

## **ADVANCE QUESTIONS TO THE GAMBIA**

### **CZECH REPUBLIC**

- Does the Government of Gambia consider issuing a standing invitation to the UN human rights Special Procedures?
- Does the Government of Gambia consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and establishing the National Preventive Mechanism in accordance with the provisions of the said Protocol?
- Does the Government of Gambia consider criminalization of torture, extrajudicial executions, enforced disappearances and unlawful arrests, so that these human rights violations would be criminal offences? What particular measures does the Government intend to adopt in order to prevent such acts and secure effective and impartial investigation when these occur?
- Does the Government of Gambia consider a legal ban of FGM and the practice of forced marriages?
- Noting the fact that opposition parties regularly boycott general elections in Gambia, what measures is the Government of Gambia preparing or implementing to achieve participation of all political parties including opposition parties in future elections? What measures are being prepared to ensure exercise of the right to vote by all citizens without any intimidation?

### **GERMANY**

- Despite its acceptance during the first UPR in 2010 of the recommendation to “fight resolutely against the practice of arbitrary or summary executions” and to consider moving towards the abolition of the death penalty, the government executed nine death row inmates in 2012. In September 2012, President Jammeh announced publicly that he wanted to abolish the death penalty. How has this initiative evolved and what steps have been taken by the government of the Gambia to abolish the death penalty?
- In 2009, Germany recommended that Gambia take all necessary measures to avoid unlawful arrests and detentions. Gambia accepted the recommendation. According to reports, there has however been an increase in arbitrary arrests and detentions, enforced disappearances and even extrajudicial killings. Scores of human rights defenders, journalists, civil servants, political party supports and common citizens, among others, have been victims of arrests and detention without due process. This is in clear contradiction to international human rights obligations. Could you please elaborate on the steps the government has taken or intends to take with regard to fighting impunity and ending unlawful arrests and detentions?
- Despite having ratified CEDAW, the practice of female genital mutilation continues to be widespread in Gambia. In 2009, the Gambia deferred a recommendation with

regard to putting in place legislation prohibiting FGM arguing that not legislation but rather continued public education on the dangers of this practice and the need for a national study on FGM was required. Did this study take place and what further steps did the government take in regard to education and awareness raising in the past years and to further address the situation?

- The Gambia has committed itself under international human rights agreements to respect human rights for all individuals, no matter who they are and who they love. Germany is severely alarmed by reports about measures discriminating against lesbian, gay, bisexual, transgender or intersex persons in the Gambia. What is the government doing or planning to do in order to promote the protection of human rights and the equal treatment of lesbian, gay, bisexual, transgender and intersex persons?

### **LIECHTENSTEIN**

- Liechtenstein recognises the Gambia's membership in the Rome Statute of the International Criminal Court.
- What steps has the Gambia taken to fully align its national legislation with the Rome Statute, including by incorporating the definition of crimes and principles of cooperation and acceding to the Agreement on Privileges and Immunities of the Court (APIC)?
- What steps has the Gambia taken to ratify the Kampala amendments to the Rome Statute?

### **NETHERLANDS**

- What measures is the Government taking to guarantee the human rights and fundamental freedoms of LGBT persons, in accordance with the International Covenant on Civil and Political Rights, as ratified by the Government of Gambia?
- What measures will the Government take to reform current restrictive laws which in practice could hinder the work of human rights defenders and civil society organizations, in order to protect and recognize the work of human rights defenders, in accordance with Article 19 of the International Covenant on Civil and Political Rights, as ratified by the Government of The Gambia?
- What measures is the Government taking to guarantee that human rights violations, such as allegations of torture, committed by officers of the police force, military and the National Intelligence Agency, are investigated and that those responsible are brought to justice?

- How will the Government insure that legal and administrative requirements are not misused with the purpose or effect of undermining the freedom of expression, freedom of information and freedom of the press?
- What measures is the Government taking to guarantee the freedom of expression in online media?

## **SWEDEN**

- What measures is the Government of Gambia taking in order to prevent cases of violence, intimidation and harassment directed against journalists, human rights defenders and supporters of the political opposition exercising their freedom of expression and assembly?
- What measures is the Government of Gambia taking to ensure that the newly proposed amendment to the Criminal Code criminalizing so called “aggravated homosexuality” is in line with Gambia’s international human rights obligations?

## **UNITED KINGDOM**

- Can the Gambian Government confirm if the recent Aggravated Homosexuality Bill passed by the National Assembly on 25 August 2014 has been signed into law by the President? Can the Gambian Government clarify what the term ‘serial offender’ means in law, and clarify if the law also applies to consensual relationships by those who are HIV positive and those who have a disability?
- Can the Gambian Government provide an update on the current status of the UN investigation into the murder of Deyda Hydera and disappearance of Chief Ebrima Manneh?
- Can the Gambian Government provide an update on the establishment of a National Human Rights Commission consistent with the Paris Principles, including when they expect such a Commission to be established?