



# Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

The Gambia – July to December 2022

01 January 2023

## 11 July 2022

### **Early marriages, progress in girls' and women's education**

According to Ndeye Rose, representative of the UN Population Fund (UNFPA), 20% of girls and young women aged 15-19 are currently married, compared to less than 1% of boys and young men in the same age group. Early marriages, early pregnancies and limited access to information and care on aspects of preventive, reproductive and sexual health limit the development opportunities of girls and women in The Gambia, she said.

As far as gender inequalities in education are concerned, considerable progress has been made, at least in the area of primary education, she said. While 99 % of girls would complete primary school compared to 90.4 % of boys, less than half of girls (around 48.2 %) would receive secondary education, she reported. According to Rose, women represent an estimated 42 % of all potential graduates at The Gambia's main university in 2022.

### **New arrests in land dispute case with government, authorities disregard high court ruling**

According to media reports, Nenneh F. Gomez, the political activist and country representative of the NGO Global Hearts of Medical Mission (Global HOMM), and another member of the same organisation were arrested and temporarily detained by police forces for the third time while trying to enter a plot of land owned by the organisation (cf. BN of 29.11.21) on 05.07.22. The Gambian state continues to claim the land, notably by ignoring a high court ruling in favour of Global HOMM. Gomez, who was released on bail the same day and has successfully sued the Gambian state for damages for unlawful arrest and detention in the past, is calling on the government to respect the rule of law and constitutionally guaranteed rights of liberty and property. According to the Gambia Press Union (GPU) press statement of 07.07.22, journalist Yusef Taylor, who has consistently reported critically on the land dispute between the government and Global HOMM, was arrested on 05.07.22 while trying to obtain information on the recent arrests. He was then briefly detained and charged with "obstructing police work". GPU demanded, among other things, an end to attacks on media representatives by security and especially by police forces.

## 18 July 2022

### **NHRC: Fight against human trafficking**

According to the National Human Rights Commission (NHRC), combating trafficking for sexual and labour exploitation remains a challenge at home and abroad. One factor is the trafficking victims' unwillingness to take legal action, mainly for fear of stigmatisation. Another problem is the extremely long duration of criminal trials and that there is only one government shelter, which is not only open to victims of human trafficking. The National Agency Against Trafficking in Persons (NAATIP) said that it had made efforts to stop trafficking in 2021 and provided training to members of the police, intelligence and immigration services. The NHRC urged the government, firstly, to provide the NAATIP with sufficient technical and financial resources to effectively fulfill its

duties and use its powers, and secondly, to effectively enforce regulations to prosecute traffickers. Since 2021, several cases of investigation and prosecution as well as some convictions for trafficking in human beings have become known (cf. BN of 02.05.22, 08.11.21 and 09.08.21).

### **Death sentences against NIA agents, concern about transitional justice**

After years of trial hearings, the Banjul High Court on 13.07.22 found five former members of the domestic intelligence service (SIS, formerly NIA) guilty of the murder of Ebrima Solo Sandeng, the youth leader of the opposition United Democratic Party (UDP), in 2016 and sentenced them to death; two other defendants were acquitted. Among those convicted were former the director of the agency, Yankumba Badjie, and the former officer-in-charge Sheikh Omar Jeng. Sandeng, who in April 2016 headed a rally calling for electoral reforms ahead of the December 2016 presidential election and was arrested by NIA operatives along with other UDP members, had died of torture and ill-treatment in NIA administrative detention two days later. The criminal trial, which began in 2017, is the only domestic criminal trial related to crimes committed under the previous government of Yahya Jammeh, except for a death sentence (for a murder offence) against ex-minister Yankuba (see BN of 19.07.22). Yankuba has since appealed against the verdict.

Media reports repeatedly express fears that transitional justice efforts are stalled or generally lack credibility. On 25.05.22, the government committed to implement almost all recommendations of the Truth, Reconciliation and Reparations Commission (TRRC), including the prosecution of 70 (non-amnestied) members of the previous government, including Jammeh (see BN 30.05.22). Meanwhile, in late June 2022, Justice Minister Dawda Jallow told a parliamentary committee that the government would lack the financial resources in 2022 to implement the TRRC recommendations. The Ministry of Justice has also not yet responded to recent press enquiries about the state of enforcement of the announced suspensions of still active civil servants (cf. BN of 20.06.22), who are accused of crimes committed under the Jammeh government. The APRC has once again become a political power factor, which could endanger the transitional justice system, the press said. The government of President Adama Barrow, who was re-elected for another five-year term at the end of 2021, is supported by a controversial coalition with the former ruling party, Jammeh's Alliance for Patriotic Reorientation and Construction - APRC, which has split in the meantime (cf. BN of 08.11.21). In the newly elected parliament (April 2022) it entered into an alliance under Barrow. With the current APRC party leader Fabakary Tombong Jatta (former APRC majority leader under Jammeh) and APRC member Seedy Njie (former minister of information under Jammeh), President Barrow constitutionally appointed two close former Jammeh confidants as members of parliament. Jatta, who declared in 2021 that he wanted to "trash" the TRRC report, was appointed Speaker of Parliament and Njie was appointed Deputy Speaker of Parliament.

## **25 July 2022**

### **"The Voice" editor-in-chief notes progress in the freedom of the press**

The editor-in-chief of the Gambian newspaper The Voice, Musa Sheriff, expressed his appreciation for the progress made in press freedom since the change in state leadership and for the government's support for the press at the height of the Covid crisis. The newspaper, which could not operate freely under former President Yahya Jammeh and whose staff had faced arrests and prosecutions at the time, can operate freely under President Adama Barrow, according to Sheriff. According to largely unanimous information, freedom of the press has improved continuously since the change of power, despite the residues of the repressive legal framework from the Jammeh era (cf. BN of 09.05.22). Violent attacks against media representatives by state and non-state actors are less frequent but do occur.

## **29 August 2022**

### **revalence of gender-based violence, genital circumcision**

According to a media report, a senior official of the Ministry of Justice told the President of the Gambia Press Union (GPU) that the Ministry of Justice records more than 30 cases of gender-based violence every month. According to the GPU president, the number of unreported cases is likely to be considerably higher, as many cases are not reported to the authorities. He also said, in line with more recent information from UNICEF, that the practice of

female circumcision, which has been prohibited by criminal law since 2015, continues to be practised (cf. BN of 20.06.22).

## **05 September 2022**

### **Food and nutrition insecurity**

According to the National Disaster Management Authority (NDMA), the worst floods in the history of The Gambia in late July and early August 2022 exacerbate the already existing food insecurity (cf. BN of 17.01.22) as well as the country's difficult socio-economic situation. Women, children and the elderly, in particular, are facing an increased risk of food insecurity.

## **12 September 2022**

### **Suspensions and dismissals of incriminated civil servants still pending**

According to JusticeInfo (JI), no progress has been made in the procedures announced by the Ministry of Justice to suspend or terminate the employment and disqualify active civil servants accused of crimes committed under the government of President Yahya Jammeh (cf. BN of 13.06.22 and 30.05.22). The civil servants, some of whom work in the security sector and some of whom are higher-ranking, are still on duty or have been placed on "administrative leave". The Minister of Justice, Dawda Jallow, told JI that civil servants had been placed on administrative leave to give the government sufficient time to take appropriate action. However, a senior police official, who requested anonymity, said that with two exceptions, some of the police officers who had been charged continue to go about their official business. Madi Jobarteh, a civic activist who was recently verbally intimidated by President Adama Barrow (cf. BN of 09.05.22), considers this as yet another pretext for not or only selectively implementing the recommendations of the Truth, Reconciliation and Reparations Commission (TRRC) (cf. BN of 30.05.22). According to JI, in individual cases for which the TRRC has recommended disqualification or prosecution for human rights violations or, in some cases, crimes against humanity, either no police or judicial action has been taken or it has been suspended on the basis of new evidence. This applies to the former Minister of Interior under President Barrow, Yankuba Sonko. The TRRC recommendation of disciplinary action against a police officer for the unlawful detention of a woman and a child was ignored by the police authority and dismissed on the grounds that the allegations were "unfair".

### **WFP: Worst famine in ten years, provision of emergency food aid**

The United Nations World Food Programme (WFP) reported that between June and August 2022, around 8.6% of the population was affected by acute hunger. The Gambia is suffering from the worst famines in ten years. According to WFP, recurrent flooding, a bad agricultural season in 2021, the socio-economic impact of the COVID-19 pandemic, and the rising cost of food, fuel and transport associated with ongoing upheavals in global food and energy markets are among the main causes of the hunger crisis. WFP began providing emergency food assistance in the form of cash distributions on 31.08.22 to 51,200 women, men and children who were particularly affected by the floods of late July and early August 2022, the worst floods in the country's history. Earlier, the National Disaster Management Authority (NDMA) had reported a further worsening of prevalent food and nutrition insecurity and the difficult socio-economic situation caused by the recent floods, which would particularly impact the food supply of vulnerable persons (cf. BN of 05.09.22).

## **26 September 2022**

### **UNDP: Access to education and nutrition, significant challenges for health care**

According to the United Nations Development Programme (UNDP), The Gambia has made significant progress in access to education and nutrition during the 2019 to 2021 reporting period. There has been progress in enrolment and retention rates on the one hand, and the prevalence of children under five years of age suffering from underweight, emaciation and stunting on the other. Serious challenges remain in the area of health care. There is an acute shortage of health workers and they are unevenly distributed. According to UNDP, the density of health workers was only 5.15 per 10,000 inhabitants, which is well below the recommendation of 23 per 10,000 inhabitants. Almost 50 % of the medical professionals and other health workers are to be found in the most densely

populated West Coast region. According to UNDP, the COVID-19 pandemic demonstrated the need to strengthen the already weak national health system to ensure adequate responses to COVID-19 and treatment of other diseases. UNDP also pointed out that 66.2 % of the total population does not have access to a safe water supply.

### **Increase in the unemployment rate**

The 2018 Labour Force Survey conducted by the Gambia Bureau of Statistics in collaboration with UNDP reported an unemployment rate of around 35%, according to President Adama Barrow the current rate is 41.5%.

## **10 October 2022**

### **Problematic conditions in police facilities and prisons**

According to the chair of the national assembly's human rights committee, Madi Ceesay, conditions in the various police stations and prisons visited throughout the country continue to contravene current human rights standards, despite a number of improvements. In particular, Ceesay highlighted the conditions in police holding cells, which are subject to overcrowding and inadequate sanitary and hygienic standards. Ceesay pointed out that half of the inmates in Janjanbureh prison and above all in the overcrowded Mile II prison are prisoners awaiting trial, adding that cases of protracted imprisonment on remand continue to be a problem.

### **President attacks UDP, CPG: Banned demonstration, intimidation, revocation of legal status for civil society movement**

According to reports in the media, president Adama Barrow has accused the main opposition party, the United Democratic Party (UDP), of being the driving force behind the protest planned for 11.11.22 by the recently founded civil society movement Coalition of Progressive Gambians (CPG). The UDP played a similar role in connection with the 3 Years Jotna protest movement. The planned protest has already been banned. 3 Years Jotna was banned by the government following violent clashes with the police at a protest against president Barrow in January 2020 which led to the detainment of 137 demonstrators and a number of media representatives and the institution of criminal proceedings, which were duly dismissed (cf. BN of 15.02.21 and 10.05.21). The CPG, which sees itself as a politically neutral organisation, claims that the aim of the planned demonstration is to protest against the high costs of living, a dysfunctional healthcare system and rampant corruption in Gambia. The UDP, which rejects the president's allegations, has expressed concern at the latest comments by the president's deputy political advisor, who has allegedly called on the CPG to refrain from staging the planned demonstration against the government in order to avoid demonstrators suffering the same fate as Solo Sandeng. As head of the UDP's youth movement, Sandeng led a demonstration against the previous government of former president Yahya Jammeh in April 2016. He was arrested together with other UDP members and died two days later as a result of torture and abuse in the hands of the secret service. Citing the CPG, media have reported that the organisation, which was originally registered with the competent government authority as a legal association meeting all registration requirements, has since been stripped of its legal status. According to anonymous sources, the registration authority, which is assigned to the ministry of justice, has been subject to political intervention by the government in this instance.

## **31 October 2022**

### **NHRC: Sexualised and gender-specific violence, human trafficking, gender equality**

The Chair of the National Human Rights Commission (NHRC), Emmanuel Joof, has stated before the UN Committee on the Elimination of Discrimination against Women (CEDAW) that sexualised and gender-specific violence remain widespread and are surrounded by a culture of silence. The unwillingness of victims to disclose and report incidents is attributed to their fear of social stigmatisation or further reprisals or attacks in real life or in cyberspace. Joof reported that genital cutting and child marriages, both of which constitute punishable offences, remain widespread throughout the country in the absence of effective criminal prosecution. He added that the overall inadequate staffing, material and financial resources of the competent care and protective services prevented them from performing their tasks effectively. Joof called for effective implementation of the laws to counter sexualised and gender-specific violence and for rape within marriage to be defined as a criminal offence.

Joof further referred to challenges in the fight against widespread human trafficking (cf. BN of 18.07.22), including the continuing lack of adequate financial and technical resources for the National Agency Against Trafficking in Persons (NAATIP).

He also pointed out that women continue to be under-represented in political and other high-ranking decision-making positions.

## **07 November 2022**

### **Continuing problem of crimes against media representatives going unpunished; freedom of the press**

On 02.11.22 the president of the Gambia Press Union (GPU), Muhammed S. Bah, stated that more than 15 attacks on media representatives had gone unpunished since the change of government from president Yahya Jammeh to president Adama Barrow at the end of 2016/beginning of 2017. Bah asserted that either the police or the political powers, including the supporters of the governing and opposition parties, were to blame for this state of affairs. He further noted that, similarly, no-one had faced criminal prosecution for the crimes committed against media representatives during the Jammeh era, including extra-legal killings, enforced disappearances and torture. He lamented the fact that the Barrow government's promises to allow greater freedom, to guarantee the safety of media representatives and to reform the repressive media legislation which remained in place had still yet to be fulfilled, years after the change of power. In contrast, the co-editor of the newspaper The Point, Baba Hydara, has echoed the views of the editor-in-chief of the Gambian newspaper The Voice (cf. BN of 25.07.22) in expressing his appreciation of the progress achieved in the area of freedom of the press since the change at the head of state. He nevertheless adds that the safety of media representatives is a continuing problem and that the pressure to exercise self-censorship remains because media houses and media representatives are still exposed to threats and intimidation.

## **15 November 2022**

### **World Bank: Rise in national poverty rate primarily attributable to COVID-19**

Citing the World Bank report "The Gambia Poverty and Gender Assessment 2022", media sources state that the national poverty rate has risen to 53.4 %. The COVID-19 pandemic is reported to have caused a particular increase in poverty. A major urban-rural divide continues to be observed with regard to poverty levels. The report finds that almost 70 % of the rural population are living in poverty, while among the urban population 30 % are affected by poverty. The largest share of people affected by poverty are found to be living in rural areas in the more populous south-west, however, above all in Brikama. Prior to the breakout of the pandemic, the poverty rate fell between 2015 and 2019 from 48.6% to 45.8%.

## **21 November 2022**

### **Situation for the mentally ill, mental healthcare**

Omar Bojang, senior psychiatric specialist at the country's only state psychiatric institution, which goes by the name of Tanka Tanka, has told the Gambian newspaper The Voice that mentally ill people are subjected to discrimination, exclusion and stigmatisation in Gambian hospitals. The director of the Gambian health service, Dr. Mustapha Bitayye, denied this and stressed that all segments of the population in The Gambia enjoyed access to healthcare without any discrimination. Bojang spoke about the challenges at Tanka Tanka, including intermittent shortages of medicines, an inadequate supply of food and poor sanitary and hygiene conditions. A report in the media at the beginning of November mentioned the inadequate provision of mental healthcare in The Gambia and the shortage of psychiatric specialists at Tanka Tanka. The report points out that the Lunatics' Detention Act of 1917 is still in force and incompatible with international human rights standards. Further recent reports in the media citing Boyang reveal that a total of 73 patients were receiving treatment at Tanka Tanka as per October 2022 and that in-patients are discharged after no longer than one month.

### **Food insecurity intensifying**

According to a report in the media published in October 2022 which refers to the National Food Security Survey (NFSS), around 27 % of the total population are exposed to food insecurity in 2022. This represents a two-fold

increase in the number of people exposed to food insecurity compared to the previous year of 2021 (cf. BN of 17.01.22). The WFP states that The Gambia is currently experiencing the worst famines for ten years (cf. BN of 12.09.22).

## **28 November 2022**

### **Challenges in the fight against sexual and gender-based violence**

At the kick-off event for “SpeakOut”, an educational and awareness campaign against widespread sexual and gender-based violence (SGBV) which is being supported by the Ministry for Women, Children and Social Welfare and the United Nations Population Fund (UNFPA), a number of participants drew attention to the challenges which apply in this context. SGBV is surrounded by a culture of silence and widespread impunity (cf. BN of 23.05.22 and 19.04.21). Few incidents are reported in the area of gender-based violence, in addition to which the proportion of the few reported cases actually leading to convictions is low. Speakers pointed out that SGBV affects women and girls for the most part, but sometimes also boys. SGBV takes place in the victims’ social environments and sometimes also at school. Various factors affect victims’ willingness to disclose and report incidents. Negative attitudes towards women persist in the country’s patriarchal society. Victims are disbelieved and are increasingly subjected to abuse in social media. Citing the Demographic Health Survey 2019-2020, the coordinator of the Network Against Gender-Based Violence, Fallou Sowe, stated that the prevalence of gender-based violence had increased markedly in recent years. While a total of 533 SGBV cases were reported at the NGBV’s one-stop centres in 2021 as a whole, the corresponding figure for the third quarter of 2022 alone stands at 642 cases. According to women’s rights campaigner Aisha Baldeh, a hotline set up for victims of domestic and gender-based violence received over 10,000 calls in the period from July 2021 to June 2022. She said that some victims had obtained access to benefits as a result of calling the hotline.

## **06 Dezember 2022**

### **Stigmatisation and discrimination persist against people with HIV/AIDS**

The National Aids Secretariat and the National Human Rights Commission stated in a joint declaration on 01.12.22 that people who are HIV-positive or suffering from AIDS still experience difficulties accessing health services due to continuing discrimination, unequal treatment and stigmatisation. According to another source of information, the fear of an infection with HIV/AIDS becoming known and the possible attendant consequences sometimes prevents infected individuals from being identified and receiving treatment.

## **12 Dezember 2022**

### **Shortcomings in the protection of children’s rights, child labour**

The coordinator of the Child Protection Alliance (CPA) in The Gambia, Lamin Fatty, has raised various points of criticism, including the failure to apply current laws intended to protect children. He has also noted that the government has no programmes or projects in place in the area of child protection. According to Fatty, most violations of children’s rights are attributable to non-state actors. Staff at the law enforcement authorities often lack an awareness or even any knowledge of the prevailing legal situation. Rather than affording victims protection, staff at the law enforcement authorities sometimes expose child victims to further harm. Fatty observes that child labour and domestic violence against children appear to be culturally accepted where punitive measures or work obligations are concerned. Dr. Isatou Touray, executive director of the NGO The Gambia Committee on Traditional Practices (GAMCOTRAP) has also stated that child labour is accepted in part due to an absence of any sense of wrongdoing. Girls aged between five and 12 are more commonly victims of child labour than boys in the same age group. Children are furthermore exposed to various forms of child-related and gender-based violence, including early marriage, child marriage and genital mutilation, all of which are widespread throughout the country.

**19 Dezember 2022**

**Survey on child marriage: Highest prevalence among Serahule, Fula and Mandinka**

A representative survey of 200 women and 200 men conducted by the NGO Wassu Gambia Kafo reveals that child marriage is particularly prevalent in the multi-ethnic country The Gambia among the Serahule and Fule ethnic groups and the Mandinka, which is the largest ethnic group in the country. 75.8 % of respondents from the Serahule ethnic group stated that they came from families or households in which child marriage is practised, while the corresponding levels among the Fula and Mandinka ethnic groups were 65 % and 62.5 % respectively. 72 % of those taking part in the survey recognise child marriage as a harmful traditional practice and a similarly high share of respondents expressed opposition to this tradition. Child marriages are widespread and take place in a climate of impunity (cf. BN of 20.06.22 and 13.09.21).

**Court of appeal affirms death sentence passed on ex-minister by court of first instance**

According to reports in the media, on 13.12.22 the court of appeal of The Gambia affirmed the death sentence passed by the court of first instance on the former minister for local government and lands under former president Yahya Jammeh, Yankuba Touray, on the charge of murder (cf. BN of 19.07.21). Touray is reportedly free to lodge an appeal. Since the change of government at the end of 2016 / beginning of 2017, only Touray and five members of the national intelligence service, who have also received death sentences (cf. BN of 18.07.22), have so far been brought to justice in connection with crimes committed under the previous government of president Jammeh.

**Maximum sentence handed down for rape**

It was reported in the media on 13.12.22 that the high court in Banjul had found a former police officer guilty of rape and sentenced him to life imprisonment. Sexualised and gender-based violence is commonly kept secret and goes unpunished (cf. BN of 19.04.21).

**ECOWAS troop mandate extended by a further year**

At the 62nd ordinary session of the Economic Community of West African States (ECOWAS) on 04.12.22, the heads of state and government resolved to extend the military mandate for ECOWAS troops (ECOMIG) for a further twelve months, beginning on 01.01.23. The ECOMIG mission is a contentious issue in some areas of civil society and opposition circles. Multinational ECOWAS troops have been stationed in the country since Barrow assumed power.

Group 62 – Information Centre for Asylum and Migration  
Briefing Notes  
**BN-Redaktion@bamf.bund.de**