

TECHNICAL SPECIFICATIONS (CCTP)

« Design of legal and policy framework and operational tools for water abstraction regulation and governance in the Gambia in a context of climate change »

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Article 1. GENERAL CONTEXT

1.1 Presentation of the AFD

As a public financial and solidarity institution, the AFD is the French development cooperation's central actor. It takes part in projects that tangibly improves the everyday life of populations in developing and emerging countries, as well as in the French overseas territories. Through its intervention in numerous sectors (energy, health, biodiversity, water, digital economy, education), the AFD accompanies the transition towards a safer, fairer and more sustainable world, our "world in common". Its action is totally embedded in the framework of the Sustainable Development Goals (SDG).

AFD's team works on more than 4 200 projects aimed at positive social and environmental impact in 150 countries and the French overseas territories.

More detailed information on the group's activity and its organization is available on the website <https://www.afd.fr/en>

1.2 Presentation of the AdaptAction Programme

a. The AdaptAction Programme: A key instrument of France's support for climate change adaptation

Launched in 2017 by the **French Development Agency (AFD)**, the **AdaptAction Programme** is one of France's flagship instruments to support countries most vulnerable to the impacts of climate change. Since 2017, the AdaptAction program has been supporting 19 countries in meeting the challenge of operationalizing the Paris Agreement on climate change by implementing the adaptation components of their Nationally Determined Contributions (NDCs). The program's partner countries, including Least Developed Countries (LDCs), continental African countries, and Small Island Developing States (SIDS), are particularly vulnerable to the impacts of climate change.

The program aims to help these countries translate their climate commitments into concrete policies, strategies, and projects. Support can take the form of technical expertise, studies or research, capacity building, or assistance in mobilizing international climate finance.

The total envelope of the facility amounts to €61.5 million, co-financed by AFD and the European Union. Activities under AdaptAction have already helped mobilize more than €580 million in resilient financing through projects funded or co-funded by AFD and other donors (such as the Green Climate Fund, the European Union, and others).

b. A strategic framework based on a three-pillar approach to meet partner countries' needs

AdaptAction is structured around a **three-pillar framework** designed to respond to the specific needs of partner countries for effective climate change adaptation.

- **Pillar 1: Understand**

This pillar aims to support and promote **action research** and **knowledge brokering** activities that guide the planning, implementation, and evaluation of adaptation initiatives – thereby strengthening the **science–policy–action interface**.

- **Example of support:** *Loss & Damage – Case study in Senegal: “Co-generating Pathways to Practical Solutions in Senegal”* – development of a methodology to assess both economic and non-economic losses and damages linked to rapid and slow-onset climate factors.

- **Pillar 2: Plan**

This component focuses on supporting the **formulation of national adaptation strategies**, contributing to the **Global Stocktake** of the Paris Agreement. It promotes **multisectoral governance**, strengthens **national capacities** through interministerial dialogues and monitoring tools, and facilitates the **mainstreaming of adaptation** into sectoral policies via concrete action plans, guidance documents, and tools tailored to national and regional contexts.

- **Example of support:** *Comprehensive diagnostic study on agroecological transition in Benin* – supporting the development of the **Agricultural Sector Development Policy (PDSA 2026–2035)**.

- **Pillar 3: Invest**

This pillar aims to help countries **catalyze climate finance** by preparing **bankable adaptation projects** co-financed with AFD and other development partners (European Union, World Bank, etc.), as well as with the **Green Climate Fund** and the **Adaptation Fund**.

- **Example of support:** *Vulnerability and feasibility study for anti-erosion and flood mitigation works in a climate change context in Boma, Democratic Republic of Congo*

Cross-Cutting Components

- **Gender and Social Inclusion:** Integrated across all programme activities to ensure equitable and inclusive adaptation processes.
- **Knowledge Management:** Through South–South and North–South exchanges, AdaptAction fosters peer learning, enabling participating countries to benefit from shared experiences and technical knowledge from other international initiatives.

A threefold strategy: understanding, planning, investing

AdaptAction strives to better understand adaptation processes, but also to support the translation of scientific knowledge into governance mechanisms, public policies and adaptation-sensitive investments.



1.3 The AdaptAction Programme in the Gambia

The Gambia is one of the partner countries benefitting from the AdaptAction Programme, as an African country especially vulnerable to climate change impacts.

After a pre-identification mission held on July 2023 in Banjul, the identification mission was held on Tuesday the 26th of March to Thursday the 28th of March 2024, in Banjul. These missions organized with the Ministry of Finance and Economic Affairs (MoFEA) and the Ministry of Environment, Climate Change and Natural Resources (MECCNAR) of the Republic of the Gambia and the French Development Agency (AFD), helped to identify the areas of intervention for phase 2, as well as to specify the implementation's methodology.

An Aide-memoire was consolidated and validated by MoFEA and MECCNAR in May 2024.

A Memorandum of Understanding (MoU) was signed between the Republic of The Gambia and the AFD on October, 2024.

This MoU sets out the collaboration modalities and the conditions under which the French Development Agency (AFD) intervenes in support of in the implementation of its Nationally Determined Contributions (NDC), through the AdaptAction Programme and its components.

Article 2. CONTEXT AND PURPOSE OF THE CONSULTANCY

2.1 Context and issues linked to climate change in the Gambia

The Gambia is one of the most vulnerable countries to the effects of climate change. To meet these climate challenges, the country has embarked on a process of mitigation and adaptation to climate change within the framework of the Paris Agreement, and of strategic and operational implementation at the national level of its commitments reflected in particular in its Nationally Determined Contribution (NDC). The adaptation component of the Gambia's NDC aims to reduce vulnerability to the effects of climate change that directly or indirectly affect the country and could prevent the country from achieving its development objectives.

The Gambia relies heavily on **groundwater**, particularly due to seasonal salinity intrusion along the Gambia River which renders **surface water abstraction technically complex and ecologically sensitive** in many areas. Nonetheless, both water sources are vital for domestic supply, agriculture, industry, and ecosystem needs.

Despite their importance, **water abstraction—whether from boreholes or surface water—remains largely unregulated**, presenting significant risks:

- **Groundwater:** Uncontrolled and poorly sited boreholes, often close to soakaways, dumpsites etc. pose threats to water quality, public health, and aquifer sustainability. No formal licensing, siting guidelines, or monitoring systems currently exist. **Surface water:** In some areas, abstraction from rivers and wetlands (e.g., for irrigation) is carried out without a legal framework or hydrological oversight, risking overuse and ecological degradation—particularly in sensitive and transboundary ecosystems like the Gambia River.

Although the **National Water Policy (2006 - currently under review)** provides policy guidance on abstraction licensing and coordinated resource management, implementation has been limited by legal and institutional constraints.

Progress to Date

The Government of The Gambia has made significant efforts to modernize the legal and policy framework for water governance:

- **1979** – National Water Resources Council Act enacted (still in force, but never fully operationalized)
- **1993–2006** – Several draft Water Bills developed but not enacted
- **2006** – National Water Resources Policy adopted - currently under review
- **2009** – Integrated Water Resources Management (IWRM) Roadmap developed
- **2011–2015** – Water Sector Reform Project launched with AfDB/AWF support, leading to:
 - **2014** – Drafts of the Gambia Water Bill, National Water Resources Management Bill, and Gambia Meteorological Authority Bill
 - **2015** – Gambia Water Resources Management Strategy published
- **Revised legislative instruments** now include:
 - Gambia Water Bill (2020)
 - National Water Resources Management Authority Bill (2019)
 - Gambia Meteorological Authority Bill (2018)
- **Recent progress toward enactment:**
 - Submission of Cabinet Papers (early 2021)
 - Stakeholder consultations held (April 2021)
 - Revisions and resubmission of Cabinet Papers (June 2022)
- **Monitoring and Reporting Achievements:**
 - Substantial improvement in **SDG 6.5.2** on transboundary water cooperation: from 46.86% (2020) to **95.33% (2023)**. The progress is mainly due to operational arrangement on the Senegalo-Mauritanian Aquifer basin which is now negotiating a draft regional agreement for lasting cooperation among riparian states, The Gambia, Guinea Bissau, Mauritania and Senegal
 - However, moderate progress in **SDG 6.5.1** on IWRM implementation: from 30% (2017) to **37% (2023)**—notably in the enabling environment and institutional capacity, but **financing remains a major gap (25%)**

As the impacts of climate change continues to intensify – manifesting through erratic rainfall, longer dry seasons, and increasing demand – there is an urgent need to adopt sustainable water management practices.

Both surface and groundwater resources in The Gambia are essential for food security, public health, economic development, and climate resilience. However, these resources are under increasing pressure from over extraction, pollution, and the escalating impacts of climate change, threatening their long-term sustainability and the livelihoods of the communities that depend on them. Despite the mounting environmental and economic costs of unsustainable groundwater use, there is currently no pricing mechanism in place to regulate its extraction. This unchecked usage reduces groundwater availability across the wider water network, poses serious risks to economic development, human health, food security, and biodiversity, and compounds the effects of sea level rise. Water insecurity, in turn, contributes to internal migration, which accelerates deforestation through agricultural expansion and increased demand for firewood/charcoal. (Source: Climate Policy Diagnostic for The Gambia, IMF, June 2024).

Aligned with the reform measures under the Resilience and Sustainability Facility (RSF) of the International Monetary Fund (IMF), following the Climate Policy Diagnostic for The Gambia published in June 2024, the Ministry of Fisheries, Water Resources and National Assembly Matters has prioritized the sustainable and conjunctive management of groundwater and surface water resources. As part of this commitment, the Gambian authorities have pledged to implement a key reform measure aimed at issuing regulations on licensing procedures for groundwater abstraction and impoundment by the end of September 2026.

The Gambian authorities approach involves developing clear licensing procedures for ground and surface water abstraction, informed by scientific criteria such as availability, extraction volumes, water quality, and local land use, and availability and demand of power and electricity. This approach needs to strengthen coordination mechanisms between the most relevant institutions. One of the challenge will then be to identify the key institutions for realistic and effective coordination, outlining clearly the roles and responsibilities among Ministry of Environment, Climate Change and Natural Resources (MECCNAR), Ministry of Agriculture, Livestock and Food Security, Ministry of Petroleum, Energy and Mines, including the National Water and Electricity Company (NAWEC), National Environment Agency, Ministry of Health, Ministry of Lands, Regional Government and Religious Affairs (Councils), Public Utilities Regulatory Authority (PURA) and the Ministry of Fisheries and Water Resources and National Assembly Matters.

Additionally, the Ministry of Fisheries and Water Resources and National Assembly Matters commit to establish a national robust groundwater and surface water monitoring system to facilitate data-driven decision-making and policy formulation.

The proposed reforms are fully aligned with ongoing climate resilience efforts, which would be vital in protecting the nation's water resources and contribute to sustainable development.

The Gambian authorities, through AdaptAction program's focal points: Ministry of Environment, Climate Change and Natural Resources (MECCNAR) and Ministry of Finance and Economic Affairs (MoFEA), and Ministry of Fisheries, Water Resources and National Assembly Matters, have agreed that the AdaptAction program will support the Gambia in advancing critical sector reforms related to groundwater abstraction licensing in the Gambia.

2.2 Beneficiaries of the activity and other implicated entities

- The main beneficiary of this project is the **Ministry of Fisheries, Water Resources and National Assembly Matters** (MoFWR) of the Republic of the Gambia, and in particular the **Department of Water Resources** as the leading institution, in collaboration with the AdaptAction focal points for the Government of The Gambia: Ministry of Environment, Climate Change and Natural Resources (MECCNAR) and Ministry of Finance and Economic Affairs (MoFEA), specifically the Directorate of Climate Finance.

The other institutions involved are:

- Ministry of Petroleum, Energy and Mines, specifically the National Water and Electricity Company (NAWEC);
- Public Utilities Regulatory Authority (PURA);
- National Environment Agency (NEA);

All these stakeholders make up the Technical Steering Committee of the support.

Capacity building activities for a selected number of staff in the above-mentioned beneficiary institutions will be conducted for each activity to ensure ownership and further replicability. The selected trained staff will benefit from specific training and material for the implementation of the project following a “learning by doing” approach, to ensure they can replicate and lead the exercise in other districts.

In addition to the main institutions directly responsible for water resources management and governance, several other stakeholders may be involved in the implementation and support of the initiative. These include:

- Ministry of Justice;
- The Association of Non-Governmental Organisation in The Gambia (TANGO);
- Ministry of Lands, Regional Government and Religious Affairs (Councils);
- Ministry of Gender Children and Social Welfare;
- Directorate of Public Services, Ministry of Health;
- Other sectoral stakeholders concerned with integrated water resources management: Ministry of Agriculture, Livestock and Food Security; National Disaster Management Agency (NDMA); National Early warning Center; National Social Protection Secretariat.
- Stakeholders working on Integrated Water Resources Management

2.3 Objectives and expected results of the consultancy

Overall objective

The overall objective is to support the Gambia for an initial setting up a legal and policy framework by developing operational tools and activities for surface and groundwater abstraction regulation in a view of protecting and restoring water resources in a context of climate change.

This objective will be achieved by providing this targeted technical support to help establish governance mechanisms, legal instruments, operational tools and financing models that address institutional and capacity gaps in the regulation of water abstraction. The envisaged support will promote the integration of climate-resilient approaches (including nature-based solutions) within an integrated water resources management (IWRM) framework. It will also strengthen the nexus between national development planning, territorial management, and climate resilience, ensuring that water abstraction is governed in a way that is sustainable, inclusive, and aligned with The Gambia's NDC and long-term adaptation goals and national development priorities.

Specific objectives

Transversal Specific Objective:

Strengthen the mainstreaming of climate change adaptation – particularly resilience to hydrological variability, prevention of salinity intrusion, and sustainable groundwater management – across governance frameworks, legal instruments, and monitoring systems.

The specific objectives are:

- Define a governance framework and coordination mechanisms (including the elaboration of a reform matrix with relevant indicators in line with the commitments of the Paris Climate Agreement) for institutional and technical coordination between Ministry of Fisheries and Water Resources (MoFWR), Ministry of Environment, Climate Change and Natural Resources (MECCNAR), Ministry of Finance and Economic Affairs, specifically the Directorate of Climate Finance, Ministry of Petroleum, Energy and Mines, specifically the National Water and Electricity Company (NAWEC), Public Utilities Regulatory Authority (PURA), and other stakeholders, ensuring that the licensing procedures and monitoring systems are integrated into national policies for the sustainable use of water resources.
- Propose guidelines and a methodology to establish and maintain an inventory of existing abstraction points, including related technical, economic, and social information. A roadmap and suggested geographical prioritization could also be included.
- Produce recommendations for a national strategy on monitoring the availability and quality of surface and groundwater resources, as well as monitoring extraction points and volumes. This strategy should be led by the MoFWR and involve other key stakeholders such as NAWEC, NEA, and PURA. Include a costed implementation plan to operationalize this strategy.
- Develop legal and regulatory provisions, including licensing procedures for groundwater and surface water abstraction, informed by scientific criteria such as availability, extraction volumes, water quality, or based to simpler, second-best approaches, such as general guidelines about no abstraction in industrial areas, and local land use, power and electricity consumption, while taking into account the livelihood and social implications of regulating abstraction – including compensation measures where applicable.

- Define a data management strategy for the licensing system, covering governance arrangements, operational processes, and opportunities for digitalization.
- Propose a capacity-building plan and budget for institutional actors to ensure the effective implementation and monitoring of the licensing system, and provide targeted coaching sessions.

2.4 Expected outputs

The consultancy is expected to deliver the following outputs:

- a. A functional, transparent, and accountable governance framework and coordination mechanism for the sustainable use of groundwater resources will be established, supported by the development of a reform matrix and relevant indicators aligned with The Gambia's commitments under the Paris Agreement, including its NDCs and NAP, and its national development priorities. This framework aims to strengthen coordination mechanisms between the most relevant institutions. One of the challenge will then be to identify the key institutions for realistic and effective coordination, outlining clearly the roles and responsibilities among Ministry of Environment, Climate Change and Natural Resources (MECCNAR), Ministry of Finance and Economic Affairs (MoFEA) , specifically the Directorate of Climate Finance, Ministry of Petroleum, Energy and Mines, specifically the National Water and Electricity Company (NAWEC), Public Utilities Regulatory Authority (PURA) and the Ministry of Fisheries and Water Resources and National Assembly Matters. The governance mechanisms will ensure sustainable groundwater use, guide decision-making, support the steering of actions, and promote transparent information sharing across institutions.
- b. Guidelines and methodology to establish an inventory of existing abstraction points, and related technical, economic and social information are developed. A roadmap and suggested geographical prioritization could also be included.
- c. Recommendations for a national strategy concerning the monitoring of the availability and the quality of surface and groundwater resources and the monitoring of the extraction points and volumes are produced.
- d. Legal and regulatory contents including licensing procedures for groundwater abstraction, informed by scientific criteria such as availability, extraction volumes, water quality, and local land use, power and electricity demand and availability are developed. Impacts of the abstraction on local livelihoods, gender, and other socio-economic aspects including compensation measures when applicable, will also be considered.
- e. A strategy for the management of the data concerning the licensing system, including governance, processes and possibilities for digitalization is defined.
- f. A capacity-building plan for institutional actors will be developed to ensure the effective implementation and monitoring of the licensing system, complemented by hands-on training sessions and targeted mentoring.

Article 3. DEFINITION AND NATURE OF REQUESTED SERVICES

This project supports The Gambia's implementation of the Paris Agreement by strengthening water governance as a core adaptation measure under Article 7. It enhances institutional capacity, monitoring systems, and legal coherence, which is key to meeting transparency obligations under Article 13 and advancing NDC priorities.

The phases, activities, and tasks outlined below are indicative and intended to guide the assignment in line with its objectives and expected results. Accordingly, the consultant is expected to: (i) propose a detailed methodological approach, including a coherent timeline, appropriate tools, and a series of participatory, multi-stakeholder workshops with clearly defined objectives and proposed locations; (ii) suggest measures to optimize resources and enhance the overall effectiveness of the intervention; and (iii) actively contribute with innovative and context-relevant proposals throughout the assignment.

Gender, equity, social inclusion and knowledge management issues will be crosscutting into the implementation of the activities. The Consultant is required to propose activities/approaches that will enable the tool to be appropriated and sustained by the ministries concerned and other stakeholders, particularly the disadvantaged and/or marginalized.

Three phases will be carried out through this project:

- Phase 1: Inception phase
- Phase 2: Development of governance framework, mechanisms and tools for water abstraction regulation in the Gambia in a context of climate change
- Phase 3: Capacity-building for stakeholders

3.1 Phase 1 : Inception phase

The project will begin with a scoping phase designed to gain a comprehensive understanding of the context, key issues, and the existing legal, institutional, and regulatory frameworks. This phase will also help identify specific needs that will inform subsequent project activities.

Based on the findings of this phase, the methodology, objectives, logical framework, indicators, and timetable may be adjusted if necessary. The inception phase will further serve to introduce the team of experts to key stakeholders and consolidate the governance arrangements for the project.

The Consultant is expected to:

a. **Organize a kick-off meeting** with the Ministry of Fisheries and Water Resources (MoFWR), the Ministry of Environment, Climate Change and Natural Resources (MECCNAR), Ministry of Finance and Economic Affairs (MoFEA), the Ministry of Petroleum, Energy and Mines specifically the National Water and Electricity Company (NAWEC), the Public Utilities Regulatory Authority (PURA), the AdaptAction team, and AFD (including the AFD Project Officer based in Banjul). During this meeting:

- Institutional stakeholders will share a clear definition of the goals to be achieved through the reform;
- The Consultant will present and discuss the proposed methodology and overall timetable (specifying delivery dates and the exact nature of the deliverables) for validation;

- The expert team will be introduced, and their roles, working arrangements, and internal coordination clarified;
- The scope and governance arrangements for the assignment will be confirmed;
- Any constraints or critical issues will be identified, and mitigation measures proposed;
- Key stakeholders (departments and/or focal points) will be identified, and preliminary consultations conducted to define their roles in the implementation of project activities.

b. Organize, in coordination with MoFWR and MECCNAR, a launch or presentation meeting (in person or via videoconference) with relevant stakeholders to present the objectives, methodology, and provisional timetable of the assignment.

This meeting will aim to:

- Secure stakeholder engagement and commitment for project implementation and validation processes;
- Deepen the collective understanding of the diagnosis;
- Validate the identified needs and orientations of the project.

Associated deliverable:

DELIVERABLE 1: METHODOLOGICAL ORIENTATION REPORT (INCEPTION REPORT)

The Consultant shall prepare and submit an inception report confirming the shared understanding of the assignment's objectives, scope, responsibilities, methodology, timetable, and expected deliverables.

3.2 Phase 2: Development of governance framework, coordination mechanisms and tools for water abstraction regulation in the Gambia in a context of climate change

The consultant will develop a governance framework, coordination mechanisms, and operational tools for water abstraction regulation in The Gambia. To ensure the approach is realistic and implementable, the consultant should prioritize the use of existing data already collected through national systems and institutions, identify data gaps, and propose practical solutions that build on current capacities and information flows.

i. Setting up a governance framework for water abstraction regulation in a context of climate change

The main objective of this activity is to develop a clear, transparent, and functional governance framework that facilitates institutional and technical coordination among key stakeholders, particularly in the context of the draft Gambia Water Bill 2020. This includes coordination between the Ministry of Fisheries, Water Resources and National Assembly Matters (MoFWR), the Ministry of Environment, Climate Change and Natural Resources (MECCNAR), the Ministry of Finance and Economic Affairs (MoFEA) specifically the Directorate of Climate Finance, the Ministry of Petroleum, Energy and Mines including the National Water and Electricity Company (NAWEC), the Public Utilities Regulatory Authority (PURA), and other relevant actors. The framework should support the sustainable use and long-term stewardship of groundwater resources.

The framework should promote coordination, transparency, and efficiency in the sustainable management of groundwater resources and climate resilience building efforts. It should also establish governance mechanisms that meet accountability standards, support effective

decision-making and action steering, and enable consistent information sharing across institutions.

The Consultant as such will carry out the following tasks:

- a. **Review and Analysis of the Existing Framework:** In consultation with relevant stakeholders, analyze the current policy, legal, and institutional framework for surface and groundwater abstraction management at the multi-stakeholder level. This review should identify regulatory gaps, institutional constraints, overlapping mandates, and capacity-building needs, particularly in the context of climate change and in alignment with the draft Gambia Water Bill 2020.
- b. **Assessment of Climate and Environmental Vulnerabilities:** Conduct an assessment of vulnerabilities related to climate change, as well as environmental and human-induced pressures on water resources across The Gambia's key agro-ecological zones. The findings should support improved hydrological and water resource planning.
- c. **Mapping of Ongoing IWRM Initiatives:** Identify and analyze current Integrated Water Resources Management (IWRM) initiatives in The Gambia to map actors, actions, and existing coordination efforts. The aim is to identify synergies and avoid duplication across institutions and interventions.
- d. **Benchmarking of International Best Practices:** Identify and review relevant international best practices that link sustainable groundwater management with climate change adaptation—particularly those incorporating nature-based solutions and multi-level governance structures.
- e. **Development of a Reform Matrix:** Develop a reform matrix with clearly defined measures, responsibilities, timelines, and indicators, aligned with The Gambia's commitments under the Paris Agreement, its NDCs, and related national development goals.
- f. **Governance Framework and Institutional Roles:** Design a clear and functional governance framework that promotes transparency, accountability, coordination, and efficiency in the sustainable use of groundwater resources. This should include the definition of roles and responsibilities for institutional stakeholders involved in water abstraction regulation and reform implementation. The consultant will also provide technical support to the legal teams of MoFWR and relevant institutions (as needed) in preparing a Cabinet Paper to formalize the proposed governance and coordination structures. This will serve to institutionalize the reform process and ensure inter-ministerial alignment.

National stakeholders' consultation – field visit and workshop:

In addition to the tasks listed above, the Consultant will organize a one-day field visit within the Greater Banjul area to observe and assess different types of boreholes and water abstraction facilities. The field visit will allow participants to gain practical insights into the realities of groundwater abstraction and management, fostering a shared understanding of the challenges and opportunities related to sustainable water use. The mission will be conducted jointly with representatives from the Department of Water Resources, the Ministry of Environment, Climate Change and Natural Resources (MECCNAR), the National Water and Electricity Company (NAWEC), the Public Utilities Regulatory Authority (PURA), and any other relevant institutions. Their participation will facilitate data collection and exchanges during the visit.

Following the field activity, the Consultant will organize a one-day national consultation workshop to provide a platform to present and discuss the preliminary findings, validate the first institutional and technical proposals, and strengthen ownership of the forthcoming governance framework among all relevant institutions.

WORKSHOP REPORT, including key recommendations, summary of discussions, validation outcomes and a list of participants.

In line with AdaptAction's participatory and capacity-building approach, these activities will serve as key moments for collective learning and stakeholder engagement.

ii. Legal and regulatory development

- a. **Legislative Review and Harmonization:** Support the finalization, alignment, and harmonization of legislative instruments governing surface and groundwater abstraction. This includes ensuring consistency with the draft Gambia Water Bill 2020 and integration with existing environmental, climate, land ownership (i.e. private land boreholes have to be considered) and development laws and policies.
- b. **Development of Enforceable Abstraction Regulations:** Draft clear, enforceable regulations for groundwater abstraction, focusing on permitting procedures, licensing systems, and technical standards for borehole siting, drilling and surface intake construction specifically
 - criteria for granting, renewing and suspending licenses, incorporating water resource sustainability and climate scenarios;
 - monitoring and control procedures to prevent the critical abstraction threshold (73 Mm³/year) from being exceeded and to anticipate risks such as saline intrusion, severe water table decline, water quality deterioration etc.;
 - sanction mechanisms for non-compliance and an appeals process to ensure transparency, fairness, and regulatory effectiveness.

The framework should ensure adaptive management of water abstraction in response to projected climate variability and hydrological changes, allowing for dynamic adjustment of allocation rules and thresholds as new data become available

Associated deliverable

DELIVERABLE 2: COMPREHENSIVE ANALYSIS OF GOVERNANCE, LEGAL AND REGULATORY FRAMEWORK FOR SUSTAINABLE GROUNDWATER ABSTRACTION INCLUDING:

1) Comprehensive analysis of governance framework for climate-resilient water resources governance in The Gambia

This part of the report will provide an in-depth assessment of the existing legal, institutional, and policy framework governing surface and groundwater abstraction in The Gambia. It will identify gaps, and constraints, in the context of climate change. The analysis will include:

- a vulnerability assessment of water resources to climate and anthropogenic pressures across main ecological zones integrating the latest climate scenarios and hydrological projections to identify areas and uses most exposed to future climate impact;
- a review of international best practices linking groundwater management and climate adaptation;
- an overview of ongoing national initiatives on integrated water resources management;
- and the development of a reform matrix with relevant indicators, aligned with the Paris Agreement commitments.

2) Legal and regulatory review and harmonization for sustainable water abstraction management

This part of the report will focus on the development, harmonization, and operationalization of the legal and regulatory instruments governing surface and groundwater abstraction in The Gambia.

It will provide technical support for:

- the review and harmonization of water-related legislation;
- the drafting of enforceable abstraction regulations and associated procedures;
- the establishment of clear criteria for license granting, renewal, and suspension, integrating sustainability and climate resilience considerations;
- the design of monitoring, control, sanction, and appeal mechanisms to ensure compliance and sustainability of water abstraction practices.

iii. Monitoring and information systems

- a. **Inventory and Data Stabilization Guidelines:** Develop a methodology and set of technical guidelines for establishing and maintaining a national inventory of existing water abstraction points. The inventory should capture associated technical, economic, and social information to support planning and regulation.
- b. **Strategy for Monitoring Groundwater Availability and Quality:** Formulate detailed recommendations for a national strategy to monitor groundwater availability and quality, as well as the location and volumes of water extracted. The strategy should include i) the design and organization of data collection systems from controlled production boreholes and observation boreholes; ii) roles and responsibilities for field data collection, validation, and reporting; iii) Integration of climate and environmental variables in monitoring frameworks;
- c. **Data Management and Digitalization Strategy:** Define a data governance and management strategy for the water abstraction licensing system. This should include: data flow processes and protocols, Institutional responsibilities and access rights, Opportunities for digitalization and integration with existing national data platforms;

Associated deliverable

DELIVERABLE 3: PROPOSAL OF A NATIONAL MONITORING AND INFORMATION SYSTEM FOR WATER ABSTRACTION AND GROUNDWATER RESOURCES

This deliverable aims to strengthen the institutional capacity of The Gambia to monitor, manage, and report on water abstraction and groundwater availability as part of an integrated, climate-resilient water management system.

The consultant will develop:

- technical guidelines and methodologies for establishing an inventory of abstraction points and related socio-economic and technical data;
- recommendations for a national strategy on groundwater monitoring and data management and the tracking of extraction points and volumes, including the assessment of climate change impacts on recharge rates, water table levels, and water quality;
- a data governance framework for licensing systems, integrating climate and hydrological data, digitalization opportunities and institutional responsibilities.

Deliverable n°3 will include a note describing draft regulations for sustainable water abstraction that will be transmitted to the Steering Committee to facilitate its adoption by Gambian authorities.

iv. Organizing a stakeholder validation workshop

Organize a national workshop with key institutional stakeholders to present the preliminary outputs, validate the technical and institutional components of the monitoring system, and gather feedback for finalization

WORKSHOP REPORT, including key recommendations, summary of discussions, validation outcomes and a list of participants.

Associated deliverable

DELIVERABLE 5: PROPOSAL OF ACTION PLAN FOR SUSTAINABLE WATER ABSTRACTION IN THE GAMBIA

At the end of this support, the consultant will produce a **sustainable deployment action plan** detailing:

- **Timeline:** schedule with steps and deadlines for each activity
- **Responsibilities:** assignment of roles and responsibilities to the different stakeholders (ministries, administrations, committees, etc.)
- **Resources requirements:** identification of necessary human, financial, and material resources
- **Monitoring and Evaluation indicators:** criteria to measure progress and the impact of the reform.
- **Communication:** strategy to inform the relevant actors and the general public.
- **Risk management measures:** analysis of potential obstacles and plans to anticipate or handle them.
- **Coordination mechanisms:** organization of interactions between the different entities involved.

This technical assistance will provide a comprehensive and climate-resilient governance framework to strengthen the governance of surface and groundwater abstraction in The Gambia. It will include the review and harmonization of legislation, the development of enforceable abstraction regulations, and the design of monitoring and information systems for

resource management. The report will result in a **comprehensive legal and regulatory package** ready for submission to competent national authorities, ensuring full alignment with the national reform agenda and the Paris Agreement commitments.

It will culminate in a **sustainable deployment action plan** outlining key activity, institutional responsibilities, resource needs, and monitoring indicators to ensure effective and climate-resilient implementation of the reform.

The technical assistance will also support national institutions, including the MoFWR, in drafting a Cabinet Paper to formalize governance and coordination bodies responsible for implementing the reform.

This deliverable will serve as a roadmap for the operational rollout of the water governance reform and for the establishment of a long-term monitoring system.

3.3 Phase 3: Capacity-building for stakeholders

It is critically important to strengthen the technical, institutional, and operational capacities of key stakeholders involved in water abstraction regulation, enabling the effective implementation, monitoring, and enforcement of the licensing system and supporting the long-term sustainability of the reform. In this regard the consultant will carry out the followings:

- a. **Development of a Capacity-Building Plan:** Design a targeted capacity-building plan for institutional actors and technical personnel to ensure effective understanding, adoption, and implementation of the water abstraction licensing system and its monitoring components. The plan should include:
 - Training objectives and outcomes
 - Key target groups (national, regional, and local institutions)
 - Training formats (workshops, on-the-job coaching, technical sessions)
 - Training materials, tools, and delivery strategy
- b. **Institutional and Technical Capacity Strengthening:** Provide tailored coaching and training sessions focused on operationalizing licensing and monitoring systems, including:
 - Support to MoFWR, MECCNAR, NEA and PURA to operationalize water licensing and monitoring systems
 - Develop surface water abstraction guidelines in line with environmental sustainability and ecosystem protection concerning monitoring and information systems
 - Build national and local capacity in compliance monitoring, water balance assessment, and enforcement
- c. **Stakeholder Engagement and Public Awareness:** Build awareness and promote stakeholder involvement through the following activities:
 - Develop and disseminate **awareness and communication materials** on safe and sustainable abstraction practices targeting both domestic and commercial abstraction;

- Establish inclusive stakeholder platforms to support coordination, dialogue, and policy uptake

Associated Deliverables to this Phase

Deliverable 6 – Capacity-Building plan and training materials for water governance institutions

This deliverable will include:

- a comprehensive **capacity-building plan** identifying training needs, target institutions, and learning objectives;
- **training modules and materials** tailored to the operationalization of the water licensing and monitoring systems;
- a calendar and methodology for training delivery;
- and an outline of expected outcomes and indicators to measure capacity improvements.

Deliverable 7 – Stakeholder engagement and awareness toolkit

This deliverable will provide:

- a **stakeholder engagement strategy** and facilitation tools to ensure inclusive participation and sustained coordination;
- **awareness and communication materials** (brochures, guidelines, briefs) on sustainable abstraction and water conservation;
- a report summarizing **training sessions, stakeholder workshops, and feedback outcomes**;
- and recommendations for institutionalizing dialogue platforms and public engagement in the reform process.

Article 4. KEY ELEMENTS TO BE TAKEN INTO ACCOUNT

- **AdaptAction programme's approach**
 - Define a participative, inclusive and cooperative approach;
 - Combine quantitative and qualitative approaches
 - During capacity building sessions, adopt a pedagogy adapted to the target audience, taking into account their differentiated needs, level of knowledge and skills;
- **Gender and social inclusion**
 - Explore the possibility of redefining gender-specific indicators;
 - In particular, the data collected should consider gender inequalities, in a non-exhaustive way, in relation to other types of inequalities (income, mobility, disability, wealth, geographical isolation, level of education and health, age...), while taking into account the national context and sensitivities.

Article 5. DELIVERABLES AND CONDITIONS OF DELIVERY

5.1. Description of deliverables

Each deliverable will include, in addition to its very content:

- An executive summary, summing up the content of the report and its conclusions. This 3-pages max executive summary, targeted at decisions makers, should allow for a clear and quick understanding of the report's content, while potentially addressing technical aspects.
- Presentation including visuals will be appreciated.
- An introduction, including a reminder of the activity's and the deliverable's objectives.
- A description of methodology used and of potential adjustments to the one initially planned, together with justifications for these adjustments.
- A summary of conclusions and recommendations.
- A bibliography.
- A list of individuals and organizations met for the elaboration of the report, and their contact details.
- Cross-cutting consideration of social inclusion and inequality reduction themes (executive summary, methodology, capitalization, conclusions and recommendations...)

Special attention will be given to the quality of writing and the presentation of the deliverables, for which an attractive formatting and design should be pursued. The reports should moreover be in line with the AdaptAction' program template.

5.2. Delivery schedule of deliverables

The table below presents the delivery deadlines for the deliverables, in their provisional version.

Please note that activities could be carried in parallel.

Activity	Expected deliverables	Submission deadline (months)
Phase 1	deliverable 1: methodological orientation report (inception report)	M0 + 0,
Phase 2	workshop report	M0 + 3
	deliverable 2: Comprehensive analysis of governance, legal and regulatory framework for sustainable groundwater abstraction	M0 + 4
	deliverable 3: Proposal of a national monitoring and information system for water abstraction and groundwater resources.	M0 + 5,5
	deliverable n°3 will include a note describing draft regulations for sustainable water abstraction that will be transmitted to the Steering Committee to facilitate its adoption by Gambian authorities.	
	workshop report	M0 + 7

	deliverable 4: Proposal of action plan for sustainable water abstraction in the Gambia	M0 + 7
Phase 3	deliverable 5: capacity-building plan and training materials for water governance institutions	M0 + 7,5
	deliverable 6: stakeholder engagement and awareness	M0 + 8

The estimated duration of the project is 8 months, including the preparation and submission of reports.

5.3. Deliverables Validation Process

Provisional versions of AdaptAction deliverables will be e-mailed first to the regional coordinator of the Program in Word and PDF format to the AdaptAction's team, who, after an initial review, will share them simultaneously with the Gambian stakeholders concerned and with the French Development Agency's team (at the AFD Agency in Dakar, the AFD Project officer based in Banjul and the team at AFD headquarters in Paris if necessary).

Upon receipt of the deliverables, an exchange may be scheduled between the AdaptAction's team, the MECCNAR and the Consultant. Then, the stakeholders concerned (gathered in the study monitoring committee) and the AFD will have a period of 20 working days to analyze them and send their comments to the Consultant.

Once received, the Consultant may need to modify the reports and deliverables, within a reasonable timeframe (between 5 and 10 working days), before sharing the improved version of these deliverables, again electronically, in Word and PDF format, to the AdaptAction program team, who will share them after an initial review, simultaneously with the relevant Gambian stakeholders and the French Development Agency's team (at the AFD Agency in Dakar, the AFD Project officer based in Banjul and the team at AFD headquarters in Paris where applicable). To facilitate the review, the documents will also be sent by the Consultant in Word format in "track changes" mode, accompanied by a matrix summarizing the comments made, the titles and pages of the comments and the responses/modifications made by the Consultant.

Final validation of the deliverables will be carried out by AFD, in coordination with the Gambian stakeholders, no later than 10 working days after receipt of the final deliverables (clean versions and tracked changes), subject to satisfactory amendments by the Consultant. The process may be repeated as long as the deliverables are not satisfactory to AFD and the stakeholders.

This final validation will trigger payment of the related invoices.

Article 6. PROFILES OF EXPERTS

6.1 Main Expertise

The Team of Experts for this Consultancy must be multidisciplinary, composed of nationals (residents) and internationals and include the expertise below in the fields required for the implementation of the project. Their academic qualifications, competences, technical/practical experience and previous assignments of similar nature and/or related consultancy services should be detailed in the submitted CVs.

Each of these areas of expertise may be filled by several experts (their combined profiles will then have to meet the minimum criteria required). **Knowledge of the context and issues, expertise and experience in the Gambia** or other countries of the region **will be considered an asset**.

As far as possible, the experts' profiles should be complementary, particularly in terms of sectoral expertise.

The Consultant could propose additional relevant experts, if necessary, for the successful completion of the assignment. Additional experts could between other cover specific expertise in communication, participatory approaches and capacity building.

The experts should have an excellent command of written and spoken **English**; have high level of autonomy; initiative and creativity; be result oriented and used to working under time pressure; have the ability to work in complex stakeholder environments, including with government officials, private sector, local authorities, local communities and associations.

Particular attention will be given to the inclusion of national expertise.

The following key experts are required.

a. Expert 1: Team Leader, Specialist in Governance and Integrated Water Resources Management

With significant experience in climate change adaptation issues (in complementarity with the profiles mentioned below).

- Minimum of 15 years of experience in the water sector, including substantial experience in **climate change adaptation** issues and ideally nature-based solutions.
- Significant international experience.
- Proven experience in supporting public policy dialogue and in the design and implementation of strategies and projects in the water sector funded by international donors, including environmental and social frameworks.
- Demonstrated experience in integrated water resources management and governance (institutions, community structures, etc.).
- Substantial experience in conducting similar operational studies involving public authorities, the private sector, and civil society, as well as in coordinating studies and managing teams.
- Experience with developing capacity development plans.

- Strong drafting skills in English. Good knowledge of AFD and its procedures.
- Experience in a managerial role within a water utility would be an advantage.
- Experience working in West Africa would be an asset, and ideally of the Gambian context.

The Team Leader will ensure the overall coordination of the assignment. He/She will guarantee the effective implementation of the experts' missions, manage relations with the various stakeholders, and ensure coherence and synergy between activities, experts, and deliverables.

b. Expert 2: Hydrogeologist

- Degree in engineering / master's in water resources sciences and/or hydrogeology or a related field.
- Minimum of 10 years of professional experience as an engineer, with proven expertise in the design and/or operation of groundwater management systems .
- Experience in climate change adaptation issues and nature-based solutions would be a strong asset.
- Experience working in West Africa would be an advantage.
- Fluency in English required.

c. Expert 3: Environmental and social specialist with strong expertise in gender equality and social inclusion

- At least a Master's degree in sociology, or environmental sciences or a related field.
- Minimum of 7 years of overall professional experience in environmental and social assessments, including Environmental and Social Impact Assessments (ESIA), Environmental and Social Management Plans (ESMP), and Resettlement Action Plans (RAP).
- Experience in assessing environmental and social risks in line with the World Bank Environmental and Social Framework (ESF).
- Significant experience in carrying out ESIA, developing ESMP/ESMF, and RAP/CRP in the fields of integrated water resources management, agriculture, environment, livestock, and/or natural resources management.
- Proven experience working with government institutions and international financial institutions, including the IMF.
- Experience working in The Gambia and knowledge of national regulations on environmental and social risk management and environmental and social impact assessments would be an asset.

d. Expert 4: Legal and regulatory expert

- Advanced university degree in law, preferably with specialization in environmental law, water law, or natural resources management.
- Minimum of 10 years of professional experience in legal and regulatory analysis in the water, environment, or natural resources sectors.
- Proven experience in drafting, reviewing, and advising on legal and institutional frameworks related to integrated water resources management, climate change adaptation, and environmental governance.
- Experience working with government institutions and international financial institutions on regulatory and institutional reforms.
- Familiarity with international environmental and social safeguard policies (e.g., World Bank, AFD, or other international donors).

- Strong knowledge of contract law, procurement procedures, and compliance with international standards.
- Experience working in West Africa and familiarity with national regulatory frameworks in the water and environment sectors would be an advantage.
- Fluency in English required.

6.2 Ad hoc expertises

Other more ad hoc expertise may be proposed to complete the project team. Technical expertise in specific sectors and on gender and social inclusion issues, as well as knowledge dissemination and outreach, could be envisaged to enhance the distribution of this project.

6.3 Additional considerations

The experts proposed by the bidders cannot come from a beneficiary administration. However, civil servants from a public institution / trust organization other than the beneficiary can be nominated (if feasible) when there is no hierarchical link between the expert and the beneficiary. A document from the official's administration, giving his agreement for his mobilization, will be necessary.

The cost of technical support and the staff provided by the bidders must be included in the experts' fees.

A Curriculum vitae of no more than 3 pages will be submitted for each proposed expert.

A declaration of availability and exclusivity must be signed and attached to the offer for each expert presented.

Article 7. LOGISTICS AND CALENDAR

7.1 Follow up / Coordinate Scheme

On the Republic of the Gambia's side, the project will be managed by an ad hoc technical support monitoring committee. This committee will be composed, at the Gambian authorities' convenience, of:

Lead institution/organization

- **Ministry of Fisheries, Water Resources and National Assembly Matters** (MoFWR) of the Republic of the Gambia, and in particular the **Department of Water Resources** as the leading institution, in collaboration with the AdaptAction focal points for the Government of The Gambia: Ministry of Environment, Climate Change and Natural Resources (MECCNAR) and Ministry of Finance and Economic Affairs (MoFEA), specifically the Directorate of Climate Finance.

The other key institutions involved are:

- The Ministry of Petroleum, Energy and Mines specifically the National Water and Electricity Company (NAWEC);
- Public Utilities Regulatory Authority (PURA);
- National Environment Agency (NEA);

All these stakeholders make up the Technical Steering Committee of the support.

Capacity building activities for a selected number of staff in the above-mentioned beneficiary institutions will be conducted for each activity to ensure ownership and further replicability. The selected trained staff will benefit from specific training and material for the implementation of the project following a “learning by doing” approach, to ensure they can replicate and lead the exercise in other districts.

This committee will be responsible for:

- Providing the logistics necessary for the proper execution of the mission; (meeting arrangements and introduction to key authorities)
- Providing the logistical and administrative means necessary for the proper conduct of the various workshops;
- Comment and validate the products and deliverables of the mission.

On the AFD side, the project will be coordinated by:

- the AdaptAction programme’s regional coordinator for Sahel and HQ geographical focal point;
- the French Development Agency’s team (at the AFD Agency in Dakar, the AFD Project officer based in Banjul and the team at AFD headquarters in Paris).

Technical follow-up and validation meetings will be organized by the Consultant each time a deliverable is shared, and will bring together all or some of the institutions present at the kick-off meeting, as well as other institutions deemed relevant.

The Consultant will send the minutes of these meetings to all participants within a week, for comment and validation within 10 days. If no comments are received, the Consultant may consider the minutes validated.

7.2 Location and related logistic dispositions

The team of experts will carry out all services mainly in Banjul.

7.3 Provisional calendar

The planned start date is January 2025. The actual duration of the service is estimated at 8 months, including the preparation and submission of the final report.

Article 8. LANGUAGE OF THE CONSULTANCY

The language of the project will be English. Dialogue with stakeholders, writing of deliverables and hosting of meetings/workshops will be conducted in English. Proficiency in English by the experts team is thus required, as well as an important proof-reading effort by the backstopping team for deliverables in English.

Article 9. REFERENCES AND AVAILABLE DOCUMENTATION

The available documents below will be given to the Firm that will be selected.

- Second Nationally Determined Contribution of The Gambia, December 2021
- Gambia Long term Climate Strategy
- Gambia Water Bill (2020)
- National Water Resources Management Authority Bill (2019)
- Gambia Meteorological Authority Bill (2018)
- National Water Resources Management Strategy, 2015
- National Water Resources Council Act, 1979
- Any other relevant document