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**ORAL STATEMENT**

**Ordinary Session of the African Commission on Human and Peoples' Rights**  
**Agenda Item 6(vii): Activity Report of the Chairperson of the Working Group on Economic, Social and Cultural Rights in Africa**  
77th ordinary session  
20 Oct -9 Nov 2023

Honourable Chairperson,

In Gambia, like in its neighbouring countries, people rely heavily on the fishing sector for their livelihood. However, in recent years, multiple fishing actors have sought after the rich biodiversity off the coast of Gambia, exporting their catch to external markets. In the coastal town of Sanyang, local fishermen have to compete with foreign industrial trawlers, many of whom are fishing illegally. As a result, local fish processors are also impacted as fish is becoming harder to find and is more expensive. Moreover, local workers who specialize in pelagic fish also compete with a fishmeal factory exporting product at the rate of about 4.5 kilos of fish for only 1 kilo of fishmeal.

Considering that fish is an essential source of protein for the population, overfishing creates a serious risk of increasing food insecurity. Thus, the activities of those multiple actors have a negative impact on locals' right to "work under equitable and satisfactory conditions"<sup>1</sup>, the "right to enjoy the best attainable state of physical and mental health"<sup>2</sup>, and the right to food guaranteed in the African Charter on Human and Peoples' rights under the right to health and the right to life.<sup>3</sup>

Foreign industrial trawlers and the fishmeal factory also negatively impact the environment as they are targeting species already deemed overexploited by the FAO. In addition, the community raised several specific concerns about the fishmeal factory in Sanyang: the treatment of its wastewater, the noxious smell coming from the factory and the occasional appearance of dead fish on the beach due to its fishermen dumping fish the factory refuses to take back into the water. Consequently, locals' right to "a general satisfactory environment favourable to their development"<sup>4</sup> is threatened by the activities of foreign fishing actors.

This is a regional issue. The Institute for Security Studies estimated that \$2.3 billion of dollars is lost annually in Gambia, Sierra Leone, Senegal, Mauritania, Guinea and Guinea-Bissau due to illegal fishing. Between 2010 and 2020, over 50 fishmeal and fish oil factories opened in the region (in Mauritania, Senegal, Guinea Bissau and Gambia). As such, we ask the Commission to take into account the issue of overfishing and its impact on human rights in Africa in the review of state party reports and human rights monitoring. In addition, we ask the Commission to request Gambia:

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<sup>1</sup> African Charter on Human and Peoples' Rights, 27 June 1981, Article 15

<sup>2</sup> African Charter on Human and Peoples' Rights, 27 June 1981, Article 16

<sup>3</sup> African Commission on Human and Peoples' Rights (ACHPR), The Social and Economic Rights Action Centre (SERAC) and the Center for Economic and Social Rights (CESR) v. Nigeria, Communication 155/96 (ACHPR/COMM/A044/1), 2002, [escr-net.org/sites/default/files/serac.pdf](https://www.escr-net.org/sites/default/files/serac.pdf)

<sup>4</sup> African Charter on Human and Peoples' Rights, 27 June 1981, Article 24

- To be transparent by publishing all fishing agreements, list of vessels licensed to fish in the country and the environmental impact assessment of all fishmeal factories;
- To provide enough resources to the Gambia Navy to properly fight IUU fishing;
- To limit the license provided to foreign boats, as well as the production of fishmeal factories according to fish stocks available and local needs; and
- To conduct an investigation into the potential socio-economic and environmental impacts associated with the activities of the fishmeal factory Nessim, and provide remedies

Thank you.