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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Gambia**

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## **I. Methodology**

1. This Report was prepared by the Ministry of Justice, under the leadership of the Attorney General and Minister of Justice. The information contained in the Report was collated by the different government ministries and agencies whose representatives constituted a National Task Force formed specifically for the purpose of making this report for the second cycle of the Universal Periodic Review 2014. The Task force was comprised of the Gambia Police Force, Gambia Immigration Department, Department of Social Welfare the Ministry of Health and Social Welfare, Ministry of Basic and Secondary Education, Ministry of Foreign Affairs, Gambia Commission on Refugees, UNDP, the Gambia Prisons Services, Ministry of Interior, Gambia Bureau of Statistics, Office of the President, Women`s Bureau and the Child Protection Alliance.
2. The members of the Task Force held weekly consultative meetings and were expected to present mini-reports on their activities and challenges encountered in the promotion and protection of human rights in The Gambia.
3. A validation workshop was held wherein the final report was presented before government officials, parastatals and various representatives of civil society organizations. The contributions of the various participants were incorporated in the report prior to its submission to the United Nations.
4. This report focuses on progress made in the implementation of the recommendations which were accepted by The Gambia during the 14th session of the Human Rights Council on 24th March, 2010.
5. In drafting this report, the guidelines contained in resolution no 16/21 of the Human Rights Council were adhered to.

## **II. Developments since the last review**

### **A. Equitable access to education**

6. It is notable that under the Education for All and the Fast Track Initiative, The Gambia is one of the leading African countries that have met the Millennium Development Goals with respect to primary school enrolment free of charge, as well as gender parity.
7. Since the last reporting period, in order to promote and safeguard the right to education for all, the Government has constructed more schools with a proximity range of 3 kilometers to provide access to education to every Gambian child. There are currently 896 national Early Childhood Development Centers, 599 Lower Basic Schools (LBS), 113 Upper Basic Schools (UBS), 194 Basic Cycle schools (BCS) and 122 Senior Secondary Schools (SSS). This is a significant increase from 520 LBS, 91 UBS, 158 BCS and 99 SSS in 2010.
8. There has also been a recorded significant increase in school enrolment at different education levels and particularly, in the number of girls' enrolment. At the Lower Basic cycle, the Gross Enrolment Rate increased from 88.3% in 2010 to 92.5 % in 2013. This includes Madrassa (Islamic religious schools) enrolment which is now officially recognized. During the same period, the Gross Enrolment Rate for girls increased from 89.1% to 93.7% and for boys from 87.5% to 91.4 %.
9. There has however been a decline in the lower basic completion rate from 73.9% in 2010 to 73.1%. In the Upper Basic cycle the Gross Enrolment Rate increased from 66.2% in 2010 to 68.1% in 2013. This growth in enrolment represents an average annual growth of

15%. It is worth noting that the period between 2010 and 2013 has witnessed a remarkable increase in the Upper Basic Gross Enrolment Rate of the girl-child, from 65.6% in 2010 to 68.1% in 2013. There have also been more boys enrolled in upper basic education from a gross enrolment rate of 66.9% in 2010 to 68.9% in 2013.

10. Furthermore, Secondary School enrolment has improved from 33.9% in 2010 to 39.1% in 2013 with a notable increment in the enrolment of the girl child from 30.6% in 2010 to 39.1% in 2013.

11. This increment is reflective of Government's efforts to increase access to education for the girl child and to expose her to better opportunities in life. The Government engages in public sensitization programmes to encourage parents to make educating their female children, in addition to the male a priority.

12. The University of The Gambia continues to register an annual increment in the number of students desirous of attending post secondary education. The Government of The Gambia makes a generous financial contribution as scholarships to the needy students who cannot afford the cost of post secondary education.

13. The Gambia Law School was also established in 2011, to provide equitable access to professional legal training to law graduates, who upon completion of the Barrister at Law course, become qualified home grown barristers.

14. The Government also invests in capacity building of the educators from basic level to tertiary level of education both within the country and overseas with the objective of providing valuable, high quality education for all. In addition, periodic review of the academic curriculum is conducted to ensure that schools provide high quality of education that is relevant for Human development and empowerment.

15. These education reforms are in accordance with the National Education Policy 2004-2015, to reduce the rate of illiteracy by 50% by 2015 and the Dakar Framework for Action, which promotes the creation of a literate society sufficient to contribute to the socio-economic advancement of the population.

## **B. Gender-based violence**

16. In order to combat the vice of gender violence, the National Assembly passed the Domestic Violence and Sexual Offences Bills on 17th December. These two Acts will be of significance in addressing violence against women and girls. The Domestic Violence Act 2013 addresses domestic violence; provides protection for the victims of domestic violence, particularly women and children. The Sexual Offences Act criminalizes every form of sexual assault, exploitation and harassment.

17. A Multi-Sectoral Network on Gender Based Violence has also been established to provide advocacy and create awareness at national and community level on the issues of Gender Based Violence.

18. Several sensitization campaigns are being conducted at both national, local and grass root levels on the provisions of these new legislations, the hazards of domestic violence and its negative impact on family life.

19. In addition, several other measures are being taken to combat gender based violence. These include the formulation and implementation of the National Gender and Women Advancement Policy, 2010–2020. This policy also focuses on measures and strategies to eradicate Violence Against Women (VAW) and Gender Based Violence (GBV). A National study on GBV was conducted in 2010. This led to the development and implementation of a National Action Plan against Gender Based Violence and as well as a

five year communication Strategy on Gender Based Violence. This is meant to guide all communication interventions that will influence attitudes and social norms within the private and public spheres to reduce gender based violence particularly wife beating.

20. The Department of Social Welfare also has established a rehabilitation center for victims of gender based violence. This center provides free legal advice, health checks, emergency referrals to hospitals, as well as the provision of temporal residential placement.

21. Furthermore the new Domestic Violence Act creates a Domestic Violence Support Fund to support the victims of domestic violence. The purpose of this Support Fund is to inter alia ensure the provision of basic material support to victims of domestic violence, training victims and families and care supporters of victims of domestic violence and for the construction of shelters for victims of domestic violence in all regions and districts in the country.

### **C. Maternal health and infant mortality**

22. There is in place a National Health Policy, 2012–2020 exists which promotes the right to health for all and its vision statement is the Provision of quality and affordable Health Services for All By 2020. All the organs of the Government are enjoined to observe and be guided by this principle of State policy with the view of fulfilling its objective of Promoting and protecting the health of the population through the equitable provision of quality health care services.

23. Maternal and Antenatal health care including family planning is offered free of charge in all Government health facilities. Primary and secondary health care have also significantly expanded (to meet the attainment of Universal Access to healthcare), and increased immunization has reduced mortality rates. In The Gambia the large majority of women receive antenatal care from skilled health providers, and 86 percent of women received antenatal care from skilled health professionals, that is, a doctor, nurse, or midwife, during the pregnancy for their most recent birth in the last five years.

24. Antenatal coverage varies little by mother's characteristics, and even among women with no education 84 percent receive antenatal care. Among rural women the proportion is 85 percent. Tetanus toxoid injections are given to women during pregnancy to protect infants from neonatal tetanus, a cause of infant death that is due primarily to unsanitary conditions at childbirth. Micro-nutrient deficiencies which are a major cause of morbidity and mortality are being addressed through a nutrition supplementation programme. These and other interventions such as increased number of births attended by trained antenatal personnel and maternal education have contributed to the decline in infant mortality and improved maternal health.

25. Maternal mortality rates were estimated at 1050 per 100,000 live births in 1999 and the recently concluded Demographic Health Survey in 2013 indicates Reduction of Maternal mortality to 433 per 100,000 live births. The DHS 2013 and others also show infant and under five mortalities rates were 75 per 1000 and 99 per 1000 live births respectively in 2005, and in 2013 these indicators were 34 per 1000 and 54 per 1000 live births respectively. These figures indicate that the Gambia for the past six (6) years had registered reduction in infant mortality by 54 percent and for under five mortality by 45 percent.

26. As expected, neonatal mortality (mortality during the first month) is higher than post neonatal mortality (22 deaths per 1,000 compared with 12 deaths per 1,000), representing 65 percent of the overall infant mortality.

27. The Gambia continues to maintain high immunization rates above 90 percent for all the antigens for children and during 2013 had successfully conducted nationwide vaccination against Meningitis A, several immunization days for Polio vaccines and has introduced Rotavirus vaccine into its childhood vaccination schedules.

#### **D. The rights of children**

28. The Gambia ratified the Convention on the Rights of the Child and the provisions of this Convention were domesticated in the Children's Act 2005. Apart from the 1997 Constitution of The Gambia and the Children's Act 2005 other legal instruments which provide for child protection include the Tourism Offences Act 2003, Trafficking in Persons Act 2007, Labour Act 2007 and the Women's Act 2010 and the Criminal Code.

29. In order to ensure rigorous enforcement of these laws, the Department of Social Welfare frequently trains law enforcers on them, strengthening their capacity in investigation and interviewing techniques especially for crimes of sexual nature against children. It has also established child rights and protection units within the Gambia Police Force, Gambia Immigration Department and the Gambia Armed Forces and provides continuous capacity development to the officers in these Units.

30. With support from UNICEF in 2012, the Department of Social Welfare developed a Child Protection Training Manual for the Gambia Police Force which has been mainstreamed into the training curriculum of the Gambia Police Training Academy. The Gambia Armed Forces also has a similar training manual, developed with support from Child Fund-The Gambia, which is part of the training curriculum of the Gambia Armed Forces Training School.

31. Similar training Manuals have been developed on Prevention of Gender Based Violence by the Gambia Women's Bureau in 2013 and Prevention of Child Sex Tourism by the Gambia Tourism Board in 2012.

32. The Gambia Tourism Board provides routine capacity building on the Tourism Offences Act 2003 for members of the Tourism Security Unit. These initiatives, coupled with the public sensitization on the media and community social mobilization campaigns that the Department of Social Welfare conducts in partnership with civil society organizations are geared towards effective and rigorous enforcement of the legislative instruments.

33. The Government has created the enabling environment for Civil Society Organizations working on rights of children. For example, The Gambia Tourism Board has partnered with the Child Protection Alliance, a child rights coalition in The Gambia, which in partnership with the Gambia Tourism Board has from 2010 to date, sensitized 151 stakeholders (taxi drivers, hotel workers, tourist Guides, personnel of the Tourism Security Unit, small scale entrepreneurs) in the Tourism industry on the Code of Conduct of the Gambia Tourism Board for the Protection of Children and the Tourism Offences Act 2003, to ensure greater protection of children from sexual exploitation in tourism.

34. The Child Protection Alliance also conducts training for media practitioners on responsible reporting of children's issues in the media and successfully encouraged the Gambia Press Union to adopt in July 2012 a Code of Conduct for Media Practitioners on Reporting Stories Relating to Children.

35. In December 2013, the Gambia Tourism Board, in collaboration with the Child Protection Alliance, launched an electronic signboard with messages on The Gambia's stance against Child Sex Tourism at the arrival lounge of the Banjul International Airport.

36. The Department of Social Welfare and Child Protection Alliance, with support from UNICEF have established five Neighborhood Watch Groups within the Tourism Development Area of Senegambia, in the communities of Bakau, Kololi, Manjai Kunda, Bijilo and Kerr Serign.
37. These Groups, comprising of young people and adults from the communities, raise awareness on child sexual abuse and exploitation issues among community members, identify and mobilize existing community level structures in child rights and protection work at community level, empower and involve communities in addressing protection issues affecting children at community level and report suspected cases to the Police.
38. Between 2012 and 2013, different information and educational materials have been produced on child protection, in particular on child sex tourism and disseminated to hotels, other tourism establishments and schools.
39. The Department of Social Welfare and the Child Protection Alliance have engaged in series of community mobilization campaigns to promote the rights of children.
40. Other Civil Social Organizations such as the Female Lawyers Association of The Gambia, the Network against Gender Based Violence and the Child Protection Alliance conduct radio programmes (radio talk shows and phone-in) to promote respect for the rights of women and children.
41. The Department of Social Welfare has received support from UNICEF for capacity building of child protection professionals and development of training manuals on child rights and child protection.
42. UNICEF has also supported the Department of Social Welfare to establish and strengthen Multi- Sectoral Community, Child Protection Committees in communities across the country, to further the protection of children from all forms of violence and exploitation.
43. In its efforts to effectively combat child sexual abuse and exploitation, the Department of Social Welfare reviewed and updated its National Plan of Action against the Sexual Abuse and Exploitation of Children 2011-2015 in order to strengthen the protective environment for children.
44. The National Gender Policy and Women Empowerment 2010-2020 addresses the existing gender imbalances and ensure sustained and sustainable socio-economic development.
45. The Criminal Code, Laws of The Gambia also criminalizes any form of sexual activity with children and the Ministry of Justice has keenly prosecuted all such cases and it is the policy within the ministry to push for the strongest punishment against convicts of sexual offences against children.
46. All police stations country wide now have Child Welfare Units. Each of these units has trained Child Welfare Officers to address issues relating to children.
47. The primary function of these units is to deal with minors who are endangered or in conflict with the law in ways which protect their rights. The Police Child Welfare Officers undergo continuous training on juvenile justice and administration, children`s rights, inclusive of international standards for the administration of juvenile justice and prevention of juvenile delinquency by the Government under the auspices of the Ministry of Justice, Department of Social Welfare with the collaboration of UNICEF and Civil Society Organisations.
48. Judicial reforms have also been made to ensure protection of children`s rights and in ensuring Juvenile Justice. Two additional Children`s Courts have been established, one in

Brikama and another in Basse. The State provides the child offenders with free legal representation through the National Agency for Legal Aid.

49. Children in conflict with the law are always separated from adults as required by the Constitution, the Prison Act and Children's Act from the pre-trial to trial stage. Young offenders are always separated from the adult convicts. There has been a separate juvenile wing at Old Jeshwang Prison since 2000.

50. An After-Arrest Procedure Handbook has also been developed to teach Police officers and social workers at the national and regional levels on the After-Arrest Procedures of child offenders.

51. The Department of Social Welfare is currently providing educational sponsorship for 1000 disadvantaged children, orphans and vulnerable children in basic and secondary schools. It has also provided vocational skills training to 15 out-of-school youths, most of whom were young offenders.

52. The Department of Social Welfare has also placed twenty one (21) abandoned babies at the Shelter for Children and 195 children in difficult circumstances have been provided with emergency placement at the shelter for children.

53. Fifty four (54) children have been provided with rehabilitation and family re-integration services at the Juvenile Wing, forty six (46) of whom have been re-integrated with families, some of them are back in school and others learning skills.

54. Ten (10) abandoned children have also been placed with foster parents in the community. These families are encouraged to foster the children thus reducing institutional placement. Twenty two (22) maternal orphans have been supported with emergency baby feeding and clothing.

## **E. Rights of Persons with Disabilities (PWDS)**

55. The Government ratified the UN Convention on the Rights of Persons with Disabilities and its optional protocol on the 1st July 2013 expressing political will to promote and protect the rights of persons with disabilities. There is also a draft Disability Bill under consultation which when enacted shall form part of the laws for the protection of the rights of persons with disabilities.

56. The Government has developed a Disability Advocacy Strategy to integrate the interests of persons with disabilities in the country's development agenda. The Government has registered success in this field.

57. The Department of Social Welfare has devised a mechanism for addressing some of the concerns of PWDS, in collaboration with The Gambia Federation of the Disabled – Disability Employment Services. It has established a Disability Advocacy Strategy and engaged in Media Campaigns for sensitization (community radio programmes, television talk shows and newspaper articles). Furthermore, it has produced a documentary on PWDS in active and productive ventures for advocacy purposes.

58. People with disabilities are being employed in both the public and private sector.

59. The Government through the Department of Social Welfare has also engaged in disability and equality training and this has been conducted for 12 training institutions and some employers.

60. Countrywide disability outreach services are being provided for Children with Disabilities (CWD), and on the occasion of the launching of the State of the World's

Children Report 2013 in collaboration with UNICEF, 365 children were reached across the regions.

61. The Government has been networking with about 13 partner institutions in order to embrace disability and to include PWDs in their programmes and activities. Provision of services for technical aids and appliances, home visits, counseling and basic psychosocial therapy are also provided.

62. There are an increasing number of persons with disabilities who are obtaining basic psychosocial therapy. At the Department of Social Welfare, there are currently 223 new clients, in addition to the old clients registered number of 5686 PWDs.

63. The Department of Social Welfare has also provided 6000 disabled persons with mobility aid artificial limbs, shoes, walking sticks, walking frames and hearing aids.

64. The Government has established a Steering Committee for the management and supervision of Integrated Educational Programmes in mainstreaming children with visual impairment across the regions and this is ongoing.

65. There is also a Joint Advocacy Programme by key stakeholders on inclusive education for children with disability on Early Childhood Development Programmes.

66. Strategic plans on disability are included in our National Medium Term Strategies of the Programme for Accelerated Growth and Employment (PAGE).

## **F. Vulnerable persons**

67. During the period under review in line with the key pillars of Programme for Accelerated Growth and Employment (PAGE), a National Steering Committee on Social Protection was established.

68. This committee is chaired by the Office of the President, hosted at the Department of Social Welfare. The committee meets quarterly since 2011 and has so far held two National Consultative Forums.

69. Training on Social Protection is provided to the members of the committee who are representatives of Inter-Sectoral agencies; and consultation on the development of the Social Protection Policy Action Plan has started. This will ensure that a Social Protection floor is established where the most vulnerable members of society have access to basic social services such as education and health care. It has also developed an inter-agency hand book on child protection.

70. The Department of Social Welfare has also increased its financial resource allocation to provide welfare services to vulnerable members of the society, particularly children, women, the elderly and persons with disabilities. This has resulted to an increase in service delivery.

71. There however continues to be an increase in the demands for such services. Monthly cash transfer support is being provided for destitute elderly persons. 3800 destitute adults and children have been provided with health checks and health care services through the home base care and community outreach services.

72. The social workers also provide rehabilitation services and counseling to inmates at the female wing of the prisons and the juvenile wing. Follow-up care and family re-integration is also provided for young offenders.

## G. Prisons

73. The Government has taken many measures to decongest prisons and to improve prison conditions and the social welfare of prisoners. In a bid to decongest the Mile 2 Prison, the Judiciary in 2013 organized special hearing dates for many prisoners at the remand wing. Their trials were conducted expeditiously and persons who had no sufficient evidence supporting their charges were discharged.

74. The Ministry of Interior in collaboration with the Prison Services Department has made tremendous efforts in the renovation of the security wing and increase in size of cells and cells allocation. The expansion program has been extended to Janjanbureh Prison which is in the Central River Region of the country. It has been estimated that it will cost the State the sum of D40 million upon completion. Over D1.9 Million has so far been spent on the renovation of the security wing which is at completion stage.

75. When completed, the building will cater for more prisoners and to a greater extent address the problem of overcrowding.

76. A monthly total food allowance for prisoners has also been increased to 1.5 Million Dalasis, as compared to the former prison service food provision of D650,000 in 2010. The Prison Services Department endeavors that all prisoners are well-fed with a balanced diet. The food store has also been renovated to standard to avoid pests and contamination.

77. Furthermore, prisoners are treated in a dignified and humane manner from the time of admission to time of discharge. Prisoners are informed of the regulations governing their rights, and obligations while in prison. Torture of detainees and convicted prisoners is prohibited.

78. A multi-sectoral prison's committee is in existence and its function is to monitor the affairs of prisoners, promote and protect their rights and interests.

79. The Prison Services Department has also taken practical steps to promote the reformation and social rehabilitation of prisoners. This is done through education and vocational training. In 2013 a furnished library for prisoners was built.

80. The State Central Prison has a multi-purpose workshop, where prisoners are trained in different livelihood skills such as tailoring, carpentry and construction. The other establishments, like Janjanbureh, Jeshwang and the Juvenile Wing have facilities built for educational purposes.

81. A qualified teacher is provided by the Ministry of Basic and Secondary Education to teach young offenders detained at the juvenile wing at Jeshwang on a daily basis.

82. A qualified Doctor visits the prisons on a daily basis to provide medical services to sick inmates. A modern standard clinic was built in the State Central Prison and is currently in use. Well trained Community Health Nurses (CHN's), State Enrolled Nurses (SEN's) and Auxiliary nurses trained by the Government medical schools are also present to attend to inmates.

83. Prisoners also have access to their lawyers and visitors subject to the restrictions imposed by law. Diplomatic corps and civil society organizations have access to prisons upon notification of Prison Authorities and in accordance with the rules and regulations regulating the same. Prisoners also have access to letters from relatives/ friends and some have a right to regular visits.

## H. Judicial reforms

84. The Judiciary of The Gambia has undergone several reforms of recent which witnessed several structural and administrative reforms for the better dispensation of justice.

85. In ensuring that independence of the Judiciary under the Constitution of The Gambia is further strengthened, the Judiciary of The Gambia has come up with a Judges (Remuneration Allowances And Other Benefits) Bill 2014 which is currently under consultation. As the title of the Bill indicates, the proposed legislation is to make provision for the terms and conditions of service of judges and for other matters connected therewith.

86. Such a piece of legislation would in no doubt enhance the security of tenure of judicial officers in the long run and contribute immensely to justice delivery services. A promotion policy has also been put in place to enhance justice delivery.

87. The Judiciary of The Gambia in its efforts to enhance access to justice and quality service delivery has re-structured the Judiciary. A second commercial court within the High Court has been established to deal with the ever mounting commercial cases filed in order to afford litigants more access to the courts.

88. A pre-trial court was established in 2013, tasked with dealing with all pre-trial matters in line with the new High Court (Amendment) Rules 2013. This procedure has created an expeditious settlement of issues to be determined at the trial and also gives the litigants the opportunity to settle their disputes at that stage. The resulting effect is that it allows the trial judges to concentrate on hearing of the substantive case and thereby enhancing the speedy conclusion of cases, resulting in speedy dispensation of justice.

89. The Court-connected Alternative Dispute Resolution (ADR) was introduced pursuant to Practice Direction No.1 of 2013 as part of practice and procedure for the High Court. The purpose of court-connected ADR is to reduce the back log of cases before a trial judge. In this regard litigants take control of the outcome of their cases. It is a confidential process and is without prejudice to the rights of litigants who subsequently opt to proceed to trial after exploring ADR. The court-connected ADR is under the purview of the Office of the Master of the High Court.

90. A Communication Unit has been established to provide access to information and would be the Judiciary's avenue of communicating to the public at large and it is also tasked with the responsibility of raising awareness about the Judiciary and what it offers to the public.

91. The Judiciary still in its efforts to enhance service delivery and access to justice had set up additional courts, such as the Children's Court in Brikama and Basse.

92. Magistrates courts have been established in all the regions in the country thereby bringing justice to the door steps of every resident in those regions. They have also been provided with the necessary needed resource materials to aid in the dispensation of their duties.

93. Three new Cadi ( Sharia) Courts have been established in Brikama (in the West Coast Region), Kerewan (North Bank Region) and Basse (Upper River Region) to increase access to those courts and to reduce the backlog of cases in the former three courts in Banjul (the Capital City) Kanifing (Kanifing Municipality) and Bundung (Kanifing Municipality). There are plans to operate in Bwiam and Mansakonko.

94. The Judiciary in its decentralisation process to bring access to justice nearer to the people intends to build new magistrates courts in the areas that have none. The High Court in Basse (Upper River Region) has been more institutionalised and it is of great relief to

litigants who would ordinarily have had to travel all the way to Banjul to access a High Court.

95. In its effort to ensure the continuous access to justice, the Judiciary of The Gambia with the support from UNDP prepared a Compendium of all rules of Shariah Personal Law on Divorce, Marriage and Inheritance application in the Gambia. The main purpose of this document is to ensure that all laws relating to the personal laws of Muslims as provided for in the Constitution of The Gambia could be easily accessible. This compendium has been most useful particularly to Muslim women who sought redress from the Cadi (Sharia) courts.

96. In a bid to further ensure access to justice, The Judiciary again with the support of UNDP contracted a consultant to develop and prepare rules of procedure for The Cadi Appeals Panel and the Cadi Courts which were hitherto unavailable and training was provided for all Cadis on the application said rules of procedure in their respective courts. There is now a prescribed procedure in these courts which not only ensure order in procedure but gives litigants the confidence to access these courts with the expectation that like the conventional courts they too can get justice in these courts.

97. There has been more integration of the District Tribunals into the formal judicial system and training of their clerks and scribes are ongoing.

98. With support of UNDP, Operational Manuals for the Sheriff Division and the Office of the Registrar have also been put in place to avail members of the public the necessary information required on how these offices work and what is expected of them. In addition to this the manuals also ensured that the holders of these offices know and are continuously trained on their roles and responsibilities are in the provision of the services required of them.

## **I. Combating human trafficking**

99. The 2007 Trafficking in Persons Act created the National Agency against Trafficking in Persons (NAATIP). The Agency started operations on 1st December 2011. Since the last reporting period, NAATIP has engaged in a country wide sensitisation programme, enlightening the public on the dangers and legal consequences of trafficking in persons.

100. It has also organised capacity building workshops for both law enforcement officers and social workers in the areas of identification of trafficked victims, arrest procedures and protection of victims among its activities. NAATIP engages in the protection, rehabilitation and counselling of victims. It also investigates and prosecutes trafficking cases.

101. During the period in review, the agency registered five reported cases, out of which three were diligently investigated and one is currently under investigation. There are however no successful prosecutions so far.

102. There is currently a four year Plan of Action from 2012–2016 and amongst which NAATIP considers Partnership and Collaboration as its priority areas. As a result, plans are underway to sign MOUs with Guinea Bissau, Ghana and Nigeria.

103. In February 2013, The Agency visited Dakar Senegal to collaborate and partner with International Organization for Migration (IOM), United Nations Office for drugs and Crimes (UNODC) and Senegalese National Authorities.

104. In December 2013 NAATIP signed an MOU with The Committee Against Trafficking in Persons (CNLTP) Republic of Senegal, again to partner in the fight against trafficking in persons.

105. During the period under review, NAATIP in collaboration with partners visited 4 border posts to raise Public Awareness of the border post officials on ways of identifying and dealing with the problems of trafficking in persons and victims.

106. A data base officer has been recruited to work on an accurate and synchronized data system on Human Trafficking.

107. In June 2014 NAATIP organized a major sensitization walk to the Banjul and Gambia's border to the south of Senegal which saw the participation of high government officials, security operatives, civil society organization, nongovernmental Organization and the local populace as well as officials of the National Committee against Trafficking in Persons Republic of Senegal.

## J. Access to justice

108. The National Agency for Legal Aid (NALA) was established by an Act of the National Assembly in 2008 and was officially launched on 30th September 2010. The primary objective of the legal aid scheme is to ensure the provision of legal aid services to the poor and vulnerable members of society who cannot afford the services of a lawyer. NALA extends its services to the provision of legal advice as well as legal representation in the courts of law in both criminal and civil matters in any court, police station or prisons.

109. The table below shows information on the number of legal aid representation cases made since the last reporting period which include cases of murder, armed robbery, rape, treason, arson, abduction and possession of prohibited drugs.

<i>Year</i>	<i>Children's court</i>	<i>Superior courts</i>
2013	15	112
2012	10	111
2011	30	72
Total	55	295

110. The Agency has opened two legal aid centres in the regions of Basse (the Upper River Region) and Farafenni (North Bank Region) which are materially equipped and sufficiently staffed.

111. The Alternative Dispute Resolution Secretariat (ADRS) operates under the purview of the Ministry of Justice. Its main function is to settle disputes. The mechanisms employed by ADRS in dispute resolution are mediation, negotiation and conciliation. Between the periods of June 2008 and June 2014 a total number of 577 cases were resolved by the ADRS.

112. Two ADRS pilot centers were opened Farafenni and Basse. Both centers have registered their own successes, in both the number of cases registered and the services rendered.

113. In 2011, Farafenni registered 40 complaints most of which were concluded successfully. During the end of year M&E visit the M&E team met with some of the people that had utilized ADR or were brought to the centre as respondents to a complaint and all expressed their appreciation of the services rendered to them by the staff and for the way their cases were handled.

114. The Basse centre registered had 107 cases in 2011, 12 of which were mediated with the community mediators.

115. A training of community mediators had been conducted and a total of thirty mediators were trained in 2011 by the Secretariat. The services of some of the mediators trained in Basse were utilized almost immediately upon completion of their training. Basse covers a large area, some of which are not readily accessible to the ADR staff or very remote. The ten mediators in Basse were selected from different areas, thus giving the ADR staff wider coverage.

116. The system in place currently means that the community mediators log each complaint with the Basse office and mediate them in the villages. If they need to be assisted or need advice they contact the office for assistance and a member of staff will then go to the village. In instances where the community mediator is unable to resolve the dispute, the parties are then referred to the ADR office.

## **K. Freedom of speech, expression and assembly**

117. The Constitution of The Gambia guarantees every person the right to freedom of speech, expression and assembly.

118. The Gambia is committed to creating a conducive environment for the media to operate freely and to ensure a free flow of information as provided for in the Constitution.

119. The right to freedom of expression is, however, not absolute. In addition to the limitations to the rights enshrined in the Constitution, the Criminal Code creates the offences of criminal libel and sedition. Civil libel is also regulated by the common law and is therefore applicable in The Gambia by virtue of section 3 of the Law of England Application Act and section 7 of the Constitution.

120. Since 1994, there has been a steady increase in the number of radio stations (15 privately owned and 8 Community owned) and newspapers (5 daily and 2 weekly) in The Gambia.

## **L. Access to information**

121. In the Gambia, every citizen has a right to access information from the State or any other organ or agency of the State with exception to information which is likely to be prejudicial to the security or sovereignty of the State or interfere with the right to the privacy of the person.

## **M. The rights of women**

122. In addition to enacting in 2010 the Women's Act, the Government of The Gambia to demonstrate its commitment to women's rights, formulated and continues to implement the National Gender and Women Advancement Policy 2010-2020.

123. Several sensitization campaigns are being conducted at both national, local and grass root levels on the provisions of the Women's Act. In addition, several other measures are being taken to promote women's and children rights.

124. The Domestic Violence Bill and the Sexual Offences Acts passed by the National Assembly in December 2013 are of significance in addressing violence against women and girls.

## **N. Female Genital Mutilation (FGM)/female circumcision**

125. A National Plan of Action to Accelerate the Abandonment of FGM/C has been formulated. Although it is true that FGM/C is still being practiced in The Gambia, this harmful practice is being addressed by the Government and Civil Society Organisations through the Community Empowerment Programmes.

126. UNFPA/UNICEF has been supportive in both financing public awareness programmes and sensitization of communities. The Community Empowerment Programme is based on certain experiences in Senegal and elsewhere, where basic education programme complemented by 'organized diffusion' in the communities, eventually led to the abandonment of FGM/C in numerous communities. It is on record, that so far in 900 communities in four regions, 128 assistant circumcisers have abandoned FGM between 2007 and 2013.

127. Civil Society Organizations such as The Foundation for Research on Women's Health, Productivity and the Environment (BAFROW), The Gambia Committee on Traditional Practices Affecting the Health of Women and Children (GAMCOTRAP) and the Association for the Promotion of Women and Girls Advancement (APGWA) champion the fight against FGM/C with appreciable results.

## **O. National human rights institutions**

128. The Gambia is in the process of establishing a National Human Rights Institution. A legal framework has been drafted and is now under consultations.

129. While the Human Rights Commission is in the process of being established, the Office of the Ombudsman has a wide mandate similar to that of a National Human Rights Institution.

130. The functions of the Ombudsman, is to investigate allegations of maladministration, mismanagement or discrimination in any Government department, authority, or other public body.

131. The discrimination that the Ombudsman is mandated to investigate is on any grounds set out in Chapter IV of the Constitution, which is about the Protection of Fundamental Rights and Freedoms and any failure to observe the code prescribed in Chapter XXI for the conduct of public officers.

132. The Ombudsman Act of 1997 also gives the Ombudsman the mandate to investigate complaints of injustice, corruption, abuse of power, maladministration and unfair treatment of any person by a public officer in the exercise of his or her official duties.

133. A total of 243 complaints were received between 2010 and 2012. The office of the Ombudsman has settled 40 cases on pension, gratuity and other social security benefits, 29 cases on wrongful dismissals and termination of services, 17 cases on nonpayment of salary, 4 cases on injury compensation and 2 cases on discrimination. The Office of the Ombudsman has also investigated 5 cases on unlawful arrest and detention of people.

134. In 2011 the Office of the Ombudsman opened an office in Mansakonko to serve the two regions of Lower River Region and North Bank Region. In January 2013 an office was opened in Kerewan for North Bank Region. The opening of offices in the regions is part of the decentralization programme aimed at making the Ombudsman's services accessible to all.

135. Heads of public institutions and communities in West Coast Region and North Bank Region, such as the police, teachers, chiefs and Alkalos (village heads) were sensitized on

the role and functions of the Office of the Ombudsman in 2012 and 2013. There were also community meetings during which villagers were sensitised.

## **P. Right to life**

136. The right to life is guaranteed in section 18 of the 1997 Constitution. However this right is not absolute. The Constitution provides circumstances for which the death penalty may be prescribed as a sentence.

137. The application of the death penalty is limited only to murder and treasonable offences. Even with that, it is only applied where the offence results in death, or the administration of any toxic substance, resulting in the death of another person. Thus, the fact that the death penalty is limited to these offences means it is quite an exceptional measure meant for “most serious crimes”.

138. Furthermore, Gambian law prescribes that the procedural guarantees, including the right to a fair hearing by an independent tribunal, the presumption of innocence; the minimum guarantees for the defence and the right to review by a higher tribunal prescribed must be observed before the death penalty can be applied. These rights are applicable in addition to the particular right to seek pardon.

## **Q. National Council for Civic Education**

139. Corresponding with the 1997 Constitutional provision for The Gambia Civic Education programme, The Gambia National Council for Civic Education Act, 1998 was passed. The NCCE was created as an independent non-partisan Council under the Constitution, to design and co-ordinate Civic Education programmes and to serve as the advocacy component to the National Governance Programme.

140. The Act thus places responsibility on the Council, for sensitizing, informing and educating the public, particularly those at the grassroots, of their rights and responsibilities under the Constitution. This institution acts as a forum for sensitization of the public on Democracy, Governance, Human Rights and policy issues.

141. The state recognizes the relevance of the National Council for Civic Education and has so far increased its annual budget to D 2,775,969.44 in 2012 from D 2,074,389.00 in 2010; this also includes donor funding.

## **R. Asylum**

142. In 2013, the Government signed and ratified the United Nations Convention on the Status of Stateless Persons 1954 and 1961 United Nations Convention on the Reduction of statelessness, 1961 respectively. The Gambia has also domesticated the provisions of the Convention relating to the status of Refugees in the Refugees Act 2008 Cap 16.04 Laws of the Gambia.

143. The Gambia Commission for Refugee (GCR) which is responsible for the security and protection of the refugees in The Gambia has been in existence since 2008. The Commission in its bid to provide a good protection environment to refugees issues visitors pass (*laissez passer*) to refugees which enables them to travel freely within the ECOWAS member states.

144. The Government, in realization of the precarious situation of refugees and being mindful of its commitments under the relevant international instruments and domestic

legislations has been and still continues to heavily invest in refugee management issues with a view to providing them with conducive protection as they search for the most favourable durable solution. The financial resource allocation for the Gambia Commission of Refugees was increased from D 621,285 in 2010 to D 1,126,053 in 2014.

145. The Gambia Government through the Ministry of Health and Social Welfare, gives refugees equal access and treatment in terms of cost of treatment in all government hospitals and health facilities as accorded to its citizens as stipulated Articles 12 - 30 of the Refugee Convention which set out the rights and obligation of the receiving state and that of the refugees.

146. The Government of The Gambia through refugee host community leadership has been helping refugees to locally integrate in The Gambia if they so desired to by providing them with land to both build their homes and to farm on.

147. During the Senegalese refugee influx in 2011 from Cassamance Senegal, the Government provided them with material assistance which includes food, shelter and clothing.

148. The Government's intervention in refugee management dates back to the early 1990s during which period both Liberia and Sierra Leone were experiencing political upheavals. During the period, thousands of their citizens in search of a safe heaven, opted to come to The Gambia where hundreds of them still continue to live despite a return to democracy in their home countries.

149. Besides the remnants of Liberian and Sierra Leonean Refugees locally integrated and on exemption respectively, Senegalese Refugees from the troubled region of Cassamance numbering around twelve thousand, form the greater part of refugee population in The Gambia.

150. It is the relative stability and a favourable protection environment that has continued to be the major pull factor for citizens of war torn countries within the sub-region and beyond to be seeking refuge in The Gambia.

## **S. Poverty**

151. The Government of The Gambia is committed to reducing poverty and has formulated a number of policies and strategies for this cause such as Vision 2020, The Development Strategy and Investment Programme for 2012 to 2015, called the Programme for Accelerated Growth and Employment (PAGE), which is the successor to the Poverty Reduction Strategy Programme II (PRSP II).

152. PAGE's main objective is to accelerate growth and employment, thereby reducing poverty and improving the well-being of the population. Key to overcoming these development challenges is the attainment of an accelerated growth rate of ten (10%) percent that is broad-based and creates employment.

153. In terms of food security and agriculture, The Gambian Government's priority is to transform the country into a major supplier of agricultural products to the local and international markets. A National Experts Committee and Agricultural Council has been formed to guide agricultural planning and policy within the period under review.

154. Other Government planned measures comprise the provision of technical support including new technologies, the creation of financial opportunities for farmers to access long term loans to develop modern farms and the development of science parks to enhance the quality of primary produce.

155. Strengthening government institutions and public financial management is also a national priority. Strategies have been formulated to upgrade human resource management plans to enable public servants to develop, deliver and enforce better policies, strengthen the national statistical systems and introduce a programme based budgeting system. The public finance system will be strengthened through the introduction of a medium-term expenditure framework which will enhance the efficiency of resource allocation, promote macroeconomic stability and improve public debt management.

156. Enhancing social protection by responding to poverty and vulnerability and ensuring a decent standard of living for all Gambians through the reduction of risks and the creation of increased employment opportunities is another national development priority. The strategy through which this objective will be pursued will include the execution of policies and programmes designed to reduce poverty and vulnerability by promoting more efficient labour markets and diminishing people's exposure to risks thus enhancing their capacity to protect themselves against hazards and loss of income.

#### **T. Reporting to UN treaty bodies**

157. The Gambia, since the last reporting period, has made strides in fulfillment of its treaty reporting obligations. A National Treaty Reporting Taskforce was established in 2011. The UNDP has also been supportive of the State's desire of this cause. In 2012 it organized a workshop to train government officials on treaty reporting to the United Nations. A number of reports have been submitted for example in 2011, the Core Document and The Gambia's initial report on the International Covenant on Economic, Social and Cultural Rights to the Committee on Economic, Social and Cultural Rights and a report was also made to the United Nations Committee on the Elimination of all forms of Discrimination Against Women.

#### **U. Universal Periodic Review 2010**

158. In a bid to implement the UN working group's recommendations on the UPR 2010 for The Gambia, the Gambia constituted a multi-sectoral National Task Force constituting various Government Ministries and agencies, members of the civil society organizations to formulate a National Action plan for implementation of the aforementioned recommendations. This demonstrates the Government's political will to protect and promote human rights and furthermore to fulfill its international treaty obligations.

#### **V. Special procedures**

159. The State has no objection to any special Rapporteurs from the UN Human Rights Council interested in visiting the Gambia in respect of the mandate of the Human Rights Council.

### **III. Constraints encountered by the State during the fulfilment of its human rights obligations**

#### **A. Justice sector**

160. The Gambia is a growing economy and the Judiciary is therefore faced with the challenge of an ever increasing demand for judicial redress. Thus there is the need for the

establishment of more and more courts with the requisite human and material resources to run them. The Judiciary is however constrained by human, infrastructural, material and financial resources in order to more adequately execute its functions and enhance effective and efficient justice delivery.

161. Other Government bodies tasked with the administration of justice such as the Ministry of Justice, the National Agency for Legal Aid, National Agency against Trafficking in Person and the Alternative Dispute Resolution Secretariat also experience similar challenges as that of the judiciary.

## **B. Ombudsman**

162. The main challenge the Office of the Ombudsman faces is financial. The decentralization programme has been constrained by limited resources. By 2012 all the regions were supposed to have an office but to date two regions, Central River Region and West Coast Region, have no offices. More funds are also needed for more sensitization to be conducted, especially on television and radio stations. The Office also needs additional vehicles to facilitate investigation and sensitization. There is also need for capacity building of staff members.

## **C. Police**

163. The gender and child welfare unit of the police force lacks logistics to transport child offenders. There are currently police and prison vans which do not have the capacity to separate child offenders from adult prisoners. There are also no child temporary detention centers at police stations.

## **D. Health**

164. With a rapidly growing population and increasing pressure on the limited resources on the health sector, the sector has over the years struggled to meet the demands for services. Inadequate finance and logistical support, shortage of adequately and appropriately trained health staff, high staff attrition and an inefficient referral system have over the years aggravated the problems of the sector. These problems have curtailed the gains made in reducing morbidity and mortality in the country. Specialist services are still high in The Gambia. Since most specialists are non-Gambians and usually on technical assistance, the withdrawal of such assistance could adversely affect the quality of services in the country. This state of affairs renders the health service delivery system of The Gambia quite vulnerable.

165. In addition to vulnerability, due to reliance on non-Gambian health specialists, health funding in the country is heavily dependent on donor assistance. This raises issues of sustainability in the light of evidence of donor fatigue in the recent past.

166. The emergence and increase in non-communicable disease such as hypertension and Diabetes has compounded these challenges and has proven to be a severe strain on the health delivery system.

## **E. Poverty eradication**

167. The country's major challenges in the agriculture and food security sector are insufficient earnings and low levels of food security as a result of poor and variable performance.

## **F. Human trafficking**

168. The National Agency against Trafficking in Persons is limited in its operations in an effort to combat human trafficking by inadequate finance, mobility and logistical support.

## **G. Persons with disabilities**

169. The health sector lacks trained psychotherapists and Psychologists. It also is constrained by inadequate human and financial resources to address the increased demand for services.

## **H. Prisons**

170. The Ministry of Interior and Prisons services is constrained by both financial and logistical resources in its efforts to improve on the social welfare of the prisoners.

## **I. Asylum**

171. The Gambia Commission on Refugees (The Commission) has been constrained in its efforts to safeguard the interests of refugees by inadequate funds and logistics. The country also lacks transit centres for refugees and asylum seekers in both the rural and urban areas.

172. Furthermore, there is also need for capacity building for staff members of the Gambia Commission on Refugees in areas of refugee management, refugee law and humanitarian law.

173. In addition, The Commission also lacks a biometric refugee database in order to properly account for the accurate refugee population in the country.

# **IV. Best practices in the protection of human rights**

## **A. Gender based violence**

174. The country has adopted legislative and administrative measures in combating gender based violence in the country. Since the Domestic violence Act 2013 and Sexual Offences Act 2013 were passed, mass public sensitizations of the provisions of the laws have been conducted.

## **B. Female genital mutilation**

175. A National Plan of Action to Accelerate the Abandonment of FGM/C has been formulated. Although it is true that FGM/C is still being practiced in The Gambia, this

harmful practice is being addressed by the Government and Civil Society Organizations through the Community Empowerment Programmes.

176. In addition, a curriculum to teach the dangers of female genital mutilation and Human Rights has been adopted by the Ministry of Basic and Secondary Education and teachers have been undergoing continuous training on the same.

177. UNFPA and UNICEF have been supportive in both financing public awareness programmes and sensitization of communities. The Community Empowerment Programme is based on certain experiences in Senegal and elsewhere, where basic education programmes complemented by 'organized diffusion' in the communities, eventually led to the abandonment of FGM/C in numerous communities.

### **C. Child rights protection**

178. In order to ensure rigorous enforcement of child rights protected related legislations, the Department of Social Welfare has trained law enforcers on these instruments, strengthening their capacity in investigation and interviewing techniques especially for crimes of sexual nature against children.

179. It has also established child rights and protection units within the Gambia Police Force, Gambia Immigration Department and the Gambia Armed Forces and provides continuous capacity development to the officers in these Units.

180. With support from UNICEF in 2012 the Department of Social Welfare developed a Child Protection Training Manual for the Gambia Police Force which has been mainstreamed into the training curriculum of the Gambia Police Training Academy. The Gambia Armed Forces also has a similar training manual, developed with support from Child Fund-The Gambia, which is part of the training curriculum of the Gambia Armed Forces Training School.

181. Similar training Manuals have been developed on Prevention of Gender Based Violence by the Gambia Women's Bureau in 2013 and Prevention of Child Sex Tourism by the Gambia Tourism Board in 2012.

182. The Department of Social Welfare and Child Protection Alliance, with support from UNICEF, have established five Neighborhood Watch Groups within the Tourism Development Area of Senegambia, in the communities of Bakau, Kololi, Manjai Kunda, Bijilo and Kerr Serign.

183. In order to promote child Justice, two additional Children's Courts have been established in Basse and Brikama.

### **D. Poverty eradication**

184. The Government of The Gambia is committed to reducing poverty and has formulated a number of policies and strategies for this cause such as Vision 2020, The Development Strategy and Investment Programme for 2012 to 2015, called the Programme for Accelerated Growth and Employment (PAGE), which is the successor to the Poverty Reduction Strategy Programme II (PRSP II).

### **E. Justice sector**

185. To further strengthen the financial autonomy of the judiciary, the security of tenure and service conditions of judges, the Judicial Officers (Remuneration, Allowances and

other Benefits) Bill, 2014 was promulgated and is currently in the consultation stage with other stakeholders.

## V. Government response on Universal Periodic Review 2010

186. The Gambia accepted recommendations made by the UN Human Rights Council relating to non-discrimination, the rights of children, right to education, protection of women from all forms of discrimination and gender based violence, eradicating Female Genital Mutilation, Vulnerable persons and persons with disabilities, Justice Sector reforms, poverty eradication, establishment of National Human Rights Mechanisms and international corporation with UN mechanisms and treaty bodies for the promotion, protection and respect of Human Rights.

187. The State however, rejected recommendations for the promotion of gay and Lesbians sexual orientation rights in the country, due to the fact that they were contrary to the religion, customs and beliefs of the people and the Constitution of The Gambia and those relating to even distribution of matrimonial property between men and women upon divorce and in cases of intestate succession. This was due to the fact that, in The Gambia, the Sharia Law is fundamental in distribution of property in some cases.

188. The Government made a number of comments in respect to some recommendations to the Universal Periodic Review 2010 and these among others included.

189. Regarding legal measures taken to prohibit all forms of physical and mental violence against children in all settings and the Juvenile Justice System, The Gambia pointed out that there were laws in place to protect children against violence and all forms of abuse.

190. On the issue of Juvenile justice, it reported that the Children`s Act, 2005 provided for the adequate protection of children in conflict with the law. It also stated that Government through the Ministry of Interior had identified sites where new corrective centers for child offenders would be erected and also pointed out that currently there was a separate juvenile wing for child offenders.

191. In relation to women`s rights, the Government pointed out that Women`s Act 2010 incorporated the provisions of CEDAW, and the Protocol to the African Charter on Human and Peoples` Rights on the Rights of Women in Africa. The Government also reported that the National Gender and Women Empowerment Policy had been validated in May, 2010, stating that the policy had a whole section dealing with measures and strategies to eradicate violence against women and gender based violence.

192. In response to the recommendation for the protection of Human Rights Defenders, the Government pointed out that the rights and activities of Human Rights Defenders are recognized and protected by Law. The State cited the African Commission on Human and Peoples Rights (ACHPR) and the African Centre for Democracy and Human Rights Studies (ACHDHRS) which have had uninterrupted operations in the country for more than two decades as examples of its commitment to respect the rights of human rights defenders.

193. In respect to the right to education, the Government stated that The Gambia is one of the leading African countries that have met the Millennium Development Goal in respect of primary school enrolment free of charge, as well as Gender parity under the Education for All and the Fast Track Initiative.

194. The State pointed out that the recommendations on FGM had been discussed with key stakeholders such as the National Assembly members, religious leaders and women leaders. Subsequently, a National Steering Committee had been set up to review WASU Kafo`s study to determine if it can be used as evidence or whether there was need for a

clinical and empirical study to be conducted. Government also pointed out that a social study on FGM was also being conducted and was supported by UNICEF. An education programme on Gender and Religion was to be launched soon.

195. In relation to independence of the Judiciary, the Government pointed out that the independence of the judiciary was guaranteed by the Constitution and that to ensure that these guarantees are strengthened, a Code of Conduct had been enacted for Judicial Officers in 2009 and further observed that the conditions of service and remuneration had also been improved tremendously during the 2008/2009 budget.

196. On the moratorium on the death penalty, the Government commented that there was already a moratorium on the death penalty since 1995. However, it observed that the State did not intend to abolish the death penalty for it was a punishment for very serious crimes only, with adequate guarantees for the application of due process of the law.

197. On recommendations in relation to National Human Rights Institutions, the Government observed that the possibility of having a separate NHRC or expanding the mandate of the office of the Ombudsman was being considered, and the State was looking forward to working with international and regional bodies for technical assistance in this area.

198. Relating to the National Council on Civic Education, the Government observed that this institution was established by the Constitution and that it had approached UNDP and other international donors for financial assistance to NCCE.

199. In response to the issue of treaty body reporting, the Government stated that in view of the serious capacity and financial constraints, The Gambia would endeavor within two years subject to technical and financial assistance from the United Nations and the International Community to submit all pending reports.

200. Furthermore, in regard to special procedures, the Government stressed that The Gambia was committed to cooperate with the procedures and mandates and would treat with utmost urgency any request for invitations by them.

201. On recommendations for ratification of specific Human Rights instruments, the Government delegation observed that the ratification process of the Convention on the Rights of Persons with Disabilities was far advanced. They pointed out that The Gambia was also considering the list of Human Rights instruments and would endeavour to ratify or accede to them. They however appealed for technical assistance in this area. It was also pointed out, that the two optional protocols on the Convention on the Rights of the Child had been ratified in April 2008 by the National Assembly and that the instruments had been sent to the United Nations Office in New York to be deposited.

## **VI. Recommendations**

**202. The Government of The Gambia reiterates its commitment to uphold and promote Human Rights. However, as a State, it will need the support of the United Nations and other development partners, in order to do so effectively.**

**203. The country appeals to the UN Human Rights Council, for both technical assistance and funding in the following areas.**

**204. The Gambia Commission on Refugees currently lacks transit centers to keep refugees, before they are sent to their final destination. Therefore, we request for financial assistance to aid in establishing this centers.**

205. Furthermore, support is needed in capacity building of the staff members in aspects of Refugees and stateless persons` administration and management.

206. In addition, technical assistance will also be highly appreciated in areas of treaty reporting to the mechanisms and treaty bodies of the United Nations.

207. The health sector is still in continuous need of both technical, financial and Human Resource support.

208. The Justice sector, consisting of the Judiciary, Prisons Services Department, police, Ministry of Justice, National Agency Against Trafficking of Persons, National Agency for Legal Aid and the Alternative Dispute Resolution Secretariat, are also in need of continuous capacity building, training and funding from the United Nations.

## **VII. Conclusion**

209. In compliance with its international human rights obligations, The Gambia has ratified a number of Human Rights treaties and instruments. The Gambia is committed to the implementation of the international Human Rights instruments it is a party to and would continue in its endeavour to promote and protect Human Rights in the country, with the conviction that the respect for all human rights is a national responsibility.

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