



**Integration of Gambia  
Local Authorities in the European Cooperation  
Programming Process  
2021-2027**

**ANALYTICAL REPORT**



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# **INTEGRATION OF LOCAL AUTHORITIES IN THE EUROPEAN COOPERATION PROGRAMMING PROCESS 2021-2027**

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# Analytical report

## **Decentralization in the Gambia**

### **Background**

Since Independence the basic objective of decentralization has remained constant i.e. involving the local communities in national development efforts. Indeed the importance of decentralization and enhancing the administrative/management capability of local Councils for planning and implementation of development projects have featured strongly in both the First and Second Five Year Plans (1975-1985).

### **1.1 The Current Legal Framework for Decentralization and Local Development**

#### **1.1.1 General**

The enactment of the Local Government Act, 2002, provides the staging point for the implementation of the Plan of Action to put in place the necessary Legislative and institutional framework for establishing the local government authorities, defining their roles and functions, as well as their relationship with Central Government and the traditional authorities.

Part II of the Act – Sections 3 to 8 – prescribes the manner in which the geographical boundaries of each local Government Area and its constituent wards are demarcated by the Independent Electoral Commission (IEC) at the request of the Minister responsible for the administration of the Act. Section 9 provides that Local Government elections are to be held every four years for the election of Council members, provided that there is an interval of at least 12 months between such elections and elections to the National Assembly.

Part III – Section 10 – 14 of the Act establishes the Local Government Areas and the Councils to be constituted in them, the composition of their membership as well as the qualifications for election or nomination to membership.

Section 13 (1) provides that a Chairperson shall be elected by universal adult suffrage of all eligible voters in the Local Government Area. However, his role as political head of the Local Government Area provided for under Section 15 (1) of the principal Act has been rescinded by the provisions of Section 5 (a) of the Local Government (Amendment) Act, 2006 which assigns the chairperson the role of supervisor of the general administration of the area, and presiding at Council meetings. Section 5 (b) of the Local Government (Amendment) Act, 2006 makes the chairperson answerable to the Governor in the performance of his or her functions as provided for under Section 15 (2) of the Local Government Act, 2002.

Sections 34 to 47 prescribe the committees and offices through which the Local Government Area Councils perform their work. In this regard the following Committees are to be established:

- A. Finance
- B. Establishment and Appointment
- C. Development; and
- D. Any other committees that the council may determine.

Provision is made for a Chief Executive to be appointed by the Local Government Service Commission after consultation with the Chairperson. The Chief Executive is charged with the management of the affairs of the Council and is subject to its direction and control.

There is also provision for the position of Clerk of Council responsible for organising meetings of the Council and its committees, taking minutes and keeping records of meetings. The Clerk is answerable to the Council in the performance of his or her functions.

Local Government Area Councils are to establish Departments as they deem fit for the performance of their functions. These include:

- A. Finance;
- B. Services;
- C. Planning and Development; and
- D. Administration.

Each Department is to be headed by a Director appointed by the Local Government Service Commission and charged with the responsibility for the day-to-day running of their department, and reporting to the Chief Executive.

The Minister of Local Government and Lands, after consultation with the Councils, is to determine which of the community development staff operating at Local Government level is to be transferred to Councils.

### **1.1.2 Devolution of Competences**

As pointed out earlier, the Constitution calls for the creation of a Local Government system with a “high degree of autonomy” to which Government functions and powers would be devolved to “facilitate democratic governance”.

Towards this end, under the provisions of Section 49 of the Local Government Act, 2002, a State Minister responsible for any other Ministry may, after consultation with the Minister of Local Government and Lands, devolve functions, services and powers vested in that Ministry to a Council.

Such devolution should not be affected, however, unless:

- A. Government and the Council are in agreement;
- B. Adequate human, financial and material resources are made available for the performance of the functions, provision of the services, and the exercise of the powers so devolved; and
- C. Appropriate measures are taken to bring the change to the attention of the public.

Devolution of functions, services and powers from Central Government to the Councils are to be effected gradually, taking into account the capacity of a council to perform the function, provide the services and exercise the powers. In the event that a Council fails to

effectively absorb the devolved competences, the act prescribes a process for reversion of the devolved functions.

In the light of the above caveats, the Act makes provision for the devolution of the following competences to the Area Councils:

### ***1.1.2.1 Education***

The Minister of Education may appoint an Area Council as the sole authority for the establishment of specified categories of schools within its area of jurisdiction. The Council should ensure that the schools are established and operated in accordance with the Education Act and National Policy guidelines. To this effect, a Local Education Committee is to be appointed, after consultation with the competent Education authority.

This is the process that may lead to the eventual transfer of all Government schools in the area to be under the jurisdiction of the Council.

### ***1.1.2.2 Agriculture***

Section 67 (1) of the Act, mandates every Council to be responsible for providing agricultural services to the communities within their jurisdiction, in accordance with national guidelines. Towards this end, a Local Agricultural Committee is to be appointed in each Local Government Area.

In the performance of its agricultural functions under the Act, a Council is to establish a Department of Agriculture and Livestock Services to which relevant Government Extension workers and such other personnel to be determined by the Director of Agricultural Services, in consultation with the Council, shall be transferred.

### ***1.1.2.3 Natural Resources***

Councils are to be responsible in their areas for the protection of nature and natural resources. Section 72 (1) of the Act mandates the establishment of a Local Natural Resources Committee in each Local Government Area through which the Council would carry out this function.

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## **PUBLIC AND ENVIRONMENTAL HEALTH**

The Act mandates Councils to be responsible for the promotion and preservation of health in their areas of jurisdiction: specifically they are to be responsible for:

- Major health centers, sub-dispensaries and all primary health care services;
- Maternal and child health services;
- Distribution of pharmaceutical products and vaccines to health facilities; and
- General hygiene and sanitation

For this purpose, there is to be a Local Public Health Committee for each Local Government Area through which the Council would discharge its functions. The committee is to be appointed by Council after consultation with the Director of Health Services.

For the performance of its health functions, a Council is mandated to establish a Department of Health Services to which the existing Divisional Health Teams would be transferred.

### **1.1.3 Roads**

Section 80 (1) of the Act mandates a Council to establish a Local Road Authority to be responsible for the upkeep and maintenance of all secondary roads in its area of jurisdiction, that is to say, any road that borders off a trunk road or highway to which the public has lawful access and which does not form part of the National Road Network.

### **1.1.4 Local Development**

According to Section 90 (1) of the Act, every Council is the Planning authority of its area and may plan and implement any programme or project for developing the infrastructure, improving social services, developing human and financial resources and for the general upliftment of the community.

In this regard, a Council is mandated to prepare a comprehensive and uninterrupted development plan for its area in all the ward plans. In performing its development functions, it should adopt such processes and procedure to ensure that the communities are involved in the conception and execution of development plans, that is, a bottom-up approach.

This bottom-up approach to the development is realised in the establishment of Village Development Committees and Ward Development Committees, respectively.

Village Development Committees and Ward Development Committees have responsibility for all development planning at village and ward levels, and serve as the local entry points for all development assistance to the village communities.

In this role, the village development committees are instrumental in identifying local development needs in consultation with the community, prioritizing such needs and submitting them for consideration at ward level.

Village Development Committees are also responsible for addressing local needs, raising, coordinating and managing financial resources at village level, as well as mobilizing community participation in development activities. In this task, they are assisted and advised by the Government representatives operating at village level as well as the extension workers of organizations involved in development activities in the village. These two groups constitute the Multidisciplinary Facilitation Teams (MDFTS).

The next echelon in the bottom-up development approach is the Ward Development Committee, which is chaired by the Councillor for the ward, and consists of one male and one female representative from each Village Development Committee, as well as representatives of organizations involved in development activities at ward level.

Ward Development Committees are responsible for coordinating and prioritizing all development planning at ward level, for preparing ward development plans for approval by the Council, and coordinating development assistance to the ward.

At the level of the Local Government Area, a Technical Advisory Committee provides technical advice to the Council and to the ward and Village Development Committees,

with a view to ensuring that local projects conform to national standards, policies and priorities.

The Technical Advisory Committee is chaired by the Governor with the Chief Executive of the Council as Vice Chairperson. Other members of the committee include regional heads of Government Departments operating at local government level, the heads of local government technical services, and representatives of non-governmental organizations involved in development programs in the Region. The Committee meets at least once every two months and is required to submit quarterly reports of its deliberations to the Minister of Local Government and Lands and to the Council.

#### **1.1.5 The Local Government Service**

For the first time in Gambian history, provision has been made in the law for the establishment of a Local Government Service as part of the Public Service of the country. In the same vein, a Local Government Service Commission has been provided for each Council.

A local Government Service Commission, comprising of a chairperson and not less than two or more than four people of high integrity and good character is appointed by the Minister. Its powers and functions include making appointments to offices in the Local Government Service and generally providing for its overall management and efficiency.

A unified local Government Service Commission has been established and is functioning. In the performance of its functions, a Local Government Service Commission shall be independent and not subject to the direction and control of any person or authority.

#### **1.1.6 Monitoring and Co-Ordination Of Local Government Authorities**

Section 148 of the Local Government Act, 2002, stipulates that the coordination of, and advocacy for Local Government Authorities as well as policy issues, shall be the responsibility of the Ministry of Local Government and Lands. Thus, the Ministry is charged with monitoring and supervision of Local Government Councils and ensuring their compliance with all laws and regulations, and national policies and guidelines.

Provision is also made in the Act for the President to take over a Local Government Administration for a specified period of time where it becomes difficult for the Council to function and when it is in the public interest for the Head of State to take such action.

#### **1.1.7 Finance and Audit**

The Local Government Finance and Audit Act, 2004, makes it mandatory the creation of a Council Development Fund into which all revenue generated by Council is to be paid and from which all liabilities are to be discharged.

The fund is conceived as a demand-driven framework for councils and their development partners to efficiently deliver development resources and services to the communities in their areas, in that it allows all the development actors to respond to community projects designed through the bottom-up participatory process. It also affords an opportunity for the integration of the development activities in a given Local Government Area into the strategy development plan of the Council.

In the light of the weak revenue base of Councils, the Act provides for subventions from Central Government consisting of:

- A. General grant not exceeding ten percent of the capital budget of a Council;
- B. A grant-in-aid in the sum agreed between Government and a Council to finance programs agreed between the two parties; and
- C. An equalization grant intended to prop up, as it were, Local Councils lagging behind the national average standard in the provision of social service

The Act make provision for the establishment of an ad-hoc Local Government Financial Advisory Committee each year before the national budget is finalized to advise on the distribution of revenue between the Central Government and Councils and the allocation of funds to each council from the Consolidated Fund.

A notable omission in the membership of the committee, however, is the Director of Statistics who would be able to supply the statistical data needed for the formula for the distribution of grants to councils.

The Act also empowers the Minister of Local Government, in consultation with the Minister of Finance and Economic Affairs, to prescribe a Financial Accounting Manual for the control and management of the financial affairs of the Councils. The Manual would make provisions, inter alia, for:

- The operation of financial departments of Councils;
- Procurement in accordance with the Gambia Public Procurement Act, 2001;
- The proper supervision of the accounting staff;
- The establishment of Internal Audit departments and their functions; and
- The preparation of estimates of revenue and expenditure.

Here is already a financial manual in place. Each council is to set up a Contract Committee for the purchase of goods and services based on the GPPA Act.

## **1.2 Sectoral Policies of Government Institutions on the Transfer of Competences**

The Government institutions that are more likely to pioneer the decentralization process – education, agriculture, health, forestry and water resources – have deconcentrated services in the rural areas in a manner that is conterminous with the jurisdictional boundaries of the Area Councils.

The regional heads of these institutions serve as members of Divisional Technical Advisory Committee which proffer technical advice to the Council within their Local Government Area in order to ensure that local projects conform to national standards, policies and priorities.

The sectoral policies of Government institutions regarding the transfer of competences are latent, and need some kind of driving force to give impetus to the process. For instance, there are no focal points for the decentralization programme in any of the ministries.

### **1.3 The Institutional and Organizational Capacities of Local Government Authorities in the Decentralization Process.**

The institutional and organizational capacities of the local governments, as at present, do not dispose them to absorb the competences that would devolve to them in the decentralization process. This fact becomes apparent when one assesses the capacities of Councils in the following areas:

#### **1.3.1 Human Resources**

Most, if not all, of the Councils are overstaffed, with the majority of the personnel being unskilled workers. The upper echelons of the staff do not have the professional training that would enable them to perform the tasks that would be encountered during the process decentralization. The Local Government Act, 2002, mandates councils to establish Departments of Finance, Services, Planning and Development, and Administration, each to be headed by a Director.

These Departments have been created, in skeletal form in some of the Councils, but the incumbents do not meet the qualifications for appointment to the posts as required by the Local Government Service Schemes of Service. Lately some Councils have tried to overcome these challenges by recruiting competent and qualified staff.

Similarly, the Act requires Councils to have in place qualified personnel to be in charge of matters relating to competencies that are devolved to them, to wit, agriculture, education, environmental matters, forestry, wildlife and fisheries. This requirement has yet to be addressed.

Most of the councils have not formulated a human resources development policy and plan of action.

#### **1.3.2 Financial Resources**

Most, if not all, of the Councils do not have a revenue base adequate to meet their obligations. Inadequate revenue collection mechanisms also mean that arrears of revenue collected mount up every year.

Financial resources management is deficient in many of the councils. Lack of capacity and poor financial management at the level of councils are major factors impeding the start-up of the decentralization process.

This may be the reason why the Ministry of Finance and Economic Affairs is not keen on fiscal decentralization unless proper financial management and control systems obtain at the Councils. The cost of policy failure in this respect would be too much to bear. Thus, there is the need to be pragmatic and approach the process in a manner that is piece meal and gradual.

#### **1.3.3 Council Administration**

The Local Government Act, 2002, provides for the offices in the administration of Councils to be appointed by a Local Government Service Commission.

Apart from the Chief Executive responsible for the management of the affairs of the Council, and a Clerk of Council, provision is also made for the appointment of a Director

of each of a Council's technical departments, namely, Finance, Services, Planning and Development, and Administration respectively. An apparent anomaly in this regard is that, even though the Local Government Service Bill is yet to be enacted by the national Assembly and a Local Government Service Commission appointed for each Council, most Councils have filled some of these positions as noted earlier.

Provision has also been made in the Act for the appointment of officers in the Councils to be responsible for the competences envisaged to be devolved to them. These have yet to be appointed.

#### **1.3.4 Central Government Control and Supervision**

Responsibility for the coordination of, and advocacy for the Councils as well as policy issues, has been assigned under the Act to the Ministry of Local Government. To carry out these tasks, A Directorate of Local Governance has been created at the Ministry with the following remit:

- Policy planning
- Monitoring and evaluation
- Quality control
- Resource mobilization
- Capacity building
- Communication and Information

#### **1.3.5 Human Resources Development**

One of the reasons most often cited for the delay (and apparent reluctance) to devolve competences to the Local Government Authorities is the deficiency in human resources capacity in these entities that would enable them to absorb their new functions and powers effectively.

Even though these deficiencies in trained manpower, especially in the financial management and development planning sectors, are widely recognised, there is no human resources development plan in place either in the Councils or at the level of Central Government to remedy the situation.

## **2 CONCLUSION**

The challenge facing central government is to strike a workable balance between local autonomy and central supervision. Managing change in local governance therefore calls for a clear understanding of development paradigms at the local level and their connectedness with central policies. This we tried to do in this document by looking at the political evolution of governance and decentralization theories with the support of strong constitutional provisions and the Local Government Act, and then looked at the emerging role of Local Government in national development through the empowerment of the people and the provision of essential social services.

Democratic local governments have unique potential comparative advantages to;

- Spend money on the right things by using public money through participatory process (and social auditing). This is only possible on a local scale and is critical to allocate public funds to what really counts and can have impact on the lives of the people within the locality (the essence of having village/ward development committees);

- Get “value for money” by adopting standards, tailoring programs to local conditions and mobilizing resources from local communities and private sector. There is a wide range of partnership arrangements with other actors in the locality that a functionally and fiscally empowered local government authority can promote, to deliver infrastructure and services at a lower cost for the public treasury.
- However, resources cannot be properly mobilized if local autonomy is suppressed and fiscal arrangements are lagging behind:
  - Autonomy in setting tax rates is seriously restricted
  - Unfunded mandates (responsibilities without resources are common)
  - Pure financial autonomy of LGAs is illusory

In addition to these, human resources remain inadequate. Local Authorities have comparative advantages of being closer to the people and enabling the delivery of basic social services. But these can be negated by:

- Negative political factors, particularly related to lack of effective leadership;
- High levels of corruption and maladministration;
- Clientelism and ‘illegal economy’;
- Institutional weaknesses, such as dysfunctional institutional arrangements;
- Limited financial resources
- Low levels of administrative capacity;
- Inadequate planning procedures and public finance management;
- LGAs are generally undermanned, most importantly personnel is unqualified and underpaid
- There are limited or no career prospects for LG staff, which makes it difficult to attract and retain good professionals

Finally, the system should not be perceived as a dumping ground for incompetent and the barely literate, otherwise change will be very difficult to manage.

## **3 CHAPTER 3**

### **3.1 EU Cooperation in The Gambia**

#### **3.1.1 The Framework and Objectives**

The framework for cooperation between the Gambia and the European Union started under Lome Convention I in 1976. Under the Cotonou Agreement, first signed in 2000, this cooperation has been broadened to cover three complimentary pillars development cooperation, political dialogue, and economic and commercial cooperation, with the ultimate aim of addressing poverty through sustainable development. In addition to the Central government and public institutions, the cooperation now involves Local government, the private sector, and Non-State Actors (NSAs).

#### **3.2 Development Cooperation**

The main source of EU funding for ACP countries is the European Development Fund. The Jointly-Agreed Country Strategy Paper (CSP) for the Gambia 2014-2018 presents the strategic framework of the EU cooperation under the 11th EDF. It's aligned with the National Development Plan established by the Government of the Gambia, based on the

Programmes for Accelerated Growth and Employment (PAGE), Vision 2020 and the Sustainable Development Goals (SDGs).

The CSP was accompanied by a National Indicative Programme (NIP), a more detailed executive plan of action for implementing the strategy. The initial 100 million top-up was approved by the Commission in January 2018. The focal sectors are:

- Agriculture for economic growth and food security/nutrition
- Transport sector
- Governance/Rule of Law/Security/Gender
- Inclusive Sustainable Growth and job Creation
- Renewable energy/climate change/infrastructures
- Energy

The EU maintains a culture of extending direct support to the population in critical areas such as food security and nutrition health, humanitarian assistance during food crises and infrastructure with a total of EUR 184 million for the period 1995-2016. One concrete result of this support (EUR 75 million) was the substantial improvement of the Gambian road network that significantly eased the transport of goods and reduced travel time.

In early 2017, with the advent of the new government development cooperation was stepped up. In early 2017, a EUR 75 million aid package was released and further EUR 150 million was subsequently allocated. The current EU's development assistance to the Gambia amounts to a total of EUR 225 million for the period 2017-2020.

This amount is, to a large extent already engaged in concrete programmes supporting governance through budget support, investment facilities for infrastructures and notably boosting job creation and youth empowerment for sustainable growth.

The Gambia National Development Plan (2018-2021), adopted in January 2018, sets out 8 strategic priorities: governance, economic growth, agriculture and fisheries, modernisation, investing in people, infrastructure and energy services, tourism, youth and the private sector.

From these priorities and fully in line with the NDP, the EU support focuses on 5 areas:

- Sustainable growth and job creation
- Agriculture and food security
- Governance and security
- Renewable energy and climate change
- Transport and infrastructure

### **3.3 EU Supported Projects in The Gambia – Examples**

Post-crisis and nutrition support – EUR 11.5 million, with FAO, WFP, UNICEF  
The Gambia suffered from severe 'shocks' of drought and Ebola in 2014. The EU provided support to rural communities, assisting especially children and women:

- 1000 men and women have been engaged in cash for work
- 40.000 children have received supplementary feeding
- 30.000 pregnant and lactating women were sensitized in good breastfeeding best practices

- 5000 farmers have received seeds
- 100 extension workers received comprehensive training in climate smart agriculture with an emphasis on nutrition. These are in turn reaching out to up to 10.000 farmers.

**EMPOWERING YOUNG PEOPLE IN THE GAMBIA** – EUR 11 Million, with the International Trade Center (February 2017 – February 2021)

- Vocational training and support for micro- and small-sized enterprises
- Reached 38.000 young people through skills training and awareness raising
- Almost 300 completed a technical or vocational training programme or apprenticeship
- Over 700 received business advisory support including access to financial services
- Train the Trainers: over 40 trainers were educated on quality related programmes, and 4 institutions improved their training programmes
- Around 240 micro and small-sized enterprises were supported for better market access, quality improvement and food safety

All EU programmes in the Gambia address poverty-related cross-cutting issues, in particular gender equality, HIV/AIDS, environmental sustainability, good governance and human rights – especially children’s rights – as well as nutrition and health.

### **3.4 Integration of Local Authorities in the European Union Cooperation Programming Process 2021-2027**

The New Financial and Cooperation Neighbourhood Development and International Cooperation Instrument (NDICI) now replace the former European Development Fund (EDF) at the end of its cycle in 2020. The Instrument is funded by the EU Budget on a multiannual basis (2021/2027).

In accordance with the commission’s proposal for the NDICI, the EU should be able to make full use of various EU financial instruments, such as budgetary guarantees and blending under the European Fund for Sustainable Development, which should be rolled out in 2021. Under the proposed NDICI, the External Action Guarantee could provide up to EUR 60 billion in guarantee operations to stimulate sustainable investments over the period 2021-2027, focusing primarily on Africa.

The Commission proposes over 60% of funds available to it to Sub-Saharan Africa and EU’s neighbourhood countries (Commission Proposal for a Regulation of the European Parliament and of the Council establishing the Neighbourhood Development and International Cooperation Instrument, 14<sup>th</sup> June 2018, COM (2018) 460 final.

With a foreign direct investment stock reaching EUR 222 billion, the EU is the largest investor in Africa, well ahead of the United States (EUR 42 billion) or China, EUR 38 billion ( United Nations Conference on Trade and Development, World Investment Report 2018, 2016 figures).

Over the years, Local authorities were considered Non-State Actors under the Cotonou Agreement and access to EDF was through the NSA window. The Gambia Association of local Government authorities had benefitted from the NSA funding mechanism to implement a transnational Partnership Project with the National Association of Local Authorities of Ghana (NALAG) and the Urban Councils Association of Zimbabwe (UCAZ).

The UCLG Africa through its strong advocacy was instrumental in having Local and Regional Governments (LRGs) recognized as State Actors. The EU 2013 Communication on Empowering Local Authorities in Partner countries for enhanced governance and effective development” opens up a window of opportunity for the participation of LRGs as State Actors to access EU funding, though not implicit. However Article H.1 of the NDICI implicitly recognizes it thus: “Actions shall be based, to the extent possible, on early and continuous dialogue between the Union, the member states and partner countries concerned, including National and **Local Authorities** including civil society, national and local participants and other stakeholders, in order to enhance ownership of the process and to encourage support for national and regional strategies”.

The EU has further committed itself to engage LGRs in its programming process as noted in the NDICI, Art. 10. 2c): “The Union shall also consult other donors and actors, including **Local Authorities**, representatives of civil society and, where relevant, the private sector, in order to facilitate their respective contributions, as appropriate, and to ensure they play a meaningful role in programming”.

This affirms the EU’s resolve to mainstream and integrate full Local Authorities in the EU Cooperation both at programming and implementation levels, with National Associations playing a pivotal role. The EU now sees Local Authorities as development actors alongside national governments, an opportunity to be both in localizing public policies and programs, and implementing a Territorial Approach to Local Development)”.

Considering the above, GALGA, as the mouthpiece of Local Authorities in the Gambia should be ready to take a pro-active role in the consultation process during the upcoming ‘Integration of Local Authorities in the European Cooperation Programming Process 2021-2027. UCLG Africa has emphasised the fact that the process of consultation should take place **concurrently with the dialogue with the national governments and NOT in the framework of consultations with non-state actors (NSA)**, as has been the norm.

GALGA will have to validate LAs’ strategic plans aligned to the National Development Plan and to align them to EU programming guidelines. LGAs were provided with support by the UNDP to formulate regional development plans. This provided an opportunity to mainstream SDGs into Local Development Priorities. Three key priority areas are outlined within the EU programming guideline:

1. National policy reforms (such as decentralization)
2. Sector (budget) programmes (e,g on rural development or energy) which integrates LAs
3. Territorial approaches to local development (TALD) which empower LAs to play catalyst role in the process.

It should be the duty of LGAs through GALGA, as per UCLG Africa ‘guidelines’ that at least the following existing EU Policy Commitments are “explicitly mentioned and spelled out in the future programming guidelines”:

1. The principle of subsidiarity – EU Com. 2013 states “Adhering to the principle of subsidiarity, the EU aims at promoting the role of local Authorities as policy and decision makers in favour of transparent and accountable policy making and

service delivery at the local level”. According to the principle of subsidiarity, public responsibilities, regulatory functions and spending are transferred to the lowest institutional or social level, closest to citizens, that is able and entrusted to complete them.

2. Communication of 2013 on Local Authorities EU Commitment to empower LRGs as Development Actors.
3. Agenda 2030 that stress the need to “localize” the SDGs as condition for effective implementation and on the “5 PS” including “Partnerships” (SDG 17 on multi-actor approaches);
4. The Paris Agreement and EU Green Deal considering the central place of climate related issues in future programming, it will be key to ensure a clear link to the role of LRGs

All the above are streamlined in the National Development Plan of the Gambia. The NDP is domesticated to serve as an instrument for realizing the SDGs and the first Ten year Implementation Plan of the Africa Agenda 2063.

The role of local Governments and their Associations in international relations is changing. They now become actors in the global world where it seems that decentralization provides a better framework to enhance development in local government. Local authorities are entering a field that traditionally has been managed by Non-governmental organizations (NGOs) or other official development aid agencies. Local Authorities are new players within development cooperation, but they operate from a different perspective by virtue of them being closer to the people, and have a different focus. Political support from Central Government, is therefore crucial for the success and continuity of the partnership.

We hope that the following statement from the EU Communication 2013 will become a reality and not an illusion to be pursued but never attained.

“It is proposed to implement the principles outlined in this Communication to support local Authorities in partner countries and their Associations at country, continental and international levels”.

## **4 CHAPTER 4**

### **4.1 Way Forward – Local and Central Government Partnership**

The Government of the Gambia is committed to promoting economic growth, reducing poverty and vulnerability, and improving the well-being and welfare of its population through the development and implementation of series of policies and programmes that span the social, economic and environmental aspects of sustainable development.

Since Independence, the country formulated and implemented a number of socio-economic development policy frameworks to address the nation’s development challenges and drive its development agenda.

The most recent policy document launched is the National Development Plan (2018-2021). The eight strategic priorities and 7 critical enablers that form the basis of the NDP are well aligned with the Sustainable Development Goals (SDGs).

The Local Government Authorities were also provided with support to formulate regional development plans. This provided an opportunity to mainstream SDGs into local development priorities.

#### **4.2 Policy formulation and implementation**

Traditional development initiatives were often implemented without adequate involvement of the beneficiary communities, the stakeholders. They were implemented from top-down, and did not include those people who should have been at the centre of development planning – grassroots communities themselves, for Local Economic Development (LED).

Over all, the trend for decentralization reflects the increasing recognition that local government, being closest to the citizens, is the level of government most responsive to public concerns, and most likely well-placed to ensure that interest in all sectors are represented in decision making. This has warranted the enactment of enabling legislation to effect a sustainable decentralization in the Gambia.

The government of the Gambia has in place the enabling policies and legal context that can facilitate the implementation of the decentralization process. Decentralization and the development role of the Local Authorities are enshrined in the Constitution of the Gambia (1997); Vision 2020 (the Government's long-term development blue print); The National Governance Policy (1999); the Local Government Act (2002), the Programme for Accelerated Growth and Employment – PAGE (the Government's medium-term development strategy; and the National Development Plan (2018-2021).

There is documentary evidence to show that the decentralization policy of the Gambia was based on a rigorous democratic engagement and participatory process. There is evidence to support that countries that are economically successful on a sustained basis are those that are democratic and decentralized (EU Communication 2013). Those that are economic disasters are those that have allowed excessive central bureaucracy to take hold. In other words, the linkages between political stability, popular participation (including the empowerment of women) and socio-economic progress are now more clearly seen than decades before.

#### **4.3 Inhibiting factors and threats**

However Bureaucratic centralism has been an inhibiting factor, among many others in the decentralization process in the Gambia. There is evidence of resistance to change to fully devolve power by Central Government bureaucrats. This is reflected in the slow pace of de-concentration, where some functions are still being performed by central ministries and some funds are being controlled by them. Some other inhibiting factors that are stalling the decentralization process are:

lack of understanding of decentralization; Seen as project of the Ministry of Regional Government and Lands; Seen as 'project' of the Ministry of regional Government and Lands; Not seen as Government policy to be included in their planning processes; Fear of losing control, position and resources (central Government bureaucrats); Lack of forum at the center to discuss decentralization (such as defunct National Steering Committee).

However, despite the challenges that are stalling the process, there are enhancing factors. Three sectors have incorporated decentralization in their sector policies, strategies and legal instruments (Education, Health and Agriculture). They have also created deconcentrated structures at the regional level through Regional Directors of Education, Health and agriculture. The regional directorates are in turn connected to decentralized structures at the district/ward and village levels respectively with a view to facilitating local community participation in bottom-up planning, implementation and participatory monitoring and evaluation.

In addition, six other sectors referred to in the Local Government Act have also taken some steps by seconding their staff to the Regions in order to facilitate the coordination of their regional activities.

Numbers of steps are being taken by the Ministry of Regional Government and Lands to deal with the issues that are stalling the decentralization process:

- Initiate a process of reviewing and up-dating the decentralization policy (which still has not been validated due to lack of funding) and supporting it with medium-term implementation policy to give the process a sense of direction;
- Launch a series of awareness-raising and sensitization programmes designed to improve knowledge and understanding of the decentralization process;
- Plan to resuscitate some of the defunct Central Coordinating structures for proper coordination and implementation.

If there is going to be a successful decentralization regime, two dimensions are imminently important:

- Technical dimension (political, administrative and fiscal)
- Institutional dimension (central government, local government institutions and the role of civil society).

However, the biggest threat to the decentralization process is government's reluctance to honour its commitments for fiscal decentralization and the devolution of competences to the Local Authorities as stipulated in the Local Government Act 2002 and the Local Government Audit Act 2004.

The only one-off transfer made to local Authorities was in 2013 to the tune of D2, 500, 000 (two million five hundred thousand Dalasi), at the request of the Directorate of local Governance. The transfer was apportioned into five equal shares to the five rural councils as grants for capital development. The Ministry of Finance and Economic Affairs remained the approving agency.

Another major threat is the decline in revenue base of councils, exacerbated by the tendency of central government to re-assign revenue collection mandate of traditional sources of Councils' income to newly-created semi-autonomous agencies such as Gambia Tourism Board, Gambia Road Authority, Gambia Livestock Marketing Board, etc.

A further threat is related to the capacity of Local Government Councillors and staff to absorb competences and resources to be devolved to them by the sectors. Therefore, the biggest challenge would be to build the capacity of councillors and staff to perform, and to lead improved service delivery and be accountable to local constituents. Due to

these constraints the communities view Councils as less effective and less helpful institutions than NGOs.

#### 4.4 Action Agenda

To be fully integrated into the national development agenda Local Authorities must:

- Localise (domesticate) national and international development blueprints into development plans for the attainment of local development outcomes;
- Facilitate the formation of a national Local Economic Development (LED) framework to guide them;
- Promote the development of local-level policy and strategies for local level economic development.
- Domesticate national and international policies into bylaws
- Capacitate councillors, Council staff and collaborators

## 5 CHAPTER 5

### 5.1 Gambia Association of Local Government Authorities (GALGA)

Although democratically elected and often endowed with a fair measure of autonomy and responsibility, local Authorities, at whatever level of the hierarchy, are nevertheless creations of Central government. They operate within the terms of legislation enacted through parliaments, which typically give ministers wider powers to approve or veto the decisions of Councils and to control and regulate their activities.

In some countries, like the Gambia, the institution of local government is now entrenched in their national constitutions. This has helped to clarify and improve the relationships between central government, local authorities and their Associations, and to provide a sense of legitimacy and permanence to the latter.

The structures of local Authorities are similar, comprising elected representatives, councillors, who are the decision makers in all policy matters and hold the major responsibilities, and the executive, staff and employees of the authority who implement the policies and the decisions. To facilitate the implementation of responsibilities, most of the Councils operate on a Committee system, forming Committees for such areas as Finance, planning, public works, health, education, etc.

The main objectives of the Local Authorities are to promote the development of the Areas under their jurisdiction and to provide public services so as to improve the quality of life of their constituents. This they endeavour to achieve by use of a number of strategies:

- Forming an Association through which they can speak with a united voice in their negotiations with central government and other institutions;
- Developing the Association into a body which can provide services for them;
- Becoming effective and efficient in the performance of their functions, particularly in terms of the provision of services; and
- Promoting policies which recognize democratic, participatory values as being central to the attainment of development goals.

The recognizes Association of local Authorities a s valuable partners in its programming as articulated in Com.2013 “The EU should seek to involve Association of local Authorities in the programming of national and local priorities as well as in the implementation of related EU-Funded programmes, particularly those related to decentralization. Furthermore, the EU should facilitate the establishment of Partnerships between Associations of Local Authorities in Partner Countries and the EU”. It gave the functions of Associations as:

- I. Advocacy of members’ interest in national policy dialogues with central governments and other national stakeholders as well as in international for a;
- II. Lobby for decentralization policies leading to more autonomous and empowered local authorities;
- III. Coordination and platform for discussion among members;
- IV. Experience and knowledge sharing with the view to enhance Local Authorities’ capacities;
- V. Quality supervision of Local Authorities’ performance in matters of local policy-making processes and service delivery;
- VI. Promotion and coordination of participative local development plans.

The National Associations of local Authorities (NALAs) are formed by legally constituted local authorities which recognizes the need to have a representative body which will provide their common interest. Associations in most countries share similar objectives, which are reflection of the needs of their members. The Gambia Association of Local Government Authorities (GALGA) is no exception.

Much has been done, and is currently being done, to establish democratic, efficient and viable local government in the Gambia with the advent of the new democratic dispensation.

Change, nevertheless, has been rapid and comprehensive in recent years and much has been achieved. In spite of this progress the institutions established remain frail and vulnerable and their ultimate development will in no short measure depend upon the capacity to develop and support an effective Association. The need for GALGA is particularly evident where policies and legislation may be in place but the government lack the confidence or political will to act. It is in these circumstances that GALGA which makes it possible for its local authorities to speak with one voice, become consequential.

GALGA was established in September 2002 with an overarching goal: “to ensure and enhance good governance, accountability and transparency in Local Administration in the Gambia”. The proposed action seeks to consolidate the role of the Association in delivery of good quality services to the communities, in an accountable and transparent manner. The Association articulates in its constitution that as a non-profit making body, shall without regard to any political, philosophical or religious pre-occupation:

- a. Promote the development of local government administration in the Gambia;
- b. Protect the rights, privileges and interests of all member local government authorities as affected by proposed or enacted legislation; and
- c. assist in maintaining a high standard of local government administration and local government service delivery;
- d. provide a forum for discussion and exchange of ideas, viewpoints and information on matters of common interest relating to local government

- administration and local government service delivery with the view to solving problems of member local authorities and
- e. co-operate with other bodies and agencies concerned with local government administration and local government service delivery in fostering good relationships between member local government authorities and their staff to promote peaceful and orderly local government administration;
  - f. assist the central government in the implementation and monitoring of its programmes in the regions;
  - g. provide a channel of effective communication between member local government authorities and the central government;
  - h. promote inter-regional trade and co-operation;
  - i. assist in the organization and the promotion of local government International Co-operation between member local government authorities and local governments in other parts of the world, by encouraging sister-city relationships;
  - j. Affiliate with any international Local Government Association with identical objectives for the promotion of effective and efficient local government administration.

It was in the spirit of Articles g and h that GALGA was able to partner with two other sister Associations in 2010 to implement a 1.5 million Euro sponsored project through the Non-State Actors window of the EU funding mechanism.

The project “Strengthening Transnational Partnerships and Networks for Enhancing Participatory Local Governance” was jointly implemented by GALGA, the National Association of local Authorities of Ghana (NALAG) and the Urban Councils Association of Zimbabwe (UCAZ).

GALGA has prepared a three years Strategic Plan (2018-2020) but was not able to implement due to capacity and financial resources constraints. The Association has a broad mandate but lacks the human resources capital and the financial resources to implement programs and activities, and do advocacy work for members. This is compounded more by the Covid-19 Pandemic.

### **5.1.1 SWOT analysis of GALGA**

The following is a SWOT analysis of GALGA as an association of LGAs in the Gambia, conscious of the objective realities of the governance landscape in the Gambia.

#### **STRENGTH**

- legitimacy
- representative
- closeness
- mastery of local development projects
- understanding local government issues
- advocacy
- facilitation of partnership

#### **WEAKNESS**

- weak human and financial resource base
- inadequate capacity

- male participation dominant (gender bias)
- weak communication with members
- members do not adhere to ideals of Association
- low level of contribution and other resources
- no subsidy
- lack of management and planning tools

#### OPPORTUNITIES

- engagement of partners
- development of new technologies e.g. IT
- commitment to development
- adherence to network of global institutions
- adherence to regional and local networks
- recognition of Association

#### THREATS

- Low level of literacy among population
- Political interference
- Lack of coordination
- Reduction in financial resources
- Lack of coordination and harmonization of donor funding

The European Union (EU) has recognized the role of local governments in delivering services to the people as a development goal. This fact is recognized in the Cotonou Agreement between the EU and ACP countries, which calls for a greater involvement of local governments in Development cooperation.

ACP countries have established Associations to represent the interest of Local Governments at national and international levels. Local Government Associations (LGSs) have the potential to becoming important players in the decentralization efforts with local governments they support. This is a crucial time with the Integration of local Authorities in the European Union Cooperation Programming Process 2021-2027, for GALGA to play a pivotal role on behalf of Local Authorities in the Gambia.

GALGA should be a powerhouse in decision making through lobbying and advocacy. It should improve on, and increase its lobbying capacity. It should push through policies that will improve Local Government funding and restructuring (particularly the implementation of the Decentralization Policy and Action Plan) to improve service delivery by Local Authorities. Finally, its existence should be felt by other institutions in its advocacy for empowerment of Local Government Authorities in the Gambia.

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