



Eighteenth session

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

POLITICAL AND CONSTITUTIONAL INFORMATION ON AFRICAN AND ADJACENT
TERRITORIES UNDER UNITED KINGDOM ADMINISTRATION

Note by the Secretary-General

GAMBIA

In accordance with the statement of the Secretary of State for Foreign Affairs of the United Kingdom of Great Britain and Northern Ireland on 27 September 1961, the Government of the United Kingdom has transmitted to the Secretary-General the following political and constitutional information on the Territory of Gambia.

This information, which was received on 26 February 1963, is herewith submitted to the General Assembly at its eighteenth session.^{1/}

^{1/} In accordance with General Assembly resolution 1700 (XVI) of 19 December 1961, this information is also submitted to the Committee on Information from Non-Self-Governing Territories.

GAMBIA

POPULATION

1. The Gambia is a strip of territory 4,000 square miles in extent on either side of the Gambia River in West Africa. The latest estimate of the population is 286,400. The population is African except for a few hundred Europeans, Syrians and Lebanese.

CONSTITUTION

2. The present Constitution of the Gambia dates from April 1962 and followed discussions between the British Government and representatives of the local population. Prior to 1960 the Constitution provided for an Executive Council composed of five official members and at least six appointed members while the Legislative Council consisted of the Governor as President, a Speaker, four official members, three nominated unofficial members and fourteen elected members. As the result of the constitutional talks in 1959 the Legislature was enlarged in 1960 to include twenty-seven elected members and direct elections were for the first time extended to the whole Territory. The reorganized Executive Council included a greater number of elected members of the House of Representatives as ministers. During 1961 the first Chief Minister of the Gambia was appointed to co-ordinate the full range of ministerial activity.

3. The main features of the present Constitution are as follows:

4. Governor

The Governor (at present Sir John Paul) is the Queen's representative and head of the administration. As such he is required to consult the Executive Council and normally follows its advice, although he has discretion to do otherwise in certain special circumstances. His assent is required to laws passed by the House of Representatives and is normally given.

5. Executive Council

The Executive Council is the principal executive body of the Territory. Its present composition, under the chairmanship of the Governor, is as follows:

The Hon. D.K. Jawara Premier

The Hon. Sherif S. Sisay Minister of Finance

The Hon. Paul L. Baldeh Minister of Education

The Hon. Sherif Mustapha Dibba . . . Minister of Local Government and Lands

The Hon. A.B. N'Jie, M.B.E., J.P. . . Minister of Works and Services

The Hon. Musa Darbo Minister of Agriculture and Natural
Resources

The Hon. J.L.B. Daffeh Minister of Health

The Hon. Yusupha Samba Minister of Labour and Social Welfare

The Hon. Seyfu Omar M'Baki Minister of Communications.

All the Ministers are local inhabitants. The Attorney General, Mr. H.S.S. Few (official) attends meetings in an advisory capacity.

6. House of Representatives

The Cambia Legislature is unicameral and consists of a House of Representatives under the Chairmanship of the Speaker (The Hon. A.S. Jack). The Legislature has power to make laws for all aspects of the Territory's internal affairs and controls its budget. The House of Representatives has thirty-six elected members (four of whom are Head Chiefs selected by the Chiefs in Assembly) and two nominated members. All members of the Executive Council are members of the House of Representatives.

ELECTIONS

7. The last election for the House of Representatives (at which the over-all percentage polled was seventy-two) took place in May 1962. Thirty-two of the members were elected in single member constituencies on a basis of universal adult suffrage and four by the Chiefs in Assembly. The results of the elections were as follows:

People's Progress Party	18
United Party and Allies	13
Democratic Congress Alliance	1

The leader of the People's Progressive Party (Mr. D.K. Jawara), as the leader of the party which commanded the support of the majority in the House, was therefore appointed Premier.

JUDICIARY

8. There are two separate judicial systems in the Gambia: in the colony (Bathurst and the surrounding district) there is a Supreme Court, two magistrates courts and a Court of Requests. In the Protectorate (the remainder of the Territory) there is a High Court with suborindate courts and district tribunals. Both the Supreme Court of the Colony and the High Court of the Protectorate are presided over by the Chief Justice of the Gambia. Appeal from the Supreme Court and the High Court is to the Gambia Court of Appeals. There is also the Mohammedan Court which exercises jurisdiction in causes and matters between or exclusively affecting the Mohammedan inhabitants of the Territory.

LOCAL GOVERNMENT

9. Bathurst has a town council consisting of fifteen elected members, four nominated members and one official member. Its responsibilities comprise the normal range of local government functions such as street lighting, supervision of markets, sewers and cleansing services, etc. The Council draws revenue from rates levied on private, commercial and government premises which are all subject to annual valuation, market dues, sundry grants from the Government and duties on palm wine entering the town. The adjacent town of Kombo St. Mary also has a council with similar powers. It has twenty elected, six nominated and one official member. Outside Bathurst and Kombo St. Mary the Territory is divided into thirty-five districts each with a district authority. The district authorities are expected to maintain order and good government in their areas and have powers to make rules and orders for a variety of matters. In the last few years these districts have been combined into six groups, each of which has a central treasury, and the Gambia Government is in the process of forming six area councils (two were established in 1961) based on these treasuries. The area councils will be composed partly of Chiefs and partly of members elected by universal adult suffrage; they will gradually take over the executive functions (relating to development and the provision of services) of the various district authorities, leaving the Chiefs and their advisers in each district responsible for law and order and the administration of justice.

PUBLIC SERVICE

10. There is a Public Service Commission composed of an unofficial chairman and five other Gambian members to advise on appointments, promotions, etc. Many of the senior posts in the Administration are held by Gambians, including Deputy Financial Secretary, Accountant General, Collector of Customs, Registrar General, Registrar of the Supreme Court, Clerk of the Courts and Senior Medical Officer.

RECENT DEVELOPMENTS

11. At the joint request of the Senegalese and British Government the Secretary-General of the United Nations has agreed to send a team of experts under technical assistance arrangements to examine the possibilities of association between the Gambia and Senegal. After receipt of the experts' report the Government of the Gambia propose to hold discussions with the Government of Senegal. The Premier of the Gambia has been informed that if, in the light of the experts' report, a satisfactory basis for association between the two countries can be worked out, Her Majesty's Government will be prepared to grant independence to the Gambia so that she may conclude the necessary agreements with Senegal as a sovereign nation.
