

The State of the World's Human Rights; Gambia 2024

Background

In August the government published a draft of a new constitution, amid criticism for lack of transparency and consultation. In December the draft was tabled at the National Assembly.

Migrants at sea continued to die in large numbers. In the first five months of the year, nearly 5,000 migrants – including Gambians – died while trying to reach the Canary Islands.

Women's and girls' rights

The Sexual Offences Act continued to exclude marital rape as an offence, despite calls by human rights activists to criminalize it.

In March a bill was tabled in the parliament to overturn the ban on female genital mutilation.¹ On 15 July, parliament rejected the bill after efforts by activists and survivors to highlight the negative health consequences of the practice.² UNICEF reported that an estimated 73% of Gambian girls and women between the ages of 15 and 49 had been subjected to female genital mutilation.

Maternal mortality remained high, with 289 deaths per 100,000 live births, according to the latest statistics in 2019-2020 from the Demographic and Health Surveys Program. In February the board of Bansang General Hospital in the Central River Division announced that 146 pregnant women died between 2016 and 2020 due to health complications linked to their pregnancies.

The World Economic Forum's Global Gender Gap 2024 report revealed slow progress towards gender parity in the country. Gambia rose to 110th place out of 146 countries, compared to 119th the year before. However, gender parity in education, political participation and health remained poor. In November the president expressed his government's commitment to gender equality while introducing Gambia's National 10-Year Gender Policy (2025-2034).

Children's rights

In January the minister of gender, children and social welfare reiterated the government's commitment to promoting children's rights and announced the second phase of the Project to Support the Protection of Children Victims of Rights Violations, which includes a plan to support children with disabilities and strengthen regional child protection mechanisms. However, children working in the streets continued to face the risk of abuse and were deprived of education. In September the director of Samaritana Gambia, an NGO working with victims of human trafficking, also warned of a resurgence in child trafficking for sexual exploitation in the country.

Freedom of expression, information and peaceful assembly

According to the Reporters Without Borders World Press Freedom index, Gambia dropped to 10th place in Africa, compared to fifth the year before, and from 46th to 58th worldwide. Draconian media laws restricting the right to freedom of expression – such as the law on sedition – remained in force.

In March the Gambia Press Union expressed concerns about the CyberCrime Bill 2023 – which at year’s end was pending at the National Assembly – due to vague sections that could lead to abuses and restrictions to the right to freedom of expression online. In April the government established the Access to Information Commission and in September the commissioners were sworn in.

In April, eight activists were arrested and detained for seven hours and subsequently charged with “common nuisance”, “unlawful assembly” and “disobeying lawful order” after they planned a sit-down protest against the disruption of ferry services and alleged corruption.

In September, two journalists of the newspaper The Voice were charged with false publication and broadcasting after the newspaper published an article alleging that the president had picked his successor for the next presidential elections. In November the president dropped the civil suit he had filed against one of the journalists and The Voice for defamation. In December the criminal case was withdrawn.

Human rights defender Madi Jobarteh was still facing criminal charges at the end of the year, including “false publication and broadcasting” for 2023 Facebook posts criticizing the government.

Economic, social and cultural rights

A shortage of affordable housing affected mainly vulnerable people. In July the minister for lands, regional government and religious affairs announced plans to build 10,000 affordable homes by December 2025, and 200,000 in the next 10 years to address the crisis.

Activists and parliamentarians expressed concerns over the increasing impact of Kush, a cheap synthetic drug, on the health of young people and the need for government intervention.

Food security continued to be a concern. According to the 2023 National Food Security Survey Report, 29% of people in Gambia were food insecure in 2023, a 3% increase from 2022. In addition, illegal, unreported and unregulated fishing by foreign trawlers affected the livelihoods of local fishermen and resulted in a shortage of fish for local consumption. In March, eight industrial trawlers were apprehended for violating fisheries laws. In August the government held a workshop with the UN Food and Agriculture Organization and created a Technical Working Group to facilitate communication between agencies to address the issue.

Right to truth, justice and reparation

There was progress towards accountability for crimes committed under former president Yahya Jammeh.

In April the National Assembly passed the Special Accountability Mechanism Truth Reconciliation and Reparation Commission (TRRC) Bill and the Special Prosecutor’s Office Bill, establishing the office of the special prosecutor. Both bills laid the groundwork for the prosecution of cases of serious human rights violations identified in the TRRC Report. On 15 December the Authority of Heads of State and Government of ECOWAS approved the statute of the “Special Tribunal for The Gambia”, a hybrid court with Gambian and international personnel, and a mandate to prosecute crimes against humanity, torture and other serious crimes committed during the Jammeh regime. In May the Federal Criminal Court in Switzerland sentenced Ousman Sonko, former minister of interior, to 20 years in prison for crimes against humanity.

In August the ECOWAS Court of Justice issued a ruling requiring the Ghanaian government to release critical information relating to the torture and killing of West African nationals in Gambia in 2005.

The Gambia Center for Victims of Human Rights Violations expressed frustration at the lack of forensic experts to identify the bodies exhumed in 2019 of the victims of the 11 November 1994 coup, among other victims.

In August a former general and alleged member of the “junglers”, a paramilitary unit suspected of extrajudicial killings under Yahya Jammeh’s government, was arrested.
