

GAMBIA 2023 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for the freedom of religious choice as long as it does not impinge on the rights of others or the national interest. The constitution prohibits religious discrimination, establishment of a state religion, and formation of political parties based on religious affiliation.

In August, three women were arrested and charged for engaging in female genital mutilation/cutting (FGM/C), the first sentencing since the practice was criminalized in 2015. A prominent Muslim leader argued that “the campaign against female circumcision in the country is part of the fight against Islam,” while other Muslim leaders argued that FGM was not condoned in the Quran. The following month, 10 Gambian lawmakers argued to repeal the law banning FGM/C. The Supreme Islamic Council (SIC) issued a statement urging the National Assembly to repeal the law. As in previous years, President Barrow read televised statements during major Islamic and Christian religious holidays in which he stressed his administration’s commitment to promoting religious tolerance.

On May 4, there was a demonstration in support of veil wearing students who sued several schools for not allowing them “a reasonable accommodation” to wear the veil on top of their uniforms. The students’ lawsuit was still pending at year’s end. SIC leaders continued to ban Ahmadiyya Muslims from SIC events and from burying their dead in Islamic cemeteries. Intermarriage between Muslims and Christians continued to be common. Due to cultural and gender norms, however, women were generally required to convert to and raise all children in the husband’s

religion. In response to tensions between Muslims and Christians in Bakau and Tallinding, a civil society organization sponsored a roundtable discussion with representatives from the SIC, the Christian Council, and The Gambia Press Union.

U.S. embassy representatives held meetings and events with government officials, as well as with religious leaders of different faith groups, including Muslim (both Sunni and Ahmadi) and Christian, to emphasize the importance of continued religious tolerance. The embassy posted messages on social media, including recorded videos from the Ambassador and other embassy officials, to celebrate major religious holidays and to encourage religious diversity and acceptance.

Section I. Religious Demography

The U.S. government estimates the total population at 2.5 million (midyear 2023). Approximately 96.4 percent of the population are Muslim, most of whom are Sunni; the Ahmadiyya Muslim community states it has approximately 50,000 members. Christians make up approximately 3.5 percent of the population, the majority of whom are Roman Catholics. Religious groups that constitute less than 1 percent of the population include Baha'is, Hindus, and Eckankar members. Individuals tend to mix Indigenous (animist) beliefs with Islam and Christianity.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states, “Every person shall have the freedom to practice any religion and to manifest such practice,” subject to laws that may impose such “reasonable restrictions” as necessary for national security, public order, decency, or morality. The constitution also states that such freedom must “not impinge on the rights and freedoms of others or on the national interest, especially unity.” The constitution prohibits religious discrimination, the establishment of a state religion, and religiously based political parties. It provides for the establishment of *qadi* (Sharia law) courts, with judges trained in the Islamic legal tradition in each of the country’s seven regions; their jurisdiction applies only to marriage, divorce, child custody, and inheritance where all the involved parties are Muslims. Citizens may choose to use either the civil or qadi courts.

The criminal code outlaws “insult to religion,” “disturbing religious assemblies,” and “uttering words with the intent to wound religious feelings.”

There are no formal guidelines for the registration of religious groups. Religious groups that do not provide social services are not legally required to register. Faith-based groups that provide the same social services as nongovernmental organizations (NGOs) must meet the same eligibility criteria as other NGOs. By law, all NGOs are required to register with the NGO Affairs Agency and as charities at the attorney general’s chambers. They are required to have governing boards of directors composed of at least seven members responsible for policy and major administrative decisions, including internal control. The law also requires that all NGOs submit to the NGO Affairs Agency a detailed annual work program and budget, a detailed annual report highlighting progress on activities undertaken during the year, work plans for the following year, and financial statements audited by NGO Affairs Agency approved auditors. The

government has stated the submissions help the NGO Affairs Agency monitor NGO activities.

The law does not require public or private schools to include religious instruction in their curricula. The government, through the Ministry of Basic and Secondary Education (MoBSE), provides religious education teachers to public schools to teach an elective academic course on major world religions. Most public schools offer this course, and most students take the class. Some private schools also offer classes in religious education and tolerance and provide an overview of major world religions.

The constitution bans political parties organized on the basis of religion.

The Ministry of Lands, Regional Government and Religious Affairs is responsible for issues related to religious affairs in the country.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

In August, three women were arrested and charged for engaging in FGM/C, the first sentencing since the practice was criminalized in 2015. A prominent Muslim religious leader paid each of the women's 15,000 Dalasi (\$230) fine, igniting debate on this culturally and religiously sensitive issue. He argued that "the campaign against female circumcision in the country is part of the fight against Islam," stating "he would continue to defend the practice," and calling for the boycott of all those campaigning against the practice. Other Muslim leaders said that FGM is not condoned by the Quran. In September, 10 Gambian lawmakers argued to repeal the law banning FGM/C. Critics of the current law banning the practice stressed the

constitution dictates citizens are free to practice their religious and cultural beliefs. They accused international organizations of attempting to impose outside values and restrictions on their cultural practices. The SIC issued a statement urging the National Assembly to repeal the law, claiming the practice is a Sunnah tradition (not obligatory but practiced during the prophet's time and thus preferred) and therefore should be legal. In contrast, critics of FGM said the practice is simply a means to police the virginity of young girls until marriage without consideration of the health implications.

The government traditionally allowed female civil servants to reduce their daytime working hours by two hours during Ramadan to allow them to return home and prepare meals for their families to break their daily fast. There are no formal rules or bills, but the government sends internal memos about the practice.

As in previous years, President Barrow read televised statements during major Islamic and Christian religious holidays in which he stressed his administration's commitment to promoting religious tolerance.

Section III. Status of Societal Respect for Religious Freedom

According to a media report, on May 4, several hundred demonstrators gathered to express support for veil wearing students who sued several private schools for not allowing them "a reasonable accommodation" to wear the veil along with their uniforms. Local sources reported that the schools argued that the veil is not part of the school uniform and that prohibiting the veil simply ensured that all students complied with the dress code. The students were seeking monetary damages, a declaration by the

courts that their rights to practice their religion as enshrined in the constitution were violated, and a reversal of the school rules. The case was still pending at year's end, and the students dropped their request for monetary damages.

SIC leaders continued to state that all religious organizations in the country were entitled to freedom of expression and assembly. The SIC continued to state, however, that Ahmadiyya Muslims did not belong to Islam, and it therefore did not include Ahmadiyya members in SIC events. Since 2015, the SIC has banned Ahmadis from burying their dead in Muslim cemeteries. Ahmadiyya Muslims said they believed themselves free to practice their religion without interference but expressed frustration with the SIC's refusal to integrate them into the broader Muslim community. The Ahmadiyya community has deep links to the educational and medical sectors in the country and operates one of the largest affordable sharia compliant schools in the country. The group proactively seeks new adherents, predominantly by distributing printed material and preaching at health care facilities.

Intermarriage between Muslims and Christians continued to be common. Due to cultural and gender norms, however, women were generally required to convert to their husband's religion and raise all children in the husband's religion. It was not uncommon for persons of different faiths to live in the same dwelling. Observers stated that religious differences were widely accepted among family members and neighbors, with each jointly celebrating the religious events and holidays of the other.

Activista, a youth led civil society organization, sponsored a roundtable discussion with representatives from the SIC, the Christian Council, and The Gambia Press Union. Media accounts said that recent tensions between Muslims and Christians in Bakau and Tallinding stemming from reported

vandalism of churches were flagged as potential threats to the peaceful coexistence of the two faiths.

Section IV. U.S. Government Policy and Engagement

U.S. embassy representatives held meetings and events with government officials, as well as with religious leaders of different faith groups, including Muslim (both Sunni and Ahmadi) and Christian, to emphasize the importance of continued religious tolerance. The Ambassador hosted Ramadan iftars with a variety of religious, government, human rights, and other civil society and community leaders to bring together persons of different faiths. As was traditional at most public gatherings, both Muslim and Christian prayers were offered at embassy hosted religious freedom events. Participants at these events commented on the productive and friendly relationship maintained among leaders representing different faiths.

The embassy posted messages on social media, including recorded videos from the Ambassador and other embassy officials, to celebrate major religious holidays and to encourage religious acceptance and tolerance.

The embassy offered alternate work schedules to all employees of the Muslim faith for the month of Ramadan.