However, subscription to fixed-line services remained low, despite a spike in subscriptions in 2012-13 (Table 4.2).

**Table 4.2 Selected telecom indicators, 2011–16**

	2011	2012	2013	2014	2015	2016
Fixed telephone subscriptions ('000)	50.5	64.2	64.2	55.8	45	45
Fixed telephone subscriptions per 100 inhabitants	2.9	3.6	3.5	2.9	2.3	2.2
Mobile-cellular telephone subscriptions ('000)	1,401.2	1,526.2	1,848.9	2,597.0	2,715.6	2,838.1
Mobile-cellular telephones per 100 inhabitants	80.8	85.2	100	129.1	134.7	136.8
Internet users (%)	10.9	12.5	14	16.5	17.1	27.4
Fixed-broadband subscriptions	437	500	438	2,743	3,573	3,700
Fixed-broadband subscriptions per 100 inhabitants	0.03	0.03	0.02	0.14	0.18	0.18

<sup>58</sup> Article 10, Information and Communications Act.

<sup>59</sup> The Public Utility Regulatory Authority also has the purview to ensure competition in the sector. See Part IV of the Information and Communications Act.

<sup>60</sup> Article 17, Information and Communications Act.

<sup>61</sup> The administrative process for Cabinet adopting the National Information and Communication Infrastructure Policy 2017-2025 (NICI-II) was still not completed at the time when this Trade Policy Review report was finalized.



	2011	2012	2013	2014	2015	2016
Wireless broadband total subscriptions ('000)	..	22.2	38.9	153.5	197.5	432.1
Wireless broadband total subscriptions per 100 inhabitants	..	1.31	2.06	7.89	10	21.2

.. Not available.

Source: ITU online information. Viewed at: [www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx](http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx); and information provided by the authorities.

4.58. There are four mobile carriers operating in The Gambia;<sup>62</sup> three of them have provided mobile data services on a 3G platform since 2015,<sup>63</sup> compared to two carriers offering data services in 2010. Among the four mobile carriers, two are foreign-owned, and one is Gambian privately-owned. The Gambia Telecommunications Company Limited (Gamtel) is the sole operator providing fixed-line services in the country.<sup>64</sup>

4.59. The telecommunications infrastructure has improved significantly since 2010. According to the authorities, 94% of the country was covered with at least two mobile operators in 2015, up from 57% in 2010. All mobile carriers have their own micro-wave radio relay networks for long-distance signal transmission. Gamtel completed its project of laying out a nationwide fibre-optic backbone network in 2015. In addition, the African Coast to Europe (ACE) submarine cable landing station was established in 2012; this submarine cable provides The Gambia with broadband connection to Europe with a 100-GB capacity.<sup>65</sup> Since 2016, Gamtel has operated an "Open Access Regime" that allows any carrier to access to this backbone network, either through exclusive capacity leasing or sharing of Gamtel's traffic stream. The price for accessing the backbone network is set by Gamtel in consultation with stakeholders, and under PURA supervision.

4.60. The Open Access Regime is in line with the IC Act's network neutrality. Gamtel acts as an infrastructure manager for the national communications network to provide non-discriminatory access to all users; Gamcell (a subsidiary of Gamtel) does not enjoy preferential access to the backbone network. According to the authorities, the charges for accessing the ACE cable are also applied to all ACE consortium members on a non-discriminatory basis.<sup>66</sup> The IC Act encourages telecommunications operators to share properties, facilities, and infrastructure among themselves by agreements.<sup>67</sup> As an introduction to the Open Access Regime, mobile carriers began migrating their long-distance transmission to the national backbone network in September 2016, but the "last mile" connection to end-users is still under the control of the operator, and therefore fully competitive. The authorities indicated that the IC Act encourages co-location, and that the necessary regulatory instruments for co-location and access have been developed.

4.61. In general, carriers have a duty to interconnect with each other, either directly or through other carriers' facilities.<sup>68</sup> Interconnections must be provided on a non-discriminatory basis in terms of charges and connection quality, among others. The authorities expect that the national fibre-optic backbone network will improve the service quality of interconnection. PURA regulates the rates of interconnection and resolves any disputes related to interconnection. The current interconnection charges are at D0.50 per minute (unchanged from 2010).

4.62. Spectrum allocation is based on the National Spectrum Allocation Plan and its associated regulations. PURA is the competent authority to allocate frequency bands of spectrum. According to the authorities, frequency bands are not auctioned but assigned to applicants subject to an annual fee. The authorities stated that the frequency allocations are based on technical assessments and the applicant's needs, which is dependent on their stage of technology development. If the band is in high demand, the allocation is conducted on a first-come-first-

<sup>62</sup> The four mobile carriers are Africell (foreign-owned), Comium Mobile (foreign-owned), Gamcel (subsidiary of Gamtel), and Qcell (privately domestically owned).

<sup>63</sup> Currently, 3G services are provided for the Greater Banjul Area, Basse, Farafenni, and Kanilai. The rest of the country is covered by GPRS and EDGE platforms.

<sup>64</sup> Gamtel was partially privatized in 2007. Currently, the Government owns 99% of Gamtel's shares.

<sup>65</sup> The ACE submarine cable landing station is managed by The Gambia Submarine Cable Company; 49% of its shares are owned by the Government and 51% by private investors.

<sup>66</sup> Currently, the local components of ACE consortium members are Gamtel, Gamcel, Netpage, Unique Solutions, Qcell, Africell, Comium, and the Government of The Gambia.

<sup>67</sup> Articles 38, 54, and 79, Information and Communications Act.

<sup>68</sup> Article 59, Information and Communications Act.

served basis; however, when allocating frequency, PURA, in practice, will reserve some bandwidth for potential new entries so as to ensure competition in the market. The IC Act provides the Minister with the power to limit the number of licences issued to operators.<sup>69</sup> According to the authorities, the Minister has not exercised this power so far.

4.63. There are several internet service providers (ISPs), including Netpage, Qcell, Gamcel, Africell, Gamtel, Insist Net, and Unique Solutions. In 2015, Netpage launched The Gambia's first commercial LTE-based broadband service. Most broadband services are provided by mobile carriers.<sup>70</sup> Fixed-broadband penetration has remained low (less than 1%) due to low fixed-line penetration, whilst wireless broadband penetration experienced strong growth from 1.3% in 2012 to 21.2% in 2016 (Table 4.2).

4.64. PURA has the authority to ensure competition in the sector.<sup>71</sup> PURA conducted its first market assessment and competition study in 2015.<sup>72</sup> The study segmented the markets into various wholesale and retail markets where Gamtel is deemed to have dominance in the provision of National High Transmission Capacity; the authorities noted that regulatory safeguards have been applied to Gamtel to ensure fair, reasonable and non-discriminatory pricing. In the study, Africell was also designated as having significant market power status in the retail mobile market. The tariff structure for telecommunications services is subject to price caps. Operators must notify PURA of the prices of their service products prior to launch.<sup>73</sup> PURA is also working on fair billing to consumers, for example, unifying the billing unit from one minute to per second billing.

4.65. Although roaming is not regulated, PURA must "ensure the widest possible compatibility between mobile systems in terms of roaming" and "identify operators engaged in applying prohibitive prices".<sup>74</sup> Roaming tariffs must be approved by PURA in consultation with stakeholders.

4.66. In addition to traditional telecommunications services, mobile carriers provide other services such as mobile money and electricity payment. Partnered with the National Water & Electricity Company (NAWEC), Qcell and Africell compete in the market of electricity recharge tokens. Qcell and Africell, through their subsidiaries, also offer mobile money services.

#### 4.4.2.2 Postal services

4.67. During the period under review, there were no changes to the regulatory framework on postal services in The Gambia. The Gambia Postal Services Corporation (GAMPOST) is a semi-autonomous entity under the Ministry of Information and Communications, providing universal postal services for the country. Express courier services are fully open to private competition. Currently, DHL and UPS operate in courier services in the country through their locally incorporated subsidiaries. According to the authorities, prices for postal services, except for universal services, are not regulated.

#### 4.4.3 Transport

##### 4.4.3.1 Air transport

4.68. The legal and institutional framework for air transport remained largely unchanged during the period under review. The Ministry of Transport, Works and Infrastructure is responsible for formulating policy in the area.<sup>75</sup> The Gambia Civil Aviation Authority (GCAA) is the regulator of operational and safety issues, including authorizing business operations, licensing aircrafts and

<sup>69</sup> Article 23, Information and Communications Act.

<sup>70</sup> Netpage has its own network but is not licensed as a mobile service carrier.

<sup>71</sup> There is a Memorandum of Understanding (MoU) between the Competition and Consumer Protection Commission (CCPC) and the Public Utility Regulatory Authority (PURA). As per the MoU, PURA has the responsibility for competition and consumer protection enforcement in the utility sector including telecommunications.

<sup>72</sup> This study was conducted in partnership with the International Telecommunications Union.

<sup>73</sup> Retail tariffs are market competitive, and do not require PURA approval.

<sup>74</sup> Article 56, Information and Communications Act.

<sup>75</sup> The Gambia is in the process of formulating a new national transport policy, including a policy for aviation.



personnel, and monitoring air carriers operating in The Gambia's territory.<sup>76</sup> GCAA also provides air navigation services in the Gambian airspace.

4.69. The Gambia pursues an open-skies policy. According to the authorities, The Gambia is open up to the sixth freedom of aviation rights without reservations: there are no restrictions on, *inter alia*, designation, capacity, and ticket pricing. Cabotage is allowed. Currently, The Gambia has 27 bilateral air services agreements. It is a signatory to the Yamoussoukro Declaration on the creation of a single African air space, and the Banjul Accord for the accelerated implementation of the Yamoussoukro Declaration.<sup>77</sup>

4.70. Since June 2017, The Gambia once again has a flag carrier – Fly Mid Africa, a privately owned company incorporated in The Gambia, which operates regional routes. Gambia International Airlines (GIA) is the national carrier but its flight operations were discontinued in 2005;<sup>78</sup> GIA's current business is focused on ground and cargo handling operations, as well as travel agency business.

4.71. Banjul International Airport (BIA) is the only airport in the country, and is 100% owned by the Government. As of July 2017, there were 16 airlines operating routes to Banjul, ten of which were for scheduled air services and six for non-scheduled air services. In 2016, close to 327,000 passengers and 1.7 million tonnes of cargo were transported through BIA (Table 4.3). There are no domestic air services (including general aviation).

**Table 4.3 Air traffic in The Gambia, 2011-16**

		2011	2012	2013	2014	2015	2016
<b>Passengers ('000)</b>	Arrivals	157.3	157.6	174.6	155.1	131.8	160.4
	Departures	159.0	159.3	176.4	166.2	131.4	166.3
	<b>Total</b>	<b>316.3</b>	<b>316.9</b>	<b>351.0</b>	<b>321.3</b>	<b>263.2</b>	<b>326.8</b>
<b>Cargo ('000 tonnes)</b>	Export	280.8	499.8	808.1	1,159.3	973.5	1,133.1
	Import	699.5	591.5	579.2	632.2	728.1	611
	<b>Total</b>	<b>980.3</b>	<b>1,091.3</b>	<b>1,387.3</b>	<b>1,791.6</b>	<b>1,701.7</b>	<b>1,744.1</b>
<b>Aircraft movement</b>	Regional	3,819	2,743	3,222	2,031	1,510	1,407
	European	909	1,086	1,513	1,409	1,179	1,487
	Others	389	911	563	358	291	275
	<b>Total</b>	<b>5,117</b>	<b>4,740</b>	<b>5,298</b>	<b>3,798</b>	<b>2,980</b>	<b>3,169</b>

Source: Information provided by the authorities.

4.72. GCAA is responsible for the operation and management of the airport (BIA). Under a concession contract, ground and cargo handling at the airport is carried out by GIA. There are two passenger processing service providers competing in the market: GIA and Air Rep Services. The authorities indicated that GCAA will no longer function as airport manager once other regulatory interventions have been completed (e.g. establishing an airport authority).<sup>79</sup> The authorities further indicated that privatization of the airport is under consideration, and that all airport operation and management services are open to private sector participation, including foreign investment.

4.73. The capacity at BIA is optimally utilized only during the tourist season from November to April each year. The Gambia seeks to promote BIA as a sub-regional hub for air transport, so as to utilize its capacity during the off season. In this regard, GCAA provides a waiver of landing and parking fees as incentives to stimulate traffic during the off-peak season. GCAA completed Phase 1 of the BIA project to improve the infrastructure and facilities in 2012; these improvements included completion of the overlay of the runway, and upgrade of the airfield ground lighting

<sup>76</sup> The Gambia Civil Aviation Authority online information. Viewed at: <http://www.gcaa.aero/>.

<sup>77</sup> The Banjul Accord is among seven West African States (Cabo Verde, The Gambia, Ghana, Guinea, Liberia, Nigeria, and Sierra Leone). It aims to establish a platform for negotiating traffic rights and market access, as well as for harmonizing air transport regulations; the Banjul Accord group of States have allocated traffic rights to each member under the agreement. According to the authorities, the declaration has not been implemented.

<sup>78</sup> Gambia International Airlines (GIA) had a code-share agreement with Mauritania Airlines in 2014, which was discontinued in 2015.

<sup>79</sup> African Development Bank (2013), *The Gambia: Transport Sector Diagnostic Study*. Viewed at: [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB\\_-\\_Gambia\\_-\\_Transport\\_sector\\_diagnostic\\_study.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB_-_Gambia_-_Transport_sector_diagnostic_study.pdf).

system.<sup>80</sup> Phase 2 of the project is ongoing, including expansion of the apron (completed), improving two taxi ways (completed), improving the terminal buildings, and installing an Instrument Landing System (ILS).

4.74. An air transport tax was introduced in January 2014. The tax is applicable to all airlines and travel agencies for ticket sales of flights originating from The Gambia. The air transport tax is applied at a rate of 15% of the ticket price.

#### 4.4.3.2 Maritime transport

4.75. The legal and institutional framework for maritime and river transport remained largely unchanged during the period under review. The Port Act 1972 is the basic legislation for the sector. The Ministry of Transport, Works and Infrastructure is responsible for formulating maritime policy and the Gambia Maritime Administration (GMA) under the Ministry is the regulator of ports and waterways, responsible for safety issues as well as for licensing vessels and personnel. The Gambia does not have its own national fleet.

4.76. The Gambia Ports Authority (GPA) remains the sole provider for all port services (including pilotage). The GPA is responsible for the construction, maintenance, administration and operation of port infrastructure and facilities, and is also responsible for the river ports, ferries and associated infrastructure for inland waterways transport on the River Gambia. Cabotage is allowed.

4.77. The Port of Banjul is the only maritime port of the country, and is the gateway for the export/import trade. The quay length is 400 metres, and there is no restriction on the maximum length of vessels at wharves. Banjul Port has improved its capacity: in 2016, a new cargo terminal was built; the Port offers approximately 53,000 m<sup>2</sup> of uncovered storage area, 2,300 m<sup>2</sup> of covered storage area and about 9,000 m<sup>2</sup> of covered storage for bonded goods.

4.78. As provided in the Port Act, GPA determines berthing, mooring and anchoring locations, and approaches to the port, and sets ships' dues relating to these operations; it also sets and collects harbour dues, based on the number of passengers and freight volume. Charges are applied to imports and exports at different rates as per Port Tariff, which was revised in 2013.<sup>81</sup> GPA continues investing to improve capacity and efficiency in Banjul Port. Currently, performance for cargo handling is 17 moves per hour for containers, 48 tonnes per gang hour for general cargo, and 1,000 tonnes per 24 hours for bulk cargo. GPA is considering a number of projects for future development including construction of a new container terminal.<sup>82</sup>

4.79. Cargo throughput has increased significantly between 2011 and 2016, mainly due to growth of imports through Banjul Port (Table 4.4). Banjul Port also handles transit trade for neighbouring countries including Guinea-Bissau, Guinea, Mali, and Senegal. Transit cargo to Guinea-Bissau and to Senegal has increased significantly (Table 4.5).

**Table 4.4 Cargo throughput at the Port of Banjul, 2011-16**

(tonnes)

	2011	2012	2013	2014	2015	2016
Imports	1,227,569	1,295,282	1,327,959	1,552,056	1,547,160	1,669,479
Exports	450,604	337,873	295,658	369,722	300,394	393,820
<b>Total</b>	<b>1,678,173</b>	<b>1,633,155</b>	<b>1,623,617</b>	<b>1,921,778</b>	<b>1,847,554</b>	<b>2,063,299</b>

Source: Information provided by the authorities.

4.80. Regarding river transport, there is no legal restriction on participation by the private sector, including foreign investment. Currently, river transport is only for freight; no services for passenger transport along the river (except tourist boating) are provided due to a lack of

<sup>80</sup> African Development Bank (2013), *The Gambia: Transport Sector Diagnostic Study*. Viewed at: [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB - Gambia - Transport sector diagnostic study.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB_-_Gambia_-_Transport_sector_diagnostic_study.pdf).

<sup>81</sup> The authorities indicated that rates have not increased in revised Port Tariff; the revision was a reflection of changes in international trade practice.

<sup>82</sup> Ministry of Transport, Works & Infrastructure presentation on the 5<sup>th</sup> Meeting of the COMCEC Transport and Communications Working Group. Viewed at: <http://www.comcec.org/wp-content/uploads/2015/03/GAMBIA.pdf>.

investment, according to the authorities. There is one private-sector operator with two barges, while the National Food Security Processing and Marketing Corporation has its own transport system. The Gambia Ferry Services Company Ltd<sup>83</sup> remains the sole operator of cross-river ferries.<sup>84</sup> Ferries operate in eight river crossings along the river. The ferries are managed as an integral part of the road network to connect the north and south banks of the Gambia River along with the primary North-South road network.

**Table 4.5 Transit shipments through the Port of Banjul, 2010-16**

(tonnes)

	2011	2012	2013	2014	2015	2016
Guinea- Bissau	410	1,080	1,166	1,311	1,605	1,658
Guinea	1,306	1,285	1,396	1,289	997	930
Mali	39	201	227	228	1,336	249
Senegal	736	883	1,812	2,711	3,220	3,118
<b>Total</b>	<b>2,491</b>	<b>3,449</b>	<b>4,601</b>	<b>5,539</b>	<b>7,158</b>	<b>5,955</b>

Source: Information provided by the authorities.

#### 4.4.3.3 Road transport

4.81. Road transport is the main mode for the movement of persons and goods in The Gambia. During the review period, the legal and institutional framework for road transport remained unchanged. The Ministry of Transport, Works & Infrastructure is the competent policy authority and the regulator of the sector. The National Roads Authority (NRA) is responsible for construction, maintenance and management of the road network.

4.82. Road transport, including urban transport, for passengers and freight is fully liberalized in The Gambia. The private sector is the sole services provider, as the Gambia Public Transport Corporation went bankrupt and discontinued its services in 2003.<sup>85</sup> There is no restriction on entry and exit into public transportation services. No route allocations are applied through the authorities. However, services providers must join either of the two umbrella associations: the National Transport Controllers Association (NTCA) or the National Transporters Association. The NTCA has 27,000 members countrywide and vehicle/truck ownership per member ranges from 1 to 30. Prices for road transport are not regulated. Cabotage is allowed.

4.83. Operators seeking to transport freight or passengers on routes between The Gambia and Senegal are required to obtain a permit, under a bilateral Road Transport Agreement. These permits are delivered by the Minister responsible for transport in either country. The cost of issuance in The Gambia is D 500. Cross-border road transport is "delegated" to NTCA.<sup>86</sup> NTCA's main complaint is with respect to the several stops along the routes and a lack of trade and transport facilitation instruments across frontiers. The authorities indicated that the issues will have to be addressed at the ECOWAS-level so as to implement the One Stop Border Posts on the regional road network to ensure harmonization of customs and immigration procedures.

4.84. There are no regular and periodic traffic surveys on the road network in The Gambia. The most recent comprehensive traffic survey was conducted in 2009. Traffic levels on the main network are highest on the south bank and in the west of the country: they ranged from an Average Daily Traffic (ADT) of 7,415 vehicles on the Banjul–Mandina Ba section to 206 ADT on the Basse–Fatoto section. On the north bank, the heaviest traffic is around the Barra–Farafenni section with an ADT of 2,312, decreasing to an ADT of just over 50 at the eastern end of the north bank. On the longitudinal axis, the heaviest traffic is on the Trans-Gambia highway from Farafenni to Soma recording an ADT of about 1,000 vehicles. The 2009 traffic survey also found that over 36%

<sup>83</sup> The Gambia Ferry Services Company Ltd is a state-owned enterprise.

<sup>84</sup> The Gambia had an unsuccessful attempt to upgrade its ferry services through a public-private-partnership with a Greek private investor.

<sup>85</sup> The Gambia Public Transport (repeal) Act, passed in 2012, dissolved the Gambia Public Transport Corporation (GPTC). The Gambia Transport Service Company (GTSC) was established in 2013, as a private company, inheriting all the assets from GPTC.

<sup>86</sup> African Development Bank (2013), *The Gambia: Transport Sector Diagnostic Study*. Viewed at: [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB - Gambia - Transport\\_sector\\_diagnostic\\_study.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AfDB_-_Gambia_-_Transport_sector_diagnostic_study.pdf).

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of all trucks (including transit traffic) exceeded the axle loads limit of 11.5 tonnes; this situation of excessive axle loads has led to the rapid deterioration of the primary road network.

#### 4.4.4 Tourism

4.85. The tourism industry is a major contributor to the economy. The authorities estimated that tourism contributed about 16-20% to GDP in 2016.<sup>87</sup> The Ebola outbreak in the region in 2014 had a significant adverse impact on The Gambia, even though no cases were reported in The Gambia.

4.86. The main tourism season in The Gambia is from October to April, with a peak in December and January. Besides its Atlantic-coast beach resorts, The Gambia's main advantages are its culture (e.g. "Roots" tourism), and its variety of wildlife and ecosystems, including abundant birdlife and natural reserves. Most tourists arrive through scheduled and charter flights at Banjul Airport. In order to develop the off-season, as well as to fully utilize the capacity of Banjul Airport, The Gambia offers seasonal incentives such as a 25% discount on aircraft handling charges for all flights, a 25% discount on landing and parking fees for all tourist flights, and a 50% reduction in tax for hotels and ground handlers; these incentives are applicable for the period from May to October each year.

4.87. The policy framework for the tourism subsector is provided by the National Tourism Master Plan. The Master Plan initiated a number of projects to add local value to the tourism sector, including the "Gambia is Good" (GiG) initiative, eco-tourism, river voyages, and birdwatching trips. The Gambia Tourism Board carried out a needs assessment for the sector, and the assessment report was released in June 2017.

4.88. According to the authorities, traditional cultural activities, including handicrafts, are the leading contributor to the output of the tourism sector; they also employ (directly and indirectly) two thirds of the working population. The National Centre for Art and Culture (NCAC) is carrying out an assessment of the contribution of handicrafts and culinary art to the economy; the NCAC called for better policy support and technical assistance such as capacity building. NCAC is of the view that traditional culture will boost the country's tourism exports as well as certain goods exports.

4.89. There are no restrictions on foreign investment in the tourism sector. Project proposals for foreign investment must be submitted to the Ministry of Tourism and Culture for approval. The authorities indicated that this approval procedure will help investors to lease land at a concessional rate.

4.90. The authorities considered that the shortage of high-end hotel facilities is the main bottleneck hindering further development of the tourism sector. One issue is the star rating applied to hotels in The Gambia. Currently, the Quality and Licensing Unit under the Gambia Tourism Board employs its domestic standard to classify hotels. According to the authorities, this domestic standard is not aligned with international standards. The Ministry is to take action to ensure that the Gambian hotel star rating is comparable with international standards.

4.91. Tourist guides must be registered with the Tourist Guide Association, and licensed by the Gambia Tourism Board.

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<sup>87</sup> The Gambia does not yet have a tourism satellite account.

## 5 APPENDIX TABLES

**Table A1.1 Cumulative revenue loss due to exemptions, 2016**

(in dalasi '000)

Type of exemptions	Type of tax								Total	Share of total exemptions
	Import duty oil	Import duty non-oil	Import VAT oil	Import VAT non-oil	Import/export processing fees	Environment tax on imports	Excise tax on imports	ECOWAS import levy		
Total revenue loss due to exemptions	23,979	791,202	21,581	481,903	41,720	4,156	61,628	61,553	1,487,722	100.0%
Of which:										
NAWEC, GPA, Ballast & others	12,953	176,940	11,658	192,505	16,676	10	17,051	13,000	440,794	29.6%
Duties waived from MOFEA	4,068	296,474	3,661	102,083	n.a.	14	3,959	n.a.	410,259	27.6%
Diplomats	6,304	192,854	5,673	43,499	18,068	4,108	8,768	11,657	290,931	19.6%
Government	654	35,558	589	49,708	5,833	9	10,189	3,763	106,303	7.1%
ECOWAS External Trade Liberalization Scheme (ETLS)	n.a.	15,841	n.a.	n.a.	n.a.	n.a.	n.a.	32,442	48,283	3.2%
REF	n.a.	12,808	n.a.	14,422	993	n.a.	19,293	594	48,109	3.2%
New GIEPA SIC's holders	n.a.	n.a.	n.a.	45,463	n.a.	n.a.	n.a.	n.a.	45,463	3.1%
ID GAMBEGA	n.a.	37,660	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	37,660	2.5%
Medical research council	n.a.	10,868	n.a.	24,867	n.a.	n.a.	n.a.	n.a.	35,735	2.4%

n.a. Not applicable.

Source: Information provided by the authorities of The Gambia.

**Table A1.2 Merchandise exports by product group, excluding re-exports, 2010-15**

(US\$ million and %)

	2010	2011	2012	2013	2014	2015
<b>Total (US\$ million)</b>	<b>33.3</b>	<b>11.1</b>	<b>18.4</b>	<b>11.5</b>	<b>16.2</b>	<b>19.1</b>
	(% of total)					
<b>I. Live animals &amp; products</b>	<b>17.8</b>	<b>26.7</b>	<b>5.8</b>	<b>13.7</b>	<b>12.1</b>	<b>10.7</b>
HS 03 Fish and crustaceans	17.8	26.6	5.8	13.7	12.0	10.7
HS 0306 Crustaceans	0.2	0	0.2	0.3	0.6	1.4
HS 0305 Fish, dried, salted or in brine	1.3	8.3	1.2	2.2	0.6	4.5
HS 0302 Fish, fresh or chilled	4.0	2.3	1.4	0.3	4.3	0.3
HS 0304 Fish fillets and other fish meat	0.3	0.2	0.7	3.4	0.1	0.4
HS 0307 Molluscs	0.9	0.6	0.4	2.1	1.0	2.2
HS 0303 Fish, frozen	11.1	15.3	1.1	4.7	5.4	1.9
HS 0301 Live fish	0	0.0	0.8	0.7	0.0	0.0
<b>II. Vegetable products</b>	<b>33.4</b>	<b>37.3</b>	<b>25.2</b>	<b>75.9</b>	<b>36.1</b>	<b>38.1</b>
HS 12 Oil seeds and oleaginous fruits	23.1	17.4	8.9	28.8	3.2	23.4
HS 1202 Ground-nuts	23.1	17.4	8.9	22.4	3.1	23.4
HS 08 Edible fruit and nuts	10.2	19.8	16.3	46.9	31.7	16.3
HS 0801 Coconuts, Brazil nuts and cashew nuts	10.1	19.2	16.3	46.3	30.2	14.3
<b>III. Fats &amp; oils</b>	<b>25.7</b>	<b>13.4</b>	<b>17.0</b>	<b>0.4</b>	<b>0.0</b>	<b>24.8</b>
HS 15 Animal or vegetable fats and oils	25.7	13.4	17.0	0.4	0.0	24.8
HS 1508 Ground-nut oil and its fractions	25.7	13.4	17.0	0	0	24.8
<b>IV. Prepared food etc.</b>	<b>12.0</b>	<b>5.7</b>	<b>7.1</b>	<b>1.9</b>	<b>1.3</b>	<b>0.2</b>
<b>V. Minerals</b>	<b>8.1</b>	<b>7.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>
<b>VI. Chemical &amp; allied industries</b>	<b>0.2</b>	<b>0.1</b>	<b>0.7</b>	<b>0.0</b>	<b>0.5</b>	<b>0</b>
<b>VII. Plastics &amp; rubber</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.0</b>
<b>VIII. Hides &amp; skins</b>	<b>0.0</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>
<b>IX. Wood &amp; articles</b>	<b>0.0</b>	<b>4.6</b>	<b>42.0</b>	<b>4.7</b>	<b>46.4</b>	<b>16.6</b>
HS 44 Wood and articles of wood; wood charcoal	0.0	4.6	42.0	4.7	46.4	16.6
HS 4401 Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms	0	0.2	2.3	0.6	46.3	16.5
HS 4408 Sheets for veneering	0	0.8	29.2	3.1	0.1	0
<b>X. Pulp, paper etc.</b>	<b>0.3</b>	<b>1.3</b>	<b>1.1</b>	<b>1.4</b>	<b>0.6</b>	<b>0.2</b>
<b>XI. Textile &amp; articles</b>	<b>0.0</b>	<b>0.0</b>	<b>0.1</b>	<b>0.1</b>	<b>0.2</b>	<b>0.0</b>
<b>XII. Footwear, headgear</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>
<b>XIII. Articles of stone</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>XIV. Precious stones, etc.</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>XV. Base metals &amp; articles of base metal</b>	<b>2.1</b>	<b>2.1</b>	<b>0.5</b>	<b>1.2</b>	<b>2.6</b>	<b>0.2</b>
<b>XVI. Machinery</b>	<b>0.0</b>	<b>1.0</b>	<b>0.2</b>	<b>0.5</b>	<b>0.0</b>	<b>0</b>
<b>XVII. Transport equipment</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>XVIII. Precision equipment</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>
<b>XX. Miscellaneous manufacturing</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>
<b>XXI. Works of art, etc.</b>	<b>0.0</b>	<b>0.0</b>	<b>0.3</b>	<b>0.0</b>	<b>0.1</b>	<b>0</b>
Other	0.1	0	0	0	0	9.2

Note: 0.0 refers to &gt;0 and &lt;0.05.

Source: WTO Secretariat calculations, based on UNSD Comtrade database; and trade data provided by the authorities of The Gambia.

**Table A1.3 Merchandise exports by destination, excluding re-exports, 2010-15**

(US\$ million and %)

	2010	2011	2012	2013	2014	2015
<b>Total (US\$ million)</b>	<b>33.3</b>	<b>11.1</b>	<b>18.4</b>	<b>11.5</b>	<b>16.2</b>	<b>19.1</b>
	(% of total)					
<b>Americas</b>	<b>9.9</b>	<b>4.2</b>	<b>0.9</b>	<b>0.8</b>	<b>0.3</b>	<b>0.1</b>
United States	8.1	0.2	0.1	0.2	0.3	0.1
Other America	1.8	4.1	0.8	0.6	0.0	0
<b>Europe</b>	<b>55.5</b>	<b>45.4</b>	<b>30.3</b>	<b>18.0</b>	<b>11.8</b>	<b>42.6</b>
EU(28)	55.3	45.2	29.8	17.2	11.7	42.5
France	19.9	13.4	0.0	0.7	0.1	20.1
United Kingdom	28.0	19.3	23.6	7.6	4.3	16.8
Netherlands	2.1	6.7	3.4	3.3	2.8	2.1
Spain	2.0	4.1	1.1	4.7	2.8	1.7
Italy	0.0	0.0	0	0.4	1.4	1.5
Sweden	0.0	0.0	0	0.0	0.0	0.2
Portugal	0.2	0	0	0	0	0.1
Belgium	0.4	1.3	0.4	0.0	0.1	0.1
EFTA	0.2	0.1	0.6	0	0.0	0
Other Europe	0.1	0.0	0	0.8	0.1	0.0
<b>Commonwealth of independent states (CIS)</b>	<b>0.0</b>	<b>0.0</b>	<b>3.6</b>	<b>0.1</b>	<b>0</b>	<b>0</b>
<b>Africa</b>	<b>12.0</b>	<b>6.3</b>	<b>4.5</b>	<b>5.0</b>	<b>6.5</b>	<b>5.0</b>
Senegal	9.5	4.5	2.1	1.6	3.1	3.8
South Africa	0.4	0.1	0.7	2.6	2.8	0.5
Guinea	0.1	0.2	0.0	0	0	0.4
Nigeria	0.0	0.7	0.0	0.1	0.2	0.2
<b>Middle East</b>	<b>0.6</b>	<b>1.6</b>	<b>0.0</b>	<b>0.7</b>	<b>2.0</b>	<b>1.7</b>
Israel	0	0.1	0	0.0	0.4	1.3
United Arab Emirates	0.6	0.8	0.0	0.6	1.6	0.4
<b>Asia</b>	<b>21.9</b>	<b>42.4</b>	<b>60.6</b>	<b>75.3</b>	<b>79.4</b>	<b>50.7</b>
China	0.6	13.4	41.9	5.9	46.6	12.3
Japan	0	0	0	0.0	0	0
Other Asia	21.3	29.1	18.7	69.4	32.8	38.4
Viet Nam	0.0	0.3	1.1	23.1	3.8	19.0
India	9.7	21.8	15.8	40.2	27.5	12.7
Singapore	1.1	3.1	0.4	2.8	0.5	6.0
Korea, Republic of	0.1	0	0.2	0.1	0.2	0.3
Hong Kong, China	8.2	1.2	0.4	0.2	0	0.2
Thailand	0.2	0	0.2	0	0.6	0.2
<b>Other</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
Memo:						
ECOWAS	11.5	5.9	2.8	2.4	3.7	4.4

Note: 0.0 refers to &gt;0 and &lt;0.05.

Source: WTO Secretariat calculations, based on UNSD Comtrade database; and data provided by the authorities of The Gambia.

**Table A1.4 Merchandise imports by product group, 2010-15**

(US\$ million and %)

	2010	2011	2012	2013	2014	2015
<b>Total (US\$ million)</b>	<b>283.7</b>	<b>340.7</b>	<b>380.0</b>	<b>350.2</b>	<b>387.2</b>	<b>393.0</b>
	(% of total)					
<b>I. Live animals &amp; products</b>	<b>2.8</b>	<b>2.5</b>	<b>2.2</b>	<b>1.9</b>	<b>2.5</b>	<b>3.1</b>
<b>II. Vegetable products</b>	<b>15.5</b>	<b>16.2</b>	<b>17.4</b>	<b>18.5</b>	<b>20.8</b>	<b>18.1</b>
HS 10 Cereals	8.5	10.5	11.6	10.5	18.6	13.7
HS 11 Products of the milling industry	4.2	3.5	4.1	6.3	0.5	2.7
HS 07 Edible vegetables and certain roots and tubers	1.4	1.0	0.8	0.7	0.9	0.9
<b>III. Fats &amp; oils</b>	<b>6.6</b>	<b>5.1</b>	<b>5.0</b>	<b>5.0</b>	<b>7.3</b>	<b>5.4</b>
HS 15 Animal or vegetable fats and oils and their cleavage products	6.6	5.1	5.0	5.0	7.3	5.4
<b>IV. Prepared food etc.</b>	<b>11.3</b>	<b>9.1</b>	<b>8.5</b>	<b>11.9</b>	<b>10.3</b>	<b>11.0</b>
HS 17 Sugars and sugar confectionery	5.8	4.5	4.5	7.9	7.0	7.6
<b>V. Minerals</b>	<b>24.5</b>	<b>25.7</b>	<b>30.9</b>	<b>27.2</b>	<b>24.9</b>	<b>31.2</b>
HS 27 Mineral fuels, mineral oils and products of their distillation	20.5	22.2	27.0	23.8	21.3	18.7
HS 25 Salt; sulphur; earths and stone; plastering materials, lime and cement	4.0	3.5	3.8	3.5	3.7	12.5
<b>VI. Chemical &amp; allied industries</b>	<b>4.2</b>	<b>6.0</b>	<b>5.2</b>	<b>4.2</b>	<b>3.7</b>	<b>3.7</b>
<b>VII. Plastics &amp; rubber</b>	<b>1.8</b>	<b>2.1</b>	<b>2.6</b>	<b>1.8</b>	<b>1.7</b>	<b>1.5</b>
<b>VIII. Hides &amp; skins</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.1</b>	<b>0.2</b>	<b>0.2</b>
<b>IX. Wood &amp; articles</b>	<b>0.9</b>	<b>0.8</b>	<b>0.6</b>	<b>0.5</b>	<b>1.4</b>	<b>0.7</b>
<b>X. Pulp, paper etc.</b>	<b>2.2</b>	<b>1.5</b>	<b>1.4</b>	<b>1.7</b>	<b>1.6</b>	<b>2.5</b>
<b>XI. Textile &amp; articles</b>	<b>5.5</b>	<b>4.7</b>	<b>3.4</b>	<b>4.7</b>	<b>3.9</b>	<b>3.4</b>
HS 54 Man- made filaments	2.9	2.6	2.0	2.1	2.0	2.0
<b>XII. Footwear, headgear</b>	<b>0.7</b>	<b>0.6</b>	<b>0.5</b>	<b>0.8</b>	<b>0.6</b>	<b>0.6</b>
<b>XIII. Articles of stone</b>	<b>1.3</b>	<b>1.4</b>	<b>1.2</b>	<b>1.4</b>	<b>1.3</b>	<b>2.0</b>
<b>XIV. Precious stones, etc.</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>XV. Base metals &amp; articles of base metal</b>	<b>3.1</b>	<b>4.5</b>	<b>2.7</b>	<b>1.8</b>	<b>2.2</b>	<b>2.2</b>
<b>XVI. Machinery</b>	<b>9.4</b>	<b>10.6</b>	<b>8.4</b>	<b>6.9</b>	<b>9.7</b>	<b>5.4</b>
HS 85 Electrical machinery and equipment and parts thereof	5.4	7.0	4.5	3.4	5.6	3.0
HS 84 Machinery and mechanical appliances; parts thereof	4.0	3.6	4.0	3.5	4.1	2.4
<b>XVII. Transport equipment</b>	<b>7.8</b>	<b>7.0</b>	<b>7.5</b>	<b>9.9</b>	<b>5.7</b>	<b>7.4</b>
HS 87 Vehicles	7.7	6.8	7.3	9.8	5.6	6.2
<b>XVIII. Precision equipment</b>	<b>0.8</b>	<b>1.2</b>	<b>1.1</b>	<b>0.7</b>	<b>1.1</b>	<b>0.8</b>
<b>XIX. Arms &amp; ammunition</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>XX. Miscellaneous manufacturing</b>	<b>1.2</b>	<b>1.1</b>	<b>1.2</b>	<b>0.9</b>	<b>1.0</b>	<b>1.0</b>
<b>XXI. Works of art, etc.</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Source: WTO Secretariat calculations, based on UNSD Comtrade database; and trade data provided by the authorities of The Gambia.



**Table A1.5 Merchandise imports by origin, 2010-15**

(US\$ million and %)

	2010	2011	2012	2013	2014	2015
<b>Total (US\$ million)</b>	<b>283.7</b>	<b>340.7</b>	<b>380.0</b>	<b>350.2</b>	<b>387.2</b>	<b>393.0</b>
	(% of total)					
<b>Americas</b>	<b>14.2</b>	<b>14.9</b>	<b>11.3</b>	<b>14.5</b>	<b>14.0</b>	<b>14.7</b>
United States	3.4	1.7	1.6	2.6	1.6	4.6
Other America	10.8	13.2	9.6	11.9	12.4	10.1
Brazil	10.0	11.6	6.9	11.0	11.0	9.5
<b>Europe</b>	<b>30.6</b>	<b>28.4</b>	<b>25.4</b>	<b>28.2</b>	<b>27.1</b>	<b>24.6</b>
EU(28)	27.5	24.0	19.3	22.2	24.6	23.5
United Kingdom	5.3	4.6	3.6	4.1	3.8	4.8
Spain	3.4	1.0	1.2	2.0	2.2	3.4
France	2.2	2.4	2.1	3.6	5.2	3.2
Germany	3.7	3.3	2.7	2.6	1.9	2.8
Netherlands	5.1	3.6	2.5	2.3	2.8	2.7
Belgium	2.6	4.4	4.4	4.8	5.2	2.4
Denmark	0.6	1.2	0.7	0.7	0.4	1.3
Poland	0.0	0.1	0.2	0.1	0.3	0.9
Latvia	0	0.0	0	0	1.0	0.7
EFTA	0.8	0.5	1.6	1.4	1.4	0.3
Other Europe	2.3	3.9	4.5	4.7	1.1	0.9
Turkey	2.3	3.9	4.5	4.6	1.1	0.9
<b>Commonwealth of independent states (CIS)</b>	<b>0.0</b>	<b>0.2</b>	<b>0.3</b>	<b>0.0</b>	<b>1.6</b>	<b>1.8</b>
Russian Federation	0.0	0	0.0	0.0	1.6	1.7
<b>Africa</b>	<b>27.1</b>	<b>29.9</b>	<b>35.9</b>	<b>31.0</b>	<b>27.6</b>	<b>35.1</b>
Côte d'Ivoire	19.4	21.3	26.6	22.9	20.6	17.8
Senegal	2.5	4.7	6.0	5.8	4.8	15.3
<b>Middle East</b>	<b>4.3</b>	<b>3.2</b>	<b>1.9</b>	<b>4.3</b>	<b>2.0</b>	<b>2.5</b>
United Arab Emirates	3.1	2.2	1.5	3.9	1.6	2.1
<b>Asia</b>	<b>23.7</b>	<b>23.4</b>	<b>25.3</b>	<b>22.0</b>	<b>27.6</b>	<b>21.3</b>
China	8.7	8.4	8.5	6.9	8.3	7.0
Japan	0.9	1.1	3.6	0.3	0.1	0.3
Other Asia	14.2	13.9	13.1	14.8	19.2	14.0
Pakistan	2.0	0.7	1.2	2.3	1.8	3.6
Malaysia	2.3	3.6	1.4	1.6	4.6	3.1
India	4.4	2.8	3.5	4.2	6.5	3.0
Indonesia	0.3	1.1	3.7	3.1	2.4	1.5
Thailand	2.5	0.8	0.6	0.6	2.4	1.4
<b>Other</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>
<b>Memo:</b>						
ECOWAS	23.3	26.7	33.0	29.3	26.0	33.5

Note: 0.0 refers to &gt;0 and &lt;0.05.

Source: WTO Secretariat calculations, based on UNSD Comtrade database; and data provided by the authorities of The Gambia.

**Table A1.6 Main re-exported products by HS 2-digit level and destination in 2014**

	<b>Destinations</b>	<b>Value in US\$ 1,000</b>	<b>% of total re-exports</b>
<b>Total re-exports</b>	<b>World</b>	<b>87,769</b>	<b>100.0</b>
	Mali	39,329	44.8
	Guinea	25,702	29.3
	Senegal	16,091	18.3
	<u>Memo:</u>		
	ECOWAS	87,451	99.6
	Other countries	317	0.4
	Re-exports as a share of total exports (%)		84.4
<b>By main product groups</b>			
HS 54 Man-made filaments; strip and the like of man-made textile materials	<b>World</b>	<b>62,856</b>	<b>71.6</b>
	Mali	35,463	40.4
	Guinea	24,717	28.2
	Guinea-Bissau	1,242	1.4
HS 84 Machinery and mechanical appliances; parts thereof	<b>World</b>	<b>5,608</b>	<b>6.4</b>
	Senegal	5,329	6.1
	Guinea-Bissau	123	0.1
	Sierra Leone	99	0.1
HS 16 Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	<b>World</b>	<b>4,838</b>	<b>5.5</b>
	Senegal	4,462	5.1
	Mali	210	0.2
	Guinea	89	0.1
HS 87 Vehicles	<b>World</b>	<b>2,559</b>	<b>2.9</b>
	Senegal	2,158	2.5
	Guinea-Bissau	226	0.3
	Burkina Faso	64	0.1
HS 04 Dairy produce	<b>World</b>	<b>1,745</b>	<b>2.0</b>
	Mali	1,078	1.2
	Guinea	268	0.3
	Senegal	252	0.3
HS 63 Other made-up textile articles; sets; worn clothing and worn textile articles; rags	<b>World</b>	<b>1,315</b>	<b>1.5</b>
	Guinea-Bissau	940	1.1
	Senegal	150	0.2
	Guinea	95	0.1
HS 09 Coffee, tea, maté and spices	<b>World</b>	<b>1,141</b>	<b>1.3</b>
	Mali	776	0.9
	Guinea-Bissau	149	0.2
	Senegal	144	0.2
HS 17 Sugars and sugar confectionery	<b>World</b>	<b>1,123</b>	<b>1.3</b>
	Senegal	782	0.9
	Guinea-Bissau	328	0.4
	Guinea	7	0.0
HS 72 Iron and steel	<b>World</b>	<b>1,030</b>	<b>1.2</b>
	Senegal	963	1.1
	Guinea	47	0.1
	Guinea-Bissau	20	0.0
HS 19 Preparations of cereals, flour, starch or milk; pastry cooks' products	<b>World</b>	<b>885</b>	<b>1.0</b>
	Mali	538	0.6
	Guinea-Bissau	196	0.2
	Guinea	71	0.1
HS 27 Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes	<b>World</b>	<b>862</b>	<b>1.0</b>
	Guinea-Bissau	861	1.0
	Senegal	1	0.0
HS 85 Electrical machinery and equipment and parts thereof	World	716	0.8
	Guinea-Bissau	277	0.3
	Senegal	216	0.2
	EU-28	85	0.1

	<b>Destinations</b>	<b>Value in US\$ 1,000</b>	<b>% of total re-exports</b>
HS 15 Animal or vegetable fats and oils and their cleavage products	<b>World</b>	<b>684</b>	<b>0.8</b>
	Senegal	330	0.4
	Mali	172	0.2
	Guinea-Bissau	93	0.1
HS 20 Preparations of vegetables, fruit, nuts or other parts of plants	<b>World</b>	<b>506</b>	<b>0.6</b>
	Mali	299	0.3
	Guinea	97	0.1
	Senegal	64	0.1
HS 39 Plastics and articles thereof	<b>World</b>	<b>358</b>	<b>0.4</b>
	Guinea-Bissau	179	0.2
	Senegal	142	0.2
	Mali	37	0.0

Source: UNSD Comtrade.

**Table A2.1 Acts of the National Assembly and selected legal notices, 2010-16**

<b>No.</b>	<b>Acts of the National Assembly</b>
<b>2010</b>	
1.	Appropriation Act, 2010
2.	Cabinet Members Payment of Gratuities (Amendment) Act, 2010
3.	The Gambia Investment and Export Promotion Act, 2010
4.	Social Security Corporation Act, 2010
5.	Housing Finance and Development Corporation Act, 2010
6.	Local Government (Amendment) Act, 2010
7.	Rent Tribunal (Establishment) Act, 2010
8.	National Centre for Art and Culture (Amendment) Act, 2010
9.	Income and Sales Tax (Amendment) Act, 2010
10.	Gambia Revenue Authority (Amendment) Act, 2010
11.	The Customs and Excise Act, 2010
12.	Women's Act, 2010
13.	The National Planning Commission (Repeal) Act, 2010
14.	Supplementary Appropriation Act, 2010
15.	The Gambia Standards Bureau Act, 2010
16.	Drug Control (Amendment) Act, 2010
17.	Trafficking in Persons (Amendment) Act, 2010
18.	Criminal Code (Amendment) Act, 2010
<b>2011</b>	
1.	Appropriation Act, 2011
2.	Drug Control (Amendment) Act, 2011
3.	Trafficking in Persons (Amendment) Act, 2011
4.	Criminal Code Amendment Act, 2011
5.	Private Security Guard Companies Act, 2011
6.	The Gambia Tourism Board Act, 2011
7.	Food Safety and Quality Act, 2011
8.	The Gambia Tourism and Hospitality Institute Act, 2011
<b>2012</b>	
1.	Appropriation Act, 2012
2.	Women's (Amendment) Act, 2012
3.	Income and Value Added Tax Act, 2012
4.	Anti-Money Laundering and Combating of Terrorist Financing Act, 2012
5.	The Gambia Anti-Corruption Commission Act, 2012
6.	Supplementary Appropriation Act, 2012
7.	The Gambia Public Transport (Repeal) Act, 2012
<b>2013</b>	
1.	Appropriation Act, 2013
2.	Criminal Code (Amendment) Act 2013
3.	National Enterprise Development Initiative Act, 2013
4.	Merchant Shipping Act, 2013
5.	Marine Pollution Act, 2013
6.	Supplementary Appropriation Act, 2013
7.	Financial Reporting Act, 2013
8.	Information and Communications (Amendment) Act, 2013
9.	Companies Act, 2013
10.	Single Window Business Registration Act, 2013
11.	Renewable Energy Act, 2013
12.	Motor Trafficking (Amendment) Act, 2013
13.	Bicycles (Amendment) Act, 2013
14.	Domestic Violence Act, 2013
15.	Sexual Offences Act, 2013
<b>2014</b>	
1.	Appropriation Act, 2014
2.	Tourism Offences (Amendment) Act, 2014
3.	The Gambia Consumer Protection Act, 2014
4.	Competition (Amendment) Act, 2014
5.	Public Finance Act, 2014
6.	Security Interests in Moveable Property Act, 2014
7.	The Gambia Public Procurement Authority Act, 2014
8.	The Gambia National Petroleum Corporation Act, 2014
9.	Drug Control (Amendment) Act, 2014
10.	Rent Act, 2014
11.	Criminal Code (Amendment) Act, 2014
12.	Supplementary Appropriation Act, 2014
13.	Seed Quality and Marketing Act, 2014
14.	Medicines and Related Products Act, 2014

No.	Acts of the National Assembly
15.	Pharmacy Council Act, 2014
<b>2015</b>	
1.	Appropriation Act, 2015
2.	National Accreditation and Quality Assurance Authority Act, 2015
3.	National Aids Council and Secretariat Act, 2015
4.	HIV and AIDS Prevention and Control Act, 2015
5.	Industrial Property (Amendment) Act, 2015
6.	Elections (Amendment) Act, 2015
7.	Local Government (Amendment) Act, 2015
8.	President International Award Act, 2015
9.	National Youth Service Scheme Act, 2015
10.	National Audit Office Act, 2015
11.	Women's (Amendment) Act, 2015
12.	Social Security and Housing Finance Corporation Act, 2015
13.	Children's (Amendment) Act, 2015
14.	State Lands (Amendment) Act, 2015
15.	Local Government (Amendment) Act, 2015
16.	Legal Practitioners Act, 2015
17.	The Gambia Law School Act, 2015
18.	Constitution (Amendment) Act, 2015
19.	Criminal Code (Amendment) Act, 2015
20.	The Gambia Investment and Export Promotion Agency Act, 2015
21.	Essential Commodities Act, 2015
<b>2016</b>	
1.	Appropriation Act, 2016
2.	West Africa Livestock Innovation Centre Act, 2016
3.	Financial Institutions Act, 2016
4.	Payment Systems Act, 2016
5.	Legal Practitioners Act, 2016
6.	The Gambia Law School Act, 2016
7.	Children's (Amendment) Act, 2016
8.	Tertiary and Higher Education Act, 2016
9.	The Gambia Tourism Board (Amendment) Act, 2016
10.	Tobacco Control Act, 2016
11.	Public and Environmental Health Officers Act, 2016
12.	Petroleum Products Act, 2016

No.	Selected legal notices
<b>2010</b>	
3.	Licences Act (Amendment of Second Schedule) Order, 2010
6.	Tariff Increase for V-SAT Class B and Spectrum fee for all classes of V-SAT Licenses fee Regulations, 2010
10.	Licences Act (Amendment of Second Schedule) Order, 2010
14.	The Gambia Public Utilities Regulatory, Enforcement Regulations, 2010
15.	Commission of Inquiry into Land Allocation in The Gambia
16.	Customs and Excise Act, Appointment and Fixing of Limits of Ports, Customs Areas, etc. Notice, 2010
<b>2011</b>	
2.	Housing Finance and Development Corporation Act, 2010
6.	Companies Act (Alteration of Eleventh Schedule) Regulations, 2011
7.	Business Registration (Amendment) Regulations, 2011
8.	The Industrial Property Regulations, 2010
9.	Fish and Fishery Products Regulations, 2011
10.	Licence Act (Amendment of Second Schedule) Order, 2011
16.	The Gambia Bureau of Standards Act (Commencement) Order, 2011
17.	Code of Conduct for Legal Practitioners 2011
18.	Licences Act (Amendment of Second Schedule) Order, 2011
20.	Industrial Property (Amendment) Regulations, 2011
21.	Licences Act Regulations 2011
22.	Tourism Regulations, 2011
23.	Commission of Inquiry into Fertilizer Procurement and Distribution in The Gambia
27.	Commission of Inquiry into Tax Evasion and Other Corrupt Practices in The Gambia from 1999 to date
30.	Licence Act (Amendment) of Second Schedule Order 2012
<b>2012</b>	
5.	The Gambia Investment of Export Promotion Agency Reg., 2012
6.	The Civil Aviation Security Quality Control Reg., 2012
10.	Food Safety and Quality Act (Commencement) Order, 2012
11.	Biodiversity and Wildlife Act, 2012
12.	The Gambia Public Utilities Reg. Authority Act, 2012
14.	Income and Sales Tax Act

No.	Selected legal notices
15.	Income and Sales Tax Act (Notification of Secretary's Address Order, 2012
18.	Licences Act (Amendment of Second Schedule) Order, 2012
19.	Licences Act (Amendment of Second Schedule) Order, 2012
<b>2013</b>	
6.	Wild Life Act (Reservation of Protected Area) Notice, 2013
7.	The Gambia Investment and Export Promotion Agency Act, 2013
8.	Guidelines for the Implementation of the ECOWAS Interstate Road transit
9.	Customs and Excise Act, 2010 – Variation of Rate of Duty Order, 2013
10.	The Gambian Standard for Wheat Flour
11.	The Gambian Standard for Peanuts/Groundnuts
12.	The Gambian Standard for Sugar
13.	The Gambian Standard for General Principles of Food Hygiene
14.	The Gambian Standard for Labelling of Pre-packaged foods
15.	The Gambian Standard for Rice
16.	The Gambian Standard for Edible Fats and Oils
17.	The Gambian Standard for Natural Mineral Waters
18.	The Gambian Standard for Bottled/Packaged Drinking Waters
19.	The Gambian Standard for Processed Tomato Concentrates
22.	White Paper (Government) (Tax revision and other corrupt practices)
<b>2014</b>	
1.	Legal Practitioners (Recognized Jurisdictions) Rules, 2013
2.	Companies Act (Commencement) Order, 2014
3.	Single Window Business Registration Act (Commencement) Order, 2014
4.	Single Window Business Registration Fee Schedule Order, 2014
6.	Business Registration Regulations, 2014
8.	Government White Paper on Fertilizer Procurement and Distribution in The Gambia, 2014
9.	Notice of Imposition of Flat Rate Order, 2014
11.	Reliance Oil Mills Free Zones Declaration
12.	Traditional Medicines Regulations, 2014
13.	The Gambia Consumer Protection Act (Commencement) Order, 2014
39.	Financial Reporting Act (Commencement) Order, 2014
40.	Amendment of the Fourth Schedule Order, 2014 (Companies Act)
41.	Merchant Shipping Act (Commencement) Order, 2014
42.	Marine Pollution Act (Commencement) Order, 2014
43.	Combating the International Financing of Terrorism (Tracing, Freezing, Seizure, Confiscation and other Related Measures, Regulations, 2014
49.	The Gambia Public Procurement Act (Commencement) Order, 2014
50.	Public Finance Act (Commencement) Order, 2014
<b>2015</b>	
15.	Ban on Plastic Bags Order, 2015
24.	International Insurance Company - Insurance (Cancellation of Registration of Insurer) Notice
33.	Income Tax (Rates for Informal Sector) Regulations, 2015 – Income and VAT Act, 2015
34.	Consumer Protection Tribunal Rules, 2015
<b>2016</b>	
2.	Forest Regulations, 2016
6.	Golden Lead Import and Export Trade Company Limited Free Zone Declaration
7.	"A" Plus Fishing Enterprise Limited Free Zone Declaration
8.	Fisheries (Amendment) Regulations, 2017
16.	Financial Regulations, 2016

.. Not available.

Source: Information provided by the authorities.

Table A2.2 WTO notifications by The Gambia, 2010-17

Products covered/ Subject	Description of notification	Document title	Date
<b>Agreement on Agriculture</b>			
<b>Notifications under Articles 10 and 18.2</b>			
Export subsidies	No export subsidies from 2005 to 2010	G/AG/N/GMB/4	12/01/2011
Domestic support	Biennial notifications from 1999 to 2013. Green Box measures: research; extension services; pest and disease control; training; and infrastructure	G/AG/N/GMB/5	10/04/2014
<b>Agreement on Antidumping</b>			
<b>Notifications under Articles 16.4 and 16.5</b>			
	No AD authority established	G/ADP/N/193/GMB	07/02/2014
<b>Notifications under Article 18.5</b>			
	No AD legislation enacted	G/ADP/N/1/GMB/1	07/02/2014
<b>Agreement on Customs Valuation</b>			
<b>Notifications under Articles 20.1 and 22</b>			
	Application of the agreement since 2010 (delayed since 1996)	G/VAL/N/4/GMB/1	11/04/2014
<b>Notifications under Article 22</b>			
Implementation of GATT Article VII	Customs and Excise Act 2010	G/VAL/N/1/GMB/1	01/05/2014
<b>Agreement on Import Licensing Procedures</b>			
<b>Notifications under Article 7.3</b>			
Medicinal products	Licensing of medicinal products	G/LIC/N/3/GMB/3	15/12/2010
	No import licensing regime in place	G/LIC/N/3/GMB/4	20/01/2014
<b>Agreement on Pre-shipment Inspection</b>			
<b>Notifications under Article 5</b>			
	No PSI legislation enacted	G/PSI/N/1/Add.14	11/01/2011
	No PSI legislation enacted	G/PSI/N/1/ Rev. 1/ Add.4	01/05/2014
<b>Agreement on Rules Of Origin</b>			
<b>Notifications under Article 5</b>			
Non-preferential rules of origin	None enacted	G/RO/N/109	31/01/2014
<b>Agreement on Safeguards</b>			
<b>Notifications under Article 12.6</b>			
	No safeguard legislation enacted	G/SG/N/1/GMB/1	21/04/2014
<b>Agreement on Sanitary and Phytosanitary Measures</b>			
<b>Notifications under Article 6.2</b>			
Fish and fishery products	Fisheries Act 2007	G/SPS/N/GMB/2	07/01/2011
<b>Agreement on Subsidies and Countervailing Measures</b>			
<b>Notifications under Articles 25.11 and 25.12</b>			
	No SCV authority in place	G/SCM/N/202/GMB	07/02/ 2014
<b>Notifications under Article 32.6</b>			
	No SCV legislation in force	G/SCM/N/1/GMB/1	07/02/2014
<b>Agreement on Technical Barriers to Trade</b>			
<b>Notifications under Paragraph C of Code of Good Practice</b>			
Standards contained in Annex 3	Acceptance of some international standards	G/TBT/CS/N/183	20/01/2014
<b>Notifications under Articles 2.9.2; 2.10.1; 5.6.2; and 5.7.1</b>			
All businesses	Single Window Registration Act 2013	G/TBT/N/GMB/1	22/01/2014
All goods and services	Consumer Protection Bill	G/TBT/N/GMB/2	22/01/2014



Products covered/ Subject	Description of notification	Document title	Date
<b>Agreement on Trade-Related Investment Measures</b>			
<b>Notifications under Article 6.2</b>			
	None notified	G/TRIMS/N/2/Rev. 23/Add.2	21/01/2014
<b>Trade Related Aspects of Intellectual Property Rights Agreement</b>			
<b>Notifications under Article 63.2</b>			
	Copyright Act 2004 (including text)	IP/N/1/GMB/1 IP/N/1/GMB/C/1	29/01/2014

Source: WTO Secretariat.

Table A3.1 Structure of the ECOWAS CET

	No. of TLs <sup>a</sup>	% of each band	Share (%) of each HS-2 digit level <sup>b</sup>
<b>Essential social commodities (0%) [Total: 85 tariff lines]</b>	<b>83</b>	<b>97.6</b>	<b>n.a.</b>
HS 30 Pharmaceutical products	34	40.0	100.0
HS 31 Fertilizers	15	17.6	65.2
HS 49 Printed books, newspapers, pictures and other products of the printing industry	13	15.3	59.1
HS 90 Optical, photographic, medical or surgical instruments and apparatus	8	9.4	5.4
HS 87 Vehicles	3	3.5	1.9
HS 27 Mineral fuels, mineral oils and products of their distillation	3	3.5	4.9
HS 85 Electrical machinery and equipment and parts thereof	2	2.4	0.7
HS 40 Rubber and articles thereof	2	2.4	2.2
HS 38 Miscellaneous chemical products	2	2.4	1.9
HS 63 Other made-up textile articles	1	1.2	1.9
<b>Essential commodities, raw materials and capital goods (5%) [Total: 2,146 tariff lines]</b>	<b>1,487</b>	<b>69.3</b>	<b>n.a.</b>
HS 84 Boilers, machinery and mechanical appliances	436	20.3	80.1
HS 29 Organic chemicals	342	15.9	99.7
HS 28 Inorganic chemicals	165	7.7	98.8
HS 72 Iron and steel	119	5.5	66.9
HS 85 Electrical machinery and equipment and parts thereof	108	5.0	37.1
HS 90 Optical, photographic, medical or surgical instruments and apparatus	80	3.7	53.7
HS 39 Plastics and articles thereof	65	3.0	45.8
HS 87 Vehicles	64	3.0	40.5
HS 25 Salt; sulphur; earths and stone; plastering materials, lime and cement	59	2.7	83.1
HS 12 Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit	49	2.3	90.7
<b>Intermediate products (10%) [Total: 1,373 tariff lines]</b>	<b>632</b>	<b>46.0</b>	<b>n.a.</b>
HS 03 Fish and crustaceans	93	6.8	47.0
HS 38 Miscellaneous chemical products	76	5.5	71.7
HS 85 Electrical machinery and equipment and parts thereof	74	5.4	25.4
HS 84 Boilers, machinery and mechanical appliances	67	4.9	12.3
HS 52 Cotton	63	4.6	46.3
HS 55 Man-made staple fibres	62	4.5	56.4
HS 87 Vehicles	62	4.5	39.2
HS 48 Paper and paperboard; articles of paper pulp, of paper or of paperboard	52	3.8	40.9
HS 54 Man-made filaments; strip and the like of man-made textile materials	44	3.2	60.3
HS 90 Optical, photographic, medical or surgical instruments and apparatus	39	2.8	26.2
<b>Consumer goods (20%) [Total: 2,165 tariff lines]</b>	<b>815</b>	<b>37.6</b>	<b>n.a.</b>
HS 62 Articles of apparel and clothing accessories, not knitted or crocheted	112	5.2	100.0
HS 85 Electrical machinery and equipment and parts thereof	107	4.9	36.8
HS 61 Articles of apparel and clothing accessories, knitted or crocheted	106	4.9	100.0
HS 73 Articles of iron or steel	105	4.8	66.0
HS 03 Fish and crustaceans	99	4.6	50.0
HS 08 Edible fruit and nuts	68	3.1	97.1
HS 07 Edible vegetables and certain roots and tubers	64	3.0	82.1
HS 63 Other made-up textile articles	52	2.4	96.3
HS 20 Preparations of vegetables, fruit, nuts or other parts of plants	52	2.4	65.8
HS 70 Glass and glassware	50	2.3	64.9
<b>Specific goods for economic development (35%) [Total: 130 tariff lines]</b>	<b>124</b>	<b>95.4</b>	<b>n.a.</b>
HS 02 Meat and edible meat offal	50	38.5	75.8
HS 0207 Meat and edible offal, of the poultry, fresh, chilled or frozen	19	14.6	
HS 0204 Meat of sheep or goats, fresh, chilled or frozen	9	6.9	
HS 0206 Edible offal of bovine animals, etc. fresh, chilled or frozen	9	6.9	
HS 0203 Meat of swine, fresh, chilled or frozen	6	4.6	
HS 0201 Meat of bovine animals, fresh or chilled	3	2.3	
HS 0202 Meat of bovine animals, frozen	3	2.3	
HS 0210 Meat and edible meat offal, salted, in brine, dried or smoked	1	0.8	
HS 52 Cotton	17	13.1	12.5
HS 5208 Woven fabrics of cotton	5	3.8	

	No. of TLs <sup>a</sup>	% of each band	Share (%) of each HS-2 digit level <sup>b</sup>
HS 5209 Woven fabrics of cotton	4	3.1	
HS 5211 Woven fabrics of cotton	4	3.1	
HS 5210 Woven fabrics of cotton	3	2.3	
HS 5212 Other woven fabrics of cotton	1	0.8	
HS 16 Preparations of meat, of fish or of crustaceans	12	9.2	27.3
HS 1602 Other prepared or preserved meat, meat offal or blood	10	7.7	
HS 1601 Sausages and similar products, of meat, meat offal or blood	2	1.5	
HS 34 Soap, organic surface-active agents, washing preparations	11	8.5	36.7
HS 3401 Soap; organic surface-active products and preparations for use as soap	6	4.6	
HS 3402 Organic surface-active agents (other than soap)	5	3.8	
HS 18 Cocoa and cocoa preparations	9	6.9	45.0
HS 1806 Chocolate and other food preparations containing cocoa	7	5.4	
HS 1805 Cocoa powder, not containing added sugar	2	1.5	
HS 04 Dairy produce	7	5.4	15.2
HS 0403 Buttermilk, curdled milk and cream, yogurt	4	3.1	
HS 0407 Birds' eggs, in shell, fresh, preserved or cooked	3	2.3	
HS 15 Animal or vegetable fats and oils and their cleavage products	6	4.6	10.2
HS 1508 Groundnut oil and its fractions	2	1.5	
HS 1511 Palm oil and its fractions	2	1.5	
HS 1512 Sunflower-seed, safflower or cotton-seed oil and fractions	1	0.8	
HS 1513 Coconut (copra), palm kernel or babassu oil and fractions	1	0.8	
HS 20 Preparations of vegetables, fruit, nuts or other parts of plants	5	3.8	6.3
HS 2002 Tomatoes prepared or preserved	3	2.3	
HS 2004 Other vegetables prepared or preserved, frozen	1	0.8	
HS 2005 Other vegetables prepared or preserved, not frozen	1	0.8	
HS 19 Preparations of cereals, flour, starch or milk; pastry cooks' products	4	3.1	16.0
HS 1905 Bread, pastry, cakes, biscuits and other bakers' wares	4	3.1	
HS 07 Edible vegetables and certain roots and tubers	3	2.3	3.8
HS 0701 Potatoes, fresh or chilled	1	0.8	
HS 0703 Onions, shallots, garlic, leeks and other alliaceous	1	0.8	
HS 0710 Vegetables, frozen	1	0.8	

n.a. Not applicable.

a The product groups (at the HS 2-digit level) are ranked by (in descending order) by the number of tariff lines at 8-digit level.

b The Table presents product groups at an aggregated level (HS 2-digit level) to illustrate the structure of the ECOWAS CET for each of the five bands. The column is an indicator, representing how many tariff lines at the 8-digit level are allocated to each band. For instance, some tariff lines at the 8-digit level under Chapter 31 (fertilizers) are allocated to "essential social commodities" (duty-free), representing 65.2% of the tariff lines of Chapter 31. This implies that 34.8% of the chapter 31 tariff lines (8-digit level) are assigned to other bands.

Source: WTO Secretariat calculations based on WTO IDB database.

Table A3.2 The Gambia's applied MFN tariff summary, 2010 and 2016

	2010			2016		
	Simple average (%)	Tariff range (%)	Share of duty-free lines (%) <sup>a</sup>	Simple average (%)	Tariff range (%)	Share of duty-free lines (%) <sup>a</sup>
<b>Total</b>	<b>14.1</b>	<b>0-20</b>	<b>15.1</b>	<b>12.3</b>	<b>0-35</b>	<b>1.4</b>
HS 01-24	17.3	0-20	7.0	16.1	5-35	0.0
HS 25-97	13.5	0-20	16.4	11.4	0-35	1.8
<b>By WTO category</b>						
<b>WTO agricultural products</b>	<b>16.5</b>	<b>0-20</b>	<b>9.0</b>	<b>15.5</b>	<b>5-35</b>	<b>0.0</b>
Animals and products thereof	15.2	0-20	24.2	24.1	5-35	0.0
Dairy products	12.5	5-20	0.0	16.0	5-35	0.0
Fruit, vegetables, and plants	18.8	0-20	2.7	17.6	5-35	0.0
Coffee, tea, and cocoa and cocoa preparations	19.2	10-20	0.0	14.2	5-35	0.0
Cereals and preparations	17.9	0-20	6.4	13.6	5-35	0.0
Oils seeds, fats, oil and their products	13.2	0-20	12.3	11.8	5-35	0.0
Sugars and confectionary	15.6	5-20	0.0	13.5	5-35	0.0
Beverages, spirits and tobacco	20.0	20.0	0.0	17.0	5-35	0.0
Cotton	18.0	10-20	0.0	5.0	5.0	0.0
Other agricultural products, n.e.s.	14.2	0-20	15.2	9.5	5-20	0.0
<b>WTO non-agricultural products</b>	<b>13.7</b>	<b>0-20</b>	<b>16.0</b>	<b>11.7</b>	<b>0-35</b>	<b>1.7</b>
Fish and fishery products	19.8	10-20	0.0	15.4	5-20	0.0
Minerals and metals	12.9	0-20	8.4	11.7	0-20	1.7
Chemicals and photographic supplies	10.3	0-20	22.2	8.0	0-35	3.8
Wood, pulp, paper and furniture	17.5	0-20	2.4	11.5	0-20	4.8
Textiles	15.9	0-20	0.3	16.3	0-35	0.3
Clothing	20.0	20.0	0.0	20.0	20.0	0.0
Leather, rubber, footwear and travel goods	18.6	5-20	0.0	12.8	0-20	1.0
Non-electric machinery	6.3	0-20	64.9	7.1	5-20	0.0
Electric machinery	17.4	0-20	4.1	11.2	0-20	0.7
Transport equipment	14.0	0-20	24.8	8.6	0-20	1.4
Non-agricultural products, n.e.s.	16.6	0-20	13.1	14.2	0-20	1.8
Petroleum	18.3	0-20	8.7	7.9	0-10	8.3
<b>By ISIC sector</b>						
ISIC 1 - Agriculture, hunting and fishing	15.5	0-20	17.2	11.9	5-35	0.0
ISIC 2 - Mining and quarrying	7.5	0-20	8.2	5.1	0-10	1.0
ISIC 3 - Manufacturing	14.1	0-20	15.1	12.4	0-35	1.6
<b>By stage of processing</b>						
First stage of processing	14.3	0-20	12.4	10.4	0-35	0.2
Semi-processed products	12.4	0-20	13.1	10.1	0-35	1.0
Fully processed products	15.0	0-20	16.9	13.9	0-35	2.0

a Share of duty-free lines in the total number of tariff lines of the product group.

Note: The 2010 tariff schedule is based on HS07 nomenclature consisting of 5,091 tariff lines (at the 8-digit tariff line level). The 2017 tariff schedule is based on HS12 nomenclature consisting of 5,899 tariff lines (at the 10-digit tariff line level).

Source: WTO Secretariat calculations based on tariff information provided by authorities and WTO IDB database.

Table A3. 3 Tariff changes comparing the ECOWAS CET with the 2010 customs tariff

The Gambia tariff (2010)	HS code and product description		ECOWAS CET (2017)					No. of TLA <sup>a</sup>	Share (%) of each HS-2 digit level <sup>b</sup>
			0%	5%	10%	20%	35%		
Duty rate = 0%			<b>40</b>	<b>701</b>	<b>68</b>	<b>27</b>		<b>836</b>	
	01	Live animals		13	25			38	100
	07	Edible vegetables and certain roots and tubers				4		4	5
	10	Cereals		2	4			6	21
	12	Oil seeds and oleaginous fruits		31				31	57
	19	Preparations of cereals, flour, starch or milk		1				1	4
	27	Mineral fuels	1	28	2			31	51
	28	Inorganic chemicals		164	1	1		166	99
	30	Pharmaceutical products	9					9	26
	31	Fertilizers	15	8				23	100
	32	Tanning or dyeing extracts		6	4	1		11	19
	38	Miscellaneous chemical products		9	5	8		22	21
	41	Raw hides and skins and leather		9				9	24
	48	Paper and paperboard; articles of paper pulp, of paper or of paperboard	1					1	1
	49	Printed books, newspapers, other products of the printing industry	6					6	27
	69	Ceramic products		1				1	3
	73	Articles of iron or steel				1		1	1
	74	Copper and articles thereof		11				11	21
	76	Aluminium and articles thereof			1	4		5	11
	81	Other base metals; cermets; articles thereof		6		2		8	16
83	Miscellaneous articles of base metal			4			4	10	
84	Machinery and mechanical appliances; parts thereof		329	19	6		354	65	
85	Electrical machinery and equipment and parts thereof		5	3			8	3	
86	Railway or tramway locomotives		23				23	100	
88	Aircraft, spacecraft, and parts thereof		15				15	100	
90	Optical, photographic, medical or surgical instruments and apparatus	8	40				48	32	
Duty rate = 5%			<b>24</b>	<b>74</b>	<b>51</b>	<b>68</b>	<b>8</b>	<b>225</b>	
	04	Dairy produce		8	5	7	4	24	52
	07	Edible vegetables and certain roots and tubers				1		1	1
	11	Products of the milling industry; malt; starches; inulin; wheat gluten				4		4	11
	12	Oil seeds and oleaginous fruits		4				4	7
	15	Animal or vegetable fats and oils and their cleavage products			2	8	4	14	24
	17	Sugars and sugar confectionery		1	2	6		9	45
	25	Salt; sulphur; earths and stone; plastering materials, lime and cement		45	3			48	68
	30	Pharmaceutical products	16					16	47
	32	Tanning or dyeing extracts			3			3	5
	33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations				1		1	3
	34	Soap, organic surface-active agents, washing preparations, etc.				1		1	3
	38	Miscellaneous chemical products			13			13	12
	39	Plastics and articles thereof			1	8		9	6
	40	Rubber and articles thereof		1				1	1
	48	Paper and paperboard; articles of paper pulp, of paper or of paperboard			1	6		7	6
	49	Printed books, newspapers, other products of the printing industry	6			5		11	50
	56	Wadding, felt and nonwovens; special yarns		2		2		4	13
	69	Ceramic products		3				3	10
	70	Glass and glassware				3		3	4
75	Nickel and articles thereof		6	5	7		18	100	
82	Tools, implements, cutlery, spoons and			6	5		11	15	

The Gambia tariff (2010)	HS code and product description	ECOWAS CET (2017)							
		0%	5%	10%	20%	35%	No. of TLs <sup>a</sup>	Share (%) of each HS-2 digit level <sup>b</sup>	
	84 forks, of base metal								
	84 Machinery and mechanical appliances; parts thereof		3	4			7	1	
	85 Electrical machinery and equipment and parts thereof		1	6	3		10	3	
	87 Vehicles	2			1		3	2	
Duty rate = 10%		<b>11</b>	<b>666</b>	<b>249</b>	<b>354</b>	<b>19</b>	<b>1,299</b>		
	09 Coffee, tea, maté and spices			2			2	3	
	13 Lac; gums, resins and other vegetable saps and extracts		10				10	100	
	15 Animal or vegetable fats and oils and their cleavage products			6	3		9	15	
	16 Preparations of meat, of fish or of crustaceans				2		2	5	
	20 Preparations of vegetables, fruit, nuts or other parts of plants			2		2	4	5	
	23 Residues and waste from the food industries		1	22	1		24	100	
	25 Salt; sulphur; earths and stone; plastering materials, lime and cement			14	3	6		23	32
	26 Ores, slag and ash			41				41	100
	27 Mineral fuels			7				7	11
	29 Organic chemicals			342	1			343	100
	30 Pharmaceutical products	9						9	26
	32 Tanning or dyeing extracts			12	1			13	22
	36 Explosives; pyrotechnic products; matches, etc.					1		1	11
	37 Photographic or cinematographic goods			4	1	29		34	100
	38 Miscellaneous chemical products				6			6	6
	40 Rubber and articles thereof			20				20	22
	44 Wood and articles of wood; wood charcoal			1	15	6		22	28
	45 Cork and articles of cork			3				3	38
	49 Printed books, newspapers, other products of the printing industry	1			2			3	14
	51 Wool, fine or coarse animal hair			18	7	13		38	100
	52 Cotton			3	63	48	17	131	96
	53 Other vegetable textile fibres			4	3	4		11	46
	54 Man-made filaments				3	17		20	27
	55 Man-made staple fibres				14	45		59	54
	58 Special woven fabrics					4		4	10
	64 Footwear, gaiters and the like; parts of such articles				1	2		3	6
	68 Articles of stone, plaster, cement, etc.			2	3	30		35	67
	69 Ceramic products					6		6	20
	70 Glass and glassware				5	16		21	27
	72 Iron and steel			71	9	6		86	48
	73 Articles of iron or steel			18	17	49		84	53
	74 Copper and articles thereof			9	12	8		29	56
	76 Aluminium and articles thereof			12	12	10		34	72
	78 Lead and articles thereof			5	2			7	70
79 Zinc and articles thereof			6	1	1		8	80	
80 Tin and articles thereof			3		1		4	80	
81 Other base metals; cermets; articles thereof			24	4	13		41	84	
84 Machinery and mechanical appliances; parts thereof			10	14			24	4	
85 Electrical machinery and equipment and parts thereof			17	6	14		37	13	
87 Vehicles	1		9	8	1		19	12	
90 Optical, photographic, medical or surgical instruments and apparatus				4	11		15	10	
97 Works of art, collectors' pieces and antiques					7		7	100	

The Gambia tariff (2010)	HS code and product description		ECOWAS CET (2017)						
			0%	5%	10%	20%	35%	No. of TLa	Share (%) of each HS-2 digit level <sup>b</sup>
			<b>10</b>	<b>705</b>	<b>1,005</b>	<b>1,716</b>	<b>103</b>	<b>3,539</b>	
	02	Meat and edible meat offal				16	50	66	100
	03	Fish and crustaceans		6	93	99		198	100
	04	Dairy produce		4		15	3	22	48
	05	Products of animal origin, n.e.s.		16				16	100
	06	Live trees and other plants; bulbs, roots and the like		7		9		16	100
	07	Edible vegetables and certain roots and tubers		11		59	3	73	94
	08	Edible fruit and nuts; peel of citrus fruit or melons		2		68		70	100
	09	Coffee, tea, maté and spices			35	35		70	97
	10	Cereals		22				22	79
	11	Products of the milling industry; malt; starches; inulin; wheat gluten		3	23	8		34	89
	12	Oil seeds and oleaginous fruits		14	5			19	35
	14	Vegetable plaiting materials		6				6	100
	15	Animal or vegetable fats and oils and their cleavage products		5	23	6	2	36	61
	16	Preparations of meat, of fish or of crustaceans				30	12	42	95
	17	Sugars and sugar confectionery		7	2		2	11	55
	18	Cocoa and cocoa preparations		5	6		9	20	100
	19	Preparations of cereals, flour, starch or milk		3	2	15	4	24	96
	20	Preparations of vegetables, fruit, nuts or other parts of plants			20	52	3	75	95
	21	Miscellaneous edible preparations		5	5	16	1	27	100
	22	Beverages, spirits and vinegar			2	26	3	31	100
	24	Tobacco and manufactured tobacco substitutes		3	2	6		11	100
	27	Mineral fuels	2	7	14			23	38
	28	Inorganic chemicals		1				1	1
	32	Tanning or dyeing extracts		8	8	15		31	53
	33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations			12	20		32	97
	34	Soap, organic surface-active agents, washing preparations, etc.			7	11	11	29	97
	35	Albuminoidal substances; modified starches; glues; enzymes		2	12	1		15	100
	36	Explosives; pyrotechnic products; matches, etc.		4		4		8	89
	38	Miscellaneous chemical products	2	11	52			65	61
	39	Plastics and articles thereof		65	32	36		133	94
	40	Rubber and articles thereof	2	10	31	28		71	77
	41	Raw hides and skins and leather			28			28	76
	42	Articles of leather			9	24		33	100
	43	Furskins and artificial fur; manufactures thereof		5	5	2		12	100
	44	Wood and articles of wood; wood charcoal		16	24	16		56	72
	45	Cork and articles of cork		1	2	2		5	63
	46	Manufactures of straw, of esparto or of other plaiting materials				12		12	100
	47	Pulp of wood or of other fibrous cellulosic material		21				21	100
	48	Paper and paperboard; articles of paper pulp, of paper or of paperboard		37	51	31		119	94
	49	Printed books, newspapers, other products of the printing industry				2		2	9
	50	Silk		3	2	4		9	100
	52	Cotton		5				5	4
	53	Other vegetable textile fibres		5	8			13	54
	54	Man-made filaments		1	41	11		53	73
	55	Man-made staple fibres		1	48	2		51	46
	56	Wadding, felt and nonwovens; special yarns			10	17		27	87

Duty rate = 20%



The Gambia tariff (2010)	HS code and product description		ECOWAS CET (2017)					No. of Tls <sup>a</sup>	Share (%) of each HS-2 digit level <sup>b</sup>
			0%	5%	10%	20%	35%		
	57	Carpets and other textile floor coverings				21		21	100
	58	Special woven fabrics				35		35	90
	59	Impregnated, coated, covered or laminated textile fabrics			10	14		24	100
	60	Knitted or crocheted fabrics				43		43	100
	61	Articles of apparel and clothing accessories, knitted or crocheted				106		106	100
	62	Articles of apparel and clothing accessories, not knitted or crocheted				112		112	100
	63	Other made-up textile articles	1	1		52		54	100
	64	Footwear, gaiters and the like; parts of such articles			24	23		47	94
	65	Headgear and parts thereof			4	5		9	100
	66	Umbrellas, sun umbrellas, walking sticks, etc.			2	4		6	100
	67	Prepared feathers and down and articles made of feathers or of down				8		8	100
	68	Articles of stone, plaster, cement, etc.			11	6		17	33
	69	Ceramic products				20		20	67
	70	Glass and glassware		4	18	31		53	69
	71	Natural or cultured pearls, precious or semi-precious stones	1	19	20	14		54	100
	72	Iron and steel		48	15	29		92	52
	73	Articles of iron or steel		9	10	55		74	47
	74	Copper and articles thereof				12		12	23
	76	Aluminium and articles thereof				8		8	17
	78	Lead and articles thereof		1		2		3	30
	79	Zinc and articles thereof				2		2	20
	80	Tin and articles thereof				1		1	20
	82	Tools, implements, cutlery, spoons and forks, of base metal			33	29		62	85
	83	Miscellaneous articles of base metal			4	31		35	90
	84	Machinery and mechanical appliances; parts thereof		94	30	35		159	29
	85	Electrical machinery and equipment and parts thereof	2	85	59	90		236	81
	87	Vehicles		55	54	27		136	86
	89	Ships, boats and floating structures		20	3	4		27	100
	90	Optical, photographic, medical or surgical instruments and apparatus		40	35	11		86	58
	91	Clocks and watches and parts thereof			3	46		49	100
	92	Musical instruments; parts and accessories of such articles			17			17	100
	93	Arms and ammunition; parts and accessories thereof			31	29		60	100
	94	Furniture; bedding, mattresses, mattress supports, etc.		2	6	36		44	100
	95	Toys, games and sports requisites; parts and accessories thereof		4		27		31	100
	96	Miscellaneous manufactured articles		1	2	50		53	100

a The number of tariff lines at the 8-digit level by each HS-2 digit level.

b Table A3.3 presents product groups at a very aggregated level (i.e. the 2-digit level) in order to illustrate tariff changes comparing the ECOWAS CET with the 2010 customs tariff by each five-band category. The column is an indicator, representing how many tariff lines at the 8-digit level are allocated in each five-band category. For instance, 4 tariff lines at the 8-digit level under Chapter 07 are shifted from a duty-free rate to 20%, representing 5% as a share in the total number of tariff lines of the Chapter 07. This implies that other tariff lines at the 8-digit tariff line level under Chapter 07 are assigned in other categories.

Source: WTO Secretariat estimates, based on tariff information provided by the authorities and WTO IDB database.

**Table A3. 4 Priority sectors for investment, 2017**

Sector	
Agriculture	<ul style="list-style-type: none"> <li>• all crops;</li> <li>• dairy production, poultry, and meat processing;</li> <li>• floriculture and horticulture;</li> <li>• agri-processing and agri-business (production and marketing of agricultural inputs);</li> <li>• forestry</li> </ul>
Fishery	<ul style="list-style-type: none"> <li>• aquaculture;</li> <li>• fish and shrimp farming;</li> <li>• fishing and industrial scale fish processing</li> </ul>
Tourism	<ul style="list-style-type: none"> <li>• eco-tourism;</li> <li>• national heritage;</li> <li>• up-country tourism (motels, tourist camps, sport fishing, river sports or cruising); development of four and five star hotels, integrated resorts, and marinas</li> </ul>
Forestry	<ul style="list-style-type: none"> <li>• development of private or community forest parks or agri-forestry plantations;</li> <li>• forestry production and transformation, and wild fruit preservation</li> </ul>
Manufacturing	<ul style="list-style-type: none"> <li>• assembly and packaging;</li> <li>• processing;</li> <li>• foundry and forging;</li> <li>• light pharmaceuticals and cosmetics</li> </ul>
Energy	<ul style="list-style-type: none"> <li>• electricity generation, transmission, and distribution;</li> <li>• renewable energy resources (solar, wind, hydro, and biochemical);</li> <li>• liquefied petroleum gases</li> </ul>
Mineral exploration and exploitation	<ul style="list-style-type: none"> <li>• petroleum exploration as defined in the Petroleum Act;</li> <li>• mining of precious stones and others as defined in the Mines and Quarries Act</li> </ul>
Financial services	<ul style="list-style-type: none"> <li>• investment banks;</li> <li>• housing finance institutions</li> </ul>
Other services	<ul style="list-style-type: none"> <li>• health and veterinary clinics;</li> <li>• river and air transportation and cargo services;</li> <li>• information communication technology except GSM</li> </ul>

Source: Schedule II, the Gambia Investment & Export Promotion Agency Act.

**Table A3. 5 State-owned enterprises, 2017**

<b>Sector</b>	<b>Enterprise</b>
Transport	Gambia Civil Aviation Authority (GCAA)
	Gambia Ports Authority & Ferry Services (GPA)
	Gambia International Airlines (GIA)
Communications	Gambia Telecommunications Company (GAMTEL)
	Gambia Telecommunications Cellular Company (GAMCEL)
	The Gambia Submarine Cable Company (49% owned by the State)
	Gambia Postal Services (GAMPOST)
	Gambia Radio and Television Services (GRTS)
	Gambia Printing and Publishing Corporation (GPPC)
Agriculture	National Food Security Processing and Marketing Corporation (NFSPMC)
Energy and utility	National Water and Electricity Company (NAWEC)
	Gambia National Petroleum Company (GNPC)
Services	Assets Management and Recovery Corporation (AMRC)
	Social Security and Housing Finance Corporation (SSHFC)

Source: Information provided by the authorities.

**Table A4.1 Budget allocations for service units under the Ministry of Agriculture, 2016**

<b>Service unit</b>	<b>Annual budget (D '000)</b>	<b>% share</b>
Director General's office	18,010	6.1
Department of livestock services	57,068	19.5
<b>Technical service units</b>		
Agri-business	3,108	1.1
Planning services	6,712	2.3
Communication extension education	920	0.0
Agriculture engineering	5,850	2.0
Plant protection	5,525	1.9
Horticulture services	26,717	9.1
Food technology	4,569	1.6
Soil water management	3,348	1.1
The Gambia Livestock Marketing Agency	18,559	6.3
National Agriculture Research Institute	9,828	3.4
<b>Urban and Regional Agricultural Directorates (RAD)</b>		
RAD-Urban Agriculture	7,768	2.7
RAD-West Coast region	9,343	3.2
RAD-Central River region South	11,706	4.0
RAD-Lower River region	24,847	8.5
RAD-Central River region North	11,123	3.8
RAD-North Bank region	8,758	3.0
RAD-UPPER River region	60,044	20.5
<b>Global budget</b>	<b>292,883</b>	<b>100</b>

Source: Information provided by the authorities.

**Table A4.2 The Gambia's main traded agricultural products (excluding re-exports) by HS 4-digit level, 2010-15**

	Value (US\$ in million)						Volume (1,000 tonnes)					
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015
<b>Exports (excluding re-exports)</b>	<b>22.2</b>	<b>5.6</b>	<b>7.8</b>	<b>8.9</b>	<b>6.0</b>	<b>12.0</b>	<b>47.6</b>	<b>29.7</b>	<b>43.0</b>	<b>73.7</b>	<b>84.4</b>	<b>..</b>
<b>HS 0801 Brazil nuts and cashew nuts</b>												
<b>World</b>	<b>3.4</b>	<b>2.1</b>	<b>3.0</b>	<b>5.3</b>	<b>4.9</b>	<b>2.7</b>	<b>21.4</b>	<b>25.8</b>	<b>38.9</b>	<b>66.0</b>	<b>78.4</b>	<b>186.0</b>
1. India	3.0	2.0	2.8	4.4	4.3	2.3	18.2	24.5	36.7	55.5	71.3	180.8
2. Viet Nam	0	0.0	0.1	0.7	0.2	0.3	0	0.1	1.3	7.9	3.3	3.0
<b>HS 1202 Groundnuts, not roasted or otherwise cooked</b>												
<b>World</b>	<b>7.7</b>	<b>1.9</b>	<b>1.6</b>	<b>2.6</b>	<b>0.5</b>	<b>4.3</b>	<b>9.9</b>	<b>2.4</b>	<b>1.4</b>	<b>4.5</b>	<b>0.7</b>	<b>983.6</b>
1. Viet Nam	0	0.0	0	1.2	0	1.8	0	0.0	0	2.2	0	779.8
2. EU-28	7.5	1.9	1.0	0.6	0.5	1.2	9.6	2.1	1.0	0.4	0.7	2.1
<b>HS 1508 Groundnut oil and its fractions</b>												
<b>World</b>	<b>8.6</b>	<b>1.5</b>	<b>3.1</b>	<b>0</b>	<b>0</b>	<b>4.7</b>	<b>7.7</b>	<b>0.0</b>	<b>2.5</b>	<b>0</b>	<b>0</b>	<b>5.4</b>
1. EU-28	6.7	1.5	3.1	0	0	4.6	6.2	0.0	2.2	0	0	4.9
<b>Imports</b>	<b>102.3</b>	<b>111.7</b>	<b>126.2</b>	<b>130.7</b>	<b>158.5</b>	<b>147.0</b>	<b>354.7</b>	<b>413.6</b>	<b>368.0</b>	<b>327.5</b>	<b>459.1</b>	<b>..</b>
<b>HS 1006 Rice</b>												
<b>World</b>	<b>24.0</b>	<b>35.9</b>	<b>44.2</b>	<b>31.7</b>	<b>46.4</b>	<b>41.1</b>	<b>88.2</b>	<b>143.8</b>	<b>91.3</b>	<b>73.0</b>	<b>139.9</b>	<b>..</b>
1. India	0.5	0.8	3.4	7.9	9.7	3.5	2.0	2.7	12.2	29.4	38.4	80.0
2. Viet Nam	0.0	0.0	0.2	0	0	0.1	0.0	0.1	0.9	0	0	0.3
<b>HS 1515 Other fixed vegetable fats and oils and their fractions; linseed (other than crude)</b>												
<b>World</b>	<b>17.8</b>	<b>16.7</b>	<b>18.0</b>	<b>16.6</b>	<b>27.3</b>	<b>19.9</b>	<b>30.9</b>	<b>36.8</b>	<b>41.5</b>	<b>37.6</b>	<b>53.6</b>	<b>37.1</b>
1. Malaysia	5.5	10.9	2.3	3.8	15.8	10.3	10.0	24.3	5.1	7.7	30.8	20.0
2. Indonesia	0.4	3.2	13.5	10.3	8.8	5.4	0.8	6.9	31.1	23.8	17.1	9.5
3. India	5.4	0.5	0.4	0.9	1.2	0.6	9.4	1.2	1.2	2.7	3.1	1.0
<b>HS 1701 Cane or beet sugar</b>												
<b>World</b>	<b>16.0</b>	<b>14.7</b>	<b>16.6</b>	<b>27.2</b>	<b>26.2</b>	<b>28.8</b>	<b>85.5</b>	<b>71.7</b>	<b>65.0</b>	<b>70.1</b>	<b>119.8</b>	<b>113.3</b>
1. Brazil	13.3	13.8	14.3	26.6	25.6	27.9	73.9	67.4	56.5	68.5	118.2	110.5
<b>HS 1001 Wheat and meslin</b>												
<b>World</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>5.2</b>	<b>22.6</b>	<b>12.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>3.3</b>	<b>30.7</b>	<b>46.1</b>
1. EU-28	0.0	0.0	0.0	3.7	14.9	6.0	0.0	0.0	0.0	0.0	20.0	26.0
2. Russian Federation	0	0	0	0	6.2	6.6	0	0	0	0	9.3	20.1
<b>HS 0207 Meat and edible offal, of the poultry, fresh, chilled or frozen</b>												
<b>World</b>	<b>1.4</b>	<b>1.8</b>	<b>1.6</b>	<b>0.8</b>	<b>2.4</b>	<b>4.9</b>	<b>4.9</b>	<b>6.5</b>	<b>8.1</b>	<b>3.9</b>	<b>9.5</b>	<b>12.7</b>
1. United States	0.6	1.2	1.0	0.3	1.0	3.0	2.4	4.0	5.4	1.4	4.2	8.0
2. Brazil	0.3	0.4	0.3	0.4	1.0	1.0	1.2	2.1	1.4	2.0	3.5	2.3
<b>HS 0401 Milk and cream, not containing added sugar</b>												
<b>World</b>	<b>1.4</b>	<b>1.5</b>	<b>1.9</b>	<b>2.4</b>	<b>2.4</b>	<b>3.5</b>	<b>4.4</b>	<b>5.4</b>	<b>7.9</b>	<b>10.9</b>	<b>11.3</b>	<b>15.3</b>
1. Malaysia	0.1	0.1	0.4	0.5	0.4	1.1	0.3	0.6	2.0	2.9	2.6	5.4
2. United Arab Emirates	0.1	0.0	0.1	0.4	0.4	0.5	0.2	0.1	0.2	2.0	2.0	1.8
3. EU-28	0.4	0.3	0.7	0.6	0.6	0.3	1.0	0.9	2.2	2.1	3.0	1.1

	Value (US\$ in million)						Volume (1,000 tonnes)						
	2010	2011	2012	2013	2014	2015	2010	2011	2012	2013	2014	2015	
<b>HS 0402 Milk and cream, containing added sugar</b>													
<b>World</b>	<b>3.6</b>	<b>3.6</b>	<b>3.8</b>	<b>1.9</b>	<b>3.3</b>	<b>2.3</b>	<b>9.9</b>	<b>11.2</b>	<b>12.4</b>	<b>6.0</b>	<b>10.7</b>	<b>6.9</b>	
1. EU-28	1.3	1.5	1.5	1.1	1.7	0.6	2.6	3.5	3.3	2.8	4.7	1.2	
2. Malaysia	0.3	0.5	0.9	0.3	0.5	0.3	1.2	2.3	4.1	1.6	2.7	1.4	
3. United Arab Emirates	0.2	0.1	0.2	0.1	0.4	0.2	0.4	0.4	0.8	0.2	1.0	0.4	
<b>HS 1101 Wheat or meslin flour</b>													
<b>World</b>	<b>11.1</b>	<b>11.2</b>	<b>14.1</b>	<b>18.7</b>	<b>1.5</b>	<b>9.6</b>	<b>64.4</b>	<b>64.4</b>	<b>65.0</b>	<b>46.0</b>	<b>4.9</b>	<b>12.3</b>	
1. EU-28	2.7	2.3	1.8	3.0	1.5	6.7	14.5	13.4	8.1	2.1	4.9	12.3	

.. Not available.

Note: 0.0 refers to >0 and <0.05.

Source: WTO Secretariat calculations, based on UNSD Comtrade database; and data provided by the authorities of The Gambia.