
UNIVERSAL PERIODIC REVIEW (UPR) 4TH CYCLE REVIEW, 48TH SESSION

Submission by the UN Country Team (UNCT) in The Gambia

Universal periodic Review (UPR) 4th cycle review, 48th SESSION – UNCT report

ACRONYMS

ACRONYM/ ABBREVIATION	Name
ACHPR	African Commission for Human and People's Rights
ACERWC	African Committee of Experts on the Rights and Welfare of the Child
AU	African Union
CCA	The United Nations Common Country Analysis
CED	The Convention for the Protection of all Persons from Enforced Disappearances
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CMW	Committee on the Rights of Migrant Workers
CRPD	Convention on the Rights of Persons with Disabilities
DHS	Demographic and Health survey
ECOWAS	Economic Community of West African States
GANHRI	Global Alliance of National Human Rights Institutions
GMIS	Gender Management Information System
GPU	Gambia Press Union
ICC	International Criminal Court
ICJ	International Court of Justice
IPHRC of the OIC	The Independent Permanent Human Rights Commission of the Organization of Islamic Cooperation
MICS	Multiple Indicator Cluster Survey
MoGCSW	Ministry of Gender, Children and Social Welfare
MoH	Ministry of Health
NCDs	Non-Communicable Diseases
NDMA	National Disaster Management Agency
NHRC	National Human Rights Commission
NIA	National Intelligence Agency
NGBV	Network against Gender-Based Violence
NMRF	National Monitoring and Reporting Framework
OIC	Organisation of Islamic Cooperation
OPDs	Organisations of Persons with Disabilities
PATP	President's Alternative Treatment Programme
PHC	Primary Health Care
PLHIV	Persons living with HIV/Aids
RF-NDP	The Gambia Recovery Focused-National Development Plan 2023 – 2027
SEA	Sexual Abuse and exploitation
TRRC	Truth, Reconciliation and Reparations Commission
UNCT	United Nations Country Team
UNPRPD	United Nations Partnership on the rights of Persons with Disability
UNSDCF	United Nations Sustainable Development Corporation Framework 2024-2028
UN SDGs	The UN Sustainable Development Goals
UPR	Universal Periodic Review
WGEID	Working Group on Enforced and Involuntary Disappearances
WLHIV	Women living with HIV/Aids

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I. INTRODUCTION

1. In 2019, The Gambia underwent the Universal Periodic Review (UPR) 3rd cycle and received 222 recommendations. The State supported 207 recommendations,ⁱ an increase of 29% with respect to the 2nd cycle. This report,ⁱⁱ highlighting the implementation of the 2019 UPR review, is a consolidated submission of the UN Country Team (UNCT) in The Gambia, under the leadership of the Resident Coordinator's Office and with technical support from the UN Senior Human Rights Advisor. The report highlights Gambia's progress and challenges in fulfilling its role as the duty bearer, aiming to ensure full enjoyment of human rights. It offers recommendations for sustained commitment to achieve a just, inclusive society aligned with the UN Sustainable Development Goals (SDGs).

II. BACKGROUND AND SITUATION ANALYSIS

2. The Gambia experienced over two decades of dictatorial rule characterised by gross human rights violations and abuses and systematic dismantling of state institutions particularly in governance and the security sector. Despite the unprecedented consequences of the COVID-19 pandemic and other external shocks, efforts have been made towards addressing past injustices, democratic consolidation and institutional reforms to uphold the rule of law and guarantee protection of human rights.
3. The Gambia engages with regional and international bodies advocating for human rights. The Gambia hosts the African Commission on Human and People's Rights (ACHPR), assumed Presidency of the Economic Community of West African States (ECOWAS) Commission, 2022-2026ⁱⁱⁱ and Chair of the Organisation of Islamic Cooperation (OIC)^{iv}. In 2019, The Gambia filed a genocide case against Myanmar at the International Court of Justice (ICJ) over the Rohingya crisis, a unique use of its Genocide Convention membership.^v Despite this, Gambia remains in transition, requiring support to ensure non-recurrence of human rights violations, combat impunity, strengthen democracy, tackle corruption and safeguard marginalized groups' rights.
4. The Gambia launched its Recovery Focused-National Development Plan (RF-NDP) 2023 – 2027 aimed at consolidating gains in democratic governance, accelerating green economic and social transformation and building resilience to shocks and crises. The RF-NDP is anchored on three strategic priorities^{vi} and seven strategic pillars,^{vii} including Governance seeking to create enabling conditions for the consolidation of good governance and the protection of human rights^{viii} and the Empowerment, Social Inclusion and Leaving No One Behind pillar committing to addressing issues of empowerment, social exclusion, discrimination, and stigmatization for women, girls, children, persons with disabilities, and older persons^{ix}.
5. The UN launched the Sustainable Development Cooperation Framework (UNSDCF) 2024 -2028 to support the RF-NDP's implementation^x. The UNSDCF's outcomes speak to key human rights concerns including meaningful participation of marginalized and vulnerable people in functional, accountable and transparent institutions, support to key processes such as constitutional and legislative reform, governance and access to justice, implementation of the TRRC recommendations, political empowerment of women, youth, and persons with

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disabilities, electoral reform, citizen engagement and security sector reform.

III. IMPLEMENTATION OF THE 2019 UPR RECOMMENDATIONS

A. ACCEPTANCE OF INTERNATIONAL NORMS,^{xi} COOPERATION AND FOLLOW UP WITH TREATY BODIES^{xii} AND COOPERATION AND FOLLOW UP WITH SPECIAL PROCEDURES^{xiii} – SDG 16

6. In 2019, the Special Rapporteurs on Truth, Justice, Reparations and Guarantees of Non-Recurrence and on the Sale and Sexual Exploitation of Children conducted state visits and in 2022, the Government engaged the Working Group on Enforced and Involuntary Disappearances (WGEID). In 2022, the Gambia^{xiv} submitted a report to the Convention on the Elimination of All Forms of Discrimination (CEDAW) and in 2024 submitted to the Convention on the Rights of The Child (CRC). The UNCT is aiding the State's submission to the African Charter on the Rights and Welfare of the Child. The Gambia is a State Party to all core UN human rights treaties and some of the Optional Protocols^{xv}. Low reporting to treaty bodies has been observed, affecting monitoring of government compliance. Pending submissions include reports to the Convention on the Rights of Persons with Disabilities (CRPD) and Committee on the Rights of Migrant Workers (CMW). The country lacks a formal National Monitoring and Reporting Framework (NMRF) to respond to the State's engagement with Human Rights Mechanisms.

Recommendations

- **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Rights of the Child on Communication Procedures^{xvi}.**
- **Continue efforts to submit outstanding reports to the treaty bodies^{xvii}**
- **Issue standing invitation to all thematic special procedures^{xviii}**
- **Establish and operationalize a National Monitoring and Reporting Framework (NMRF).**

B. EQUALITY AND NON-DISCRIMINATION^{xix} – SDGs 5, 10 and 16.

7. The RF-NDP's Pillar on Empowerment, Social Inclusion and Leaving No One Behind commits to removing barriers such as inequality, exclusion and discrimination against vulnerable groups.^{xx} The outcomes of The Gambia's UN SDCF aims to support marginalized groups' resilience to climate and other shocks, access to sustainable food, healthcare, and water, sanitation, and hygiene (WASH) systems and meaningful participation in inclusive institutions for human development, poverty reduction, and reduced inequality.

Recommendation

- **Commitment to the RF-NDP 2023 – 2027 with sufficient funding to empower marginalized groups and uphold their rights.**

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Women and girls

Discrimination against women^{xxi}

8. Various legislations and policies protect women and girls including the Women's (Amendment) Act of 2015, Sexual Offences Act 2013, Domestic Violence Act 2013, Tourism Offences Act 2003, Children's (Amendment) Act of 2016, Women Enterprise Fund Act (2020), the National Plan of Action to address Trafficking in Persons (2021-2025), the National Action Plan on UN Security Council Resolution 1325 on Women Peace and Security (2021-2025) and the Gender and Women Empowerment Policy (2021-2030). Despite this, significant gaps persist mainly due to patriarchal beliefs and attitudes,^{xxii} economic disparities, scarce resources, discriminatory practices, and laws needing bolstering.

Recommendations

- Pursue comprehensive efforts to combat discrimination against women^{xxiii}
- Implement awareness and educational programs to address patriarchal beliefs and attitudes perpetuating gender inequality.
- Develop comprehensive gender-mainstreaming strategies.
- Review the legal framework to repeal all discriminatory laws.
- Enforce existing laws and strengthen the capacity of duty bearers.

Participation of women in political and public life^{xxiv}, Advancement of women^{xxv} - SDG 5 and 16

9. In 2021, no women ran for president despite women comprising 57% of registered voters. In 2022, only 8% of legislative candidates were women, with 3 out of 19 women candidates winning seats,^{xxvi} matching the 2017 election results, signaling stagnation in women's political empowerment. Currently, 5 women (8.6%) serve in the 58-seat National Assembly, with 2 nominated by the President. Local government elections in 2023 saw 17 women elected as

councilors out of 120, along with one woman elected as Mayor, marking an increase from the previous cycle.^{xxvii} In 2024, three out of five Governors were women. Women on District Tribunals rose from 5 to 23, including 18 new appointees.^{xxviii} Efforts to bridge the gender gap in political participation included establishment of women (WOBIPC) and youth (YOBIPC) branches of the Inter-Party Committee (IPC) to boost women and youth in political and leadership roles.

Recommendations

- Continue efforts in enhancing the representation of women in national and local institutions, including in the National Assembly.^{xxix}
- Adopt legislative and other regulatory measures to increase women's political participation and to overcome structural barriers faced in politics and other public spaces.
- Political parties should formally adopt the Inter-Party Committee's inclusion policy, committing to a minimum level of participation by women, youth and persons with disabilities in senior party leadership roles and among election candidates.
- Adopt strategies to address hate and malicious speech directed against electoral candidates.

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- **Expand opportunities for women and girls.**

Violence Against Women and girls^{xxx}, Domestic Violence^{xxxi}, Sexual and other forms of Gender-Based Violence (SGBV)^{xxxii} - SDGs 5 and 16.

10. FGM prevalence is 75.79% (15-49 years), child marriage stands at 34.8%^{xxxiii} and nearly 4 in 10 married women have experienced physical, sexual, or emotional violence by their current partners.^{xxxiv} The RF-NDP commits to protecting children from violence. The 2015 Women's (Amendment) Act criminalizes^{xxxv} FGM^{xxxvi} but a 2024 Women's (Amendment) Bill threatened to repeal the 2015 Act,^{xxxvii} risking SDG 5.3 goals to end global FGM by 2030.
11. In July 2024, the National Assembly Joint Committee on Health and Gender recommended maintaining the Women's (Amendment) Act, 2015 and the National Assembly voted against the Women's (Amendment) Bill, thereby affirming the prohibition of female genital mutilation/cutting (FGM/C) under the Women's (Amendment) Act, 2015. This decision aligns with The Gambia's international and regional obligations to combat harmful practices against girls and women, including FGM, as stipulated in CEDAW, CRC, the African Charter on the Rights and Welfare of the Child, and the Maputo Protocol.
12. Repealing the 2015 anti-FGM law would have been unprecedented globally and encouraged other countries to adopt regressive laws. The threat to repeal the law underscores challenges and resistance to protecting the rights of women and girls, as the rejected Bill contradicts international human rights standards and The Gambia's obligations towards women's and girls' rights, including on bodily integrity, life, health, protection against torture or other cruel, inhumane treatment, as well as principles of equality and non-discrimination.
13. Reactions against FGM in general included the UN SG^{xxxviii} and the Independent Permanent Human Rights Commission (IPHRC) of the OIC^{xxxix} and on the proposed repeal included statements from CSOs, the National Human Rights Commission (NHRC), ACHPR and African Committee of Experts on the Rights and Welfare of the Child (ACERWC)^{xl}, the UNCT^{xli}.^{xlii} The Truth, Reconciliation and Reparation Commission (TRRC) emphasizes accountability, reparations, and human rights. Its final report was submitted in 2021, followed by a Government White Paper and implementation plan in 2022. The TRRC's SGBV thematic report^{xliii}, highlights ongoing challenges faced by victims and advocates for a holistic approach via sensitization, training, and law enforcement capacity-building.
14. The UNCT supported the MoGCSW and the Network against Gender-Based Violence (NGBV) to establish a Gender Management Information System (GMIS) Centre with a GBV helpline and providing GBV data to inform policy formulation. There are eight more One Stop Centers providing GBV support. The UNCT also backs regional advocacy such as the ACHPR Roundtable on Proposed Repeal of FGM/C Law and Pushback on Gender Equality^{xliv} and aids government in ending child marriage with awareness campaigns.

Recommendations

- **Proactively ensure the continued criminalization of FGM.**
- **Adopt the National Strategy and Policy on FGM (2021-2030).**
- **Fully implement TRRC recommendations related to SGBV.**
- **Enhance law enforcement capacity to enforce laws and expedite prosecution of SGBV cases.**

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- **Allocate adequate resources to service providers, including law enforcement, judiciary, and health services.**
- **Collaborate with legislators, youth, CSOs, men, boys, and traditional/religious leaders to prioritize the health, well-being, and dignity of women and girls.**
- **Intensify awareness campaigns, including among traditional/religious leaders, to combat discriminatory practices and harmful practices.**
- **Address cross-border FGM to ensure prosecution of violators.**

Persons with Disabilities ^{xlv} – SDG 10 and 16

15. The RF-NDP commits to addressing barriers to social inclusion and empowerment faced by Persons with Disabilities including system-level and institutional barriers^{xlvi}, physical barriers^{xlvii}, information barriers^{xlviii} and discriminatory behaviours. The enacted the Disability Act 2021, however challenges persist including lack of data, non-access to opportunities, inadequate resource allocation, higher rate of unemployment and non-access to healthcare and education due to physical inaccessibility, affordability, and lack of specialized care facilities. Women and girls with disabilities are more vulnerable, have less access to support and services and are also more at risk of GBV^{xlix}.

16. The UNCT via United Nations Partnership on the rights of Persons with Disabilities (UNPRPD) aided in developing the Persons with Disability Policy and costed Strategic Plan 2022-2031 and establishment of the National Advisory Council for Disability to coordinate implementation of the Disability Act.¹ The RF- NDP and the Education Sector Policy (2016 – 2030) will address attitudes and misconceptions to ensure persons with disabilities have access to quality education through the adoption of complementary and mutually supportive approaches that are based on the principles of inclusiveness, integration and participation.

Recommendations

- **Allocate sufficient resources for Disability Act enforcement, focusing on accessibility and services.**
- **Ratify and domesticate the Protocol to the African Union on Human and People's Rights on the Rights of Persons with Disabilities in Africa.**
- **Conduct a national survey on disabilities to inform CRPD policy and implementation.**
- **Submit report to the CRPD**
- **Increase awareness on caring for persons with disabilities, emphasizing GBV and prioritizing access to SRHR services.**
- **Strengthen capacity-building of duty bearers on Disability Act application and inclusion.**
- **Strengthen campaigns against discriminatory sociocultural norms towards persons with disabilities.**

Children

General principles; protection,^{li} protection against exploitation^{lii} and education^{liii} - SDGs 4,5, 8, 10 and 16

17. Children face physical^{liv} emotional violence, child marriage, commercial sexual exploitation, trafficking, abuse, worse forms of labour, neglect and inadequate protection (HIV-AIDS orphans, rural orphans and children lacking parental care (in institutions (koranic school),

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street children and children with disabilities). Emerging issues include cyber threats, social media and school bullying. The weak child justice system affects children in contact with the law - victims, witnesses, or alleged child offenders- due to challenges in operationalizing children's courts and allocating resources. Despite improved access to primary education and gender parity rates^{lv}, challenges persist such as declining upper basic education completion rates and disparities between urban (80%) and rural (71%) children attending school.^{lvi} Government efforts include an RF-NDP ensuring fair education access, Children's Act 2005 review, early violence detection mechanisms including Community Child Protection Committees

18. UNCT supported the drafting of the pending Child Marriage Strategy, government engagement with parents and students at risk of school dropout due to child marriage and the development of an electronic Civil Registration and Vital Statistic (eCRVS) system and a Standard Operational Procedure (SOP) to ensure universal registration of births. The Births, Deaths and Marriages Act is currently under review.

Recommendations

- **Enforce relevant laws including the Children's (Amendment) Act of 2016, the Women's (Amendment) Act of 2015, Tourism Offences Act and the Children's Act of 2005.**
- **Improve community engagement and awareness to promote the best interests of the child.**^{lvii}
- **Combat and prevent economic exploitation of children, including children on the streets, exploitation in travel and tourism and child labour in the informal sector and family businesses**^{lviii}
- **Generate disaggregated data and evidence generation related to children**
- **Strengthen emergency protection systems for natural disasters and humanitarian crises in health, education, social and child protection sectors.**
- **Support resilient, gender-responsive and inclusive education systems with policy reviews, better coordination and financing partnerships.**
- **Develop gender and disability responsive pathways for out of school children and adolescents.**
- **Leverage digital technology to empower children, adolescents and communities for better learning while managing digital risks via awareness.**
- **Invest in curricula improvement and promotion of safe, protective learning environments.**
- **Address child sexual abuse and exploitation in travel and tourism, including evidence generation.**
- **Enhance protection measures to assist children in mixed-migration flows.**

Persons Living with HIV/AIDS (PLHIV/AIDS) – SDGs 5, 10 and 16

19. The HIV and AIDS Prevention and Control Act 2015 marked an important milestone in stigma and discrimination, however PLHIV including key populations, like female sex workers (FSW), men who have sex with men (MSM) and adolescent girls and young women struggle with accessing healthcare, employment, education and housing due to discrimination. Public attitudes particularly to women living with HIV (WLHIV) are highly

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stigmatizing, with 76% of women and 73% of men aged 15-49 having discriminatory attitudes towards PLHIV^{lix}, impacting their healthcare and HIV status disclosure. The TRRC condemned President Jammeh's President's Alternative Treatment Programme (PATP) for violating the rights of PLHIV and recommended reparations.

Recommendation

- **Implement TRRC recommendations on the PATP, including legislative and policy updates for protection of PLHIV.**

LGBT – SDGs, 5, 10 and 16

20. The Criminal Code criminalises homosexual acts. The impact of the law and social stigma leaves sexual minorities vulnerable to human rights violations and abuses, creates and breeds a climate of fear, extortion, corruption and further abuse of LGBT persons.

Recommendation

- **2019 UPR noted recommendations on comprehensive anti-discrimination laws, including for sexual orientation and gender identity, remain pertinent.**

Older Persons – SDGs 5, 10 and 16

21. Older persons face barriers including social exclusion, limited-service access, vulnerability to abuse and discrimination and insufficient justice information.^{lx} The RF-NDP recognizes that older persons have been left behind despite representing 3.1 per cent of the population and pledges to prioritize them for better inclusion and care.

Recommendation

- **Ratify/domesticate the African Charter on Human and Peoples' Rights' Protocol on the Rights of Older Persons in Africa and develop relevant policies.**

Human Rights and Climate Change – *vulnerable groups, climate change and disaster risk reduction*^{lxi}

22. In the 2023-2032 National Disaster Management Policy, the National Disaster Management Agency (NDMA) prioritizes vulnerable populations in disaster readiness. The Gambia developed a National Climate Change Policy (2016-2025), although the policy lacks comprehensive focus of migration issues. The UNCT supported update of the National and Regional Contingency Plans to include mobility dimension of crises, supported studies including on the nexus between migration, environment and climate change and conducted workshops on climate-induced movements and Disaster Risk Reduction (2021-2024)

Recommendations

- **Ensure vulnerable groups participate meaningfully in the development of legislation, policies and programmes on climate change and disaster risk reduction^{lxii}.**

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- **Regularly train stakeholders on climate-induced migration and disaster risk reduction for capacity building.**

C. ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Right to health^{lxiii}, Access to sexual and reproductive health services - SDGs 3, 5 and 6

23. The RF-NDP commits to providing quality, accessible and affordable health care services. The country has a National Health Policy 2021-2030, a National Health Strategic plan 2021-2025, a National Reproductive, Maternal, Neonatal, Child and Adolescent Health (RMNCAH) Strategic Plan 2022 – 2026 to promote rights-based sexual and reproductive health information and services and improve the quality of reproductive life and wellbeing of women, newborns, children, and adolescents and a National Health Insurance Scheme (NHIS) to cut healthcare costs, enhance facility access, and upgrade healthcare delivery. Progress includes 98% of

women receiving antenatal care from qualified clinicians, contributing to a rise in the proportion of children born in health facilities from 63% in 2019 to 84% in 2021.^{lxiv} UNCT assisted in developing 2020, 2021, and 2023 COVID-19 National Preparedness and Response Plans, conducted Intra Action Reviews focusing on women and children's needs, supported eight COVID-19 vaccination campaigns, and conducted studies on vaccine uptake barriers and the impact of gender, equity, and human rights (GER) on vaccination coverage.

24. Challenges include deteriorating Primary Health Care (PHC), implementing the NHIS Act for universal enrollment, rising Non-Communicable Diseases (NCDs), high out of pocket healthcare expenditures, inadequate skilled health personnel and limited mental health support.^{lxv} Required actions include resource increase in mental health and psycho-social support (MHPSS), capacity building, modern legislative frameworks like the Public Health Act, and increased human resources at all healthcare levels. Women's access to reproductive health care services remains low. The UNCT supports women's contraception provision and comprehensive sex education aligned with international guidelines. In 2022, The Gambia faced a tragic AKI outbreak from tainted medications causing child fatalities, prompting UNCT supported investigations, public health measures, and enhanced regulatory capacity via a strategic document on healthcare product access and technology investments.

Recommendations

- **Increase resources to the health sector to ensure satisfactory preparedness for public health emergencies, training of health extension workers and provision of adequate medical equipment and supplies to health facilities^{lxvi}**
- **Review laws and policies relevant to health services including mental and public health bills to meet human rights standards and protect and provide adequate care for vulnerable groups.**

Themes - Right to food^{lxvii} and the right to water SDGs – SDGs 2 and 3

25. The RF-NDP highlights The Gambia's food insecurity vulnerability, noting the Integrated Household Survey (HIS) (2020) reported 60.2% lacking sufficient food, with higher rates in rural (73.2%) than urban areas (49.6%). Vulnerable groups including female-headed

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households, and persons with disabilities are particularly affected. The National Water Policy 2006-2016 is under review; but 95% have improved access to safe drinking water sources.^{lxviii}

26. Various legislations and policies include the Food Safety and Quality Control Act 2011^{lxix}, Food Act 2005, Food Fortification Regulations 2020, National fertilizer policy 2023 -2032 and the Groundnut Regulations Policy 2023. The RF-NDP aims to enhance access to safe drinking water, sanitation, hygiene, and improve nutrition for children under five and women of child-bearing age. The National Nutrition Agency (NaNa) reported the development of a new National Nutrition Policy 2021 – 2025 to be accompanied by a costed Multi-sectoral Strategic Plan 2022 – 2025^{lxx} aimed at improving food standards, quality and safety, infant, child,

adolescent and maternal nutrition and prevent and manage diet-related NCDs. The Education Policy 2016-2030 promotes school feeding and the Agricultural and Natural Resource Policy 2017 – 2026 focuses on poverty reduction, food, income, and nutrition securities. The UNCT has supported the NHRC to develop an advisory note on the Right to Food, 2023.

Recommendation

- **Review existing legislative frameworks to ensure realisation of the Right to Food.**

Right to Development^{lxxi} and social security^{lxxii} - SDGs 1-7, 10, 16 and 17

27. The RF-NDP mainstreams the ECOWAS Vision 2050, African Union Agenda 2063, and the Sustainable Development Goals 2030. The RF-NDP's strategic objectives^{lxxiii} are supported by seven pillars namely: (1) Building Community Resilience to Shocks and Crises, (2) Governance Reforms; (3) Macroeconomic Stability and Growth; (4) Human Capital Development; (5) Agriculture, Environment, Natural Resources and Climate Change; (6) Empowerment, Social Inclusion and Leaving No One Behind; and (7) Energy, Infrastructure, and ICT/Digital Connectivity^{lxxiv}. The Gambia's SDCF foundation is based on respect for human rights standards and principles^{lxxv}. Its objectives^{lxxvi} outline integrated UN government support across developmental, humanitarian, and peacebuilding efforts.
28. Gambia ranked 98th out of 180 in Transparency International's 2023 Corruption Perception Index.^{lxxvii} The IMF noted corruption as a government vulnerability.^{lxxviii} Government actions include passing the Anti-Corruption Act 2023^{lxxix} and arresting some officials for corruption.
29. The RF-NDP aims to enhance household resilience, leveraging the existing social protection framework including a National Social Protection Policy (NSPP) 2015-2025, a National Social Protection Secretariat (NSPS) supporting the National Social Protection Steering Committee (NSPC) and the Social Registry, a platform for social protection.

Recommendations

- **Enforce the Anti-Corruption Act 2023 and establish and operationalise the Anti-Corruption Commission.**
- **Expand and consolidate social protection and include vulnerable sectors^{lxxx}**

D. CIVIL AND POLITICAL RIGHTS

Rule of law, Administration of justice and fair trial^{lxxxi} - SDG 16

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30. The NHRC^{lxxxii} identified challenges hindering judiciary effectiveness including lack of representation, inadequate courtrooms, congested prisons, backlog of cases, poor record

keeping and lack of adequate remuneration and pension provisions for judicial officers. The Judicial Officers (Remuneration and other Entitlements) Bill remains pending^{lxxxiii}. Rights holders face barriers in legal understanding and accountability due to lack of public legal education initiatives.^{lxxxiv} The Judiciary has a Strategic Plan 2021-25 and established a Prisons Visiting Committee. The UNCT supports capacity building for law enforcement and criminal justice actors including in transnational organised crime.

Recommendations

- **Allocate resources adequately for implementing the Judiciary's Strategic Plan 2021-2025.**
- **Fully operationalize children's courts for child friendly justice.**
- **Strengthen the National Agency for Legal Aid to provide sufficient support.**

Freedom of opinion and expression and right to information^{lxxxv} – SDG 16

31. The Constitution guarantees freedom of expression and the right to information^{lxxxvi}, however the Criminal code contains clauses including on Sedition restricting freedom of expression^{lxxxvii}. In 2023, The Gambia ranked 5th in Africa and 46th in the World Press Freedom Index^{lxxxviii}. ARTICLE 19 highlights authorities limiting free speech and civic space, noting arrests of activists and journalists for political opinions.^{lxxxix}

Recommendations

- **Review and repeal all laws which unduly restrict freedom of expression.**
- **Establish mechanisms to hold accountable those limiting free speech or civic space.**

Right to Peaceful Assembly and Freedom of Association – SDG 16

32. The Public Order Act mandates police permit for peaceful protests. In 2023, government issued some permits to allow peaceful protest^{xc} however, the National Assembly rejected a proposed amendment of the Public Order Act.

Recommendation

- **Amend the Public Order Act and Criminal Procedure Code to align with the ICCPR and ACHPR**

Prohibition of slavery and trafficking^{xcii} – SDGs 8 and 16

33. TiP challenges include limited understanding, weak detection/reporting, poor investigation/prosecution capacities, poor data collection systems, inadequate victim support, inadequate support services outside the Greater Banjul Area and resource limitations at the Government-run Bakoteh shelter, which houses victims including those waiting to return to their country of origin. The National Agency Against Trafficking in Persons (NAATIP) requires strengthening to effectively lead on detection, investigation, and case management. Revision of the TIP Act

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can contribute to addressing current challenges that NAATIP faces in the availability of reliable data on TIP cases as well as effective and timely investigation and prosecution of cases. Furthermore, strengthening NAATIP's case / information management system can contribute to improved evidence-based programming and stakeholder coordination.

34. Efforts against TiP include implementing the National Referral Mechanism (NRM), revitalizing the National Task Force on Counter Trafficking^{xcii}, a TiP National Communication Strategy aligned with the National Plan of Action 2021 – 2025^{xciii}, development of Joint Standard Operating Procedures (SOP) and awareness-raising and training.^{xciv} The UNCT supports victim assistance including screening, access to justice, medical and psychosocial support, return and reintegration, capacity building in investigation and prosecution and increasing community structures' knowledge on TIP and reporting mechanisms.

Recommendations

- **Ensure effective implementation of anti-trafficking legislation, including the timely and just prosecution of perpetrators of human trafficking^{xcv}**
- **Intensify efforts to investigate, prosecute, and convict traffickers by providing law enforcement, NAATIP and judiciary with the necessary training, resources, and support.**

Right to life^{xcvi} - SDG 16

35. Despite Constitutional guarantees and a moratorium,^{xcvii} the death penalty remains in the Criminal Code and the Anti-Terrorism Act^{xcviii}. In 2022, former National Intelligence Agency Director, Yankuba Badjie *et al* received death sentences for Ebrima Solo Sandeng's killing in 2016. Efforts to abolish the death penalty include reviewing the Constitution and Criminal Code. In 2023, the President commuted the 22 death sentences to life imprisonment and NHRC's Advisory Note advised repealing the death penalty.

Recommendation

- **Continue with efforts to permanently abolish the death penalty in all circumstances by amending the relevant provisions of the Constitution and the Criminal Code^{xcix}**

Right to work and to just & favorable conditions of work & labour rights^c

36. The country^{ci} developed a National Migration Policy (2020-2030)^{cii}, a Labour Migration Strategy, frameworks for promoting regular migration to ensure protection of Gambian migrant workers, a Labour Migration Strategy & Action Plan (2022- 2026), and Ethical Recruitment, Guidelines and Pre-Departure Training Manual (2019 – 2021). The UNCT supported the government's Labour Force Survey 2023, development of a Labor Market and Migration Information System (LMMIS) for the Ministry of Trade and capacity building^{ciii} for stakeholders^{civ}.

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Recommendation

- **Ratify the ILO Migration for Employment Convention (Revised), 1949 (No. 97) and ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).**

Prohibition of Torture and cruel, inhuman or degrading treatment,^{cv} Conditions of Detention^{cvi} –SDG 16

37. The NHRC^{cvii} reported five complaints of alleged torture, inhumane and degrading treatment, or punishment by duty bearers and highlighted the 2023 Brikama Court conviction of police officers for torturing a civilian.^{cviii} The Gambia enacted the Prohibition of Torture Act 2023 and the Prison Bill (2022). UNCT collaborated with the prison administration on prison reforms including upgrading Mile 2 and Janjanbureh prisons for better medical care, sanitation, security, vocational centers, and reduced overcrowding and new dormitories at Jeshwang detention center in 2020 aimed to ease overcrowding, aligning with broader prison system reforms to meet international standards.^{cix}

Recommendation

- **Enforce the Torture Act 2023, including through infrastructure for implementation.**
- **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment.**

E. TRANSITIONAL JUSTICE

Transitional Justice^{cx} and Impunity and transparency^{cxii} - SDGs 16

38. The TRRC received logistical and financial support^{cxii} and heard 392 witness testimonies on human rights violations committed from July 1994 to January 2017.^{cxiii} The Government's White Paper and Implementation plan pledges prosecutions, reparations and institutional reforms to prevent future abuses. Victims seek faster TRRC recommendations implementation, urging concrete results. The RF-NDP promises full White Paper implementation for a reconciled society, reparations and strengthened SSR.

39. The UNCT provided financial and technical support including a Transitional Justice Advisor supporting the MoJ, a Stakeholder and Donor Roundtable on TRRC recommendations, victim and CSO consultations, psychosocial support for SGBV victims, engagement with human rights mechanisms and legislation reviews.

Transitional Justice, Constitutional and legislative framework^{cxiv}, Legal Institutional and Policy Framework^{cxv} - SDGs 10,16.

40. In 2020, the National Assembly rejected the Constitution Promulgation Bill 2020 which introduced measures to strengthen democracy^{cxvi}. The Government renewed the constitutional process, with the RF-NDP pledging reforms, including a new Constitution and amending

undemocratic provisions. The SDCF emphasizes bolstering legal and policy frameworks for constitutional, security sector, transitional justice, anti-corruption, and land reforms.

41. TRRC related laws passed include the Mutual Legal Assistance in Criminal Matters Act, 2023,^{cxvii} Ban from Public Office (TRRC) Act, 2023^{cxviii}, Victims Reparations Act, 2023^{cxix},

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Special Accountability Mechanisms Act^{cxix} and Special Prosecutors Office Act, 2023^{cxixi}. Other laws passed include the Commission of Inquiry (Amendment) Act, 2023^{cxixii}, Former Presidents Act, 2023^{cxixiii}, Torture Act, 2023^{cxixiv} and Anti-Corruption Act, 2023. Pending bills include the Criminal Offences Bill, Criminal Code Bill, National Security Council Bill, and the Vetting Bill.

42. The government cites financial and human resource limitations for prosecuting TRRC-identified perpetrators. Yancouba Badjie's 2022 conviction marks rare domestic accountability for Jammeh-era crimes while trials under Universal Jurisdiction abroad include Ousman Sonko^{cxixv} in Switzerland, and Bai Lowe^{cxixvi} in Germany. ^{cxixvii}
43. In 2023, the Special Criminal Division of the High Court was established^{cxixviii} for local TRRC cases. In February 2024, The Gambia and ECOWAS launched the Joint Technical Committee^{cxixix} (JTC) for the establishment of an internationalized (hybrid) Court for prosecution of Jammeh-era human rights violators. The JTC's mandate included drafting The Gambia and ECOWAS' Treaty for the establishment of the Court^{cxixx}. On 5 July, the MoJ announced ECOWAS Parliament's rejection of a major role in establishing the Special Tribunal for The Gambia due to concerns over regional stability and ECOWAS' mediation legitimacy.

Recommendations

- **Domesticate the Convention for the Protection of All Persons from Enforced Disappearances.**
- **Adopt a new progressive Constitution that guarantees fundamental rights and freedoms.**
- **Expedite the enactment of critical pending Bills, particularly the Criminal Code Bill, Judicial Officers (Remuneration and Other Entitlements) Bill.**

Security Sector Reform (SSR)- SDG 16

44. Transitional justice non-recurrence guarantees require states to prevent violations, including reforms for a rights-respecting security sector. Given the human rights violations committed by security institutions, Gambia commenced SSR efforts including establishing the Office of the National Security (ONS), appointing a National Security Advisor (NSA), updating the Security Sector Reform Strategy (SSRS) 2023-2027, and SSR prioritisation in the RF-NDP.

Recommendation

- **Continue comprehensive SSR reform including enactment of relevant legislation including the National Security Council Bill and the Vetting Bill.**

F. NATIONAL HUMAN RIGHTS MACHINERY

National Human Rights Institution (NHRI)^{cxixxi}, National Plans of Action on Human Rights (or specific areas^{cxixxii}) – SDG 16

45. The NHRC, mandated to promote and protect human rights^{cxixxiii}, enjoys 'A' Status accreditation with the Global Alliance of National Human Rights Institutions (GANHRI) and observer Status with the ACHPR and the ACERWC. The NHRC operates nationwide with a secretariat and two regional offices^{cxixxiv}. It handles complaints, publishes annual reports^{cxixxv} and advisory notes, engages stakeholders, conducts mobile legal aid clinics and runs

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awareness raising campaigns. The NHRC monitors the TRRC implementation via Multi-Stakeholder Committee comprised of stakeholders including the government, UN, victims and CSOs.

46. General concerns regarding the NHRC include staff capacity in emerging issues like business and human rights and additional financial resources. UNCT provided financial and technical support for strategic planning, advisory notes and reports, capacity building for staff, rights holders and duty bearers, engagement with human rights mechanisms and the National Assembly.

Recommendation

- **Support NHRC independence (substantive and financial) to uphold Paris Principles, aligning with government's good governance, accountability, rule of law and human rights commitments.**

ⁱ Covering a wide range of issues, including but not limited to civil and political rights, economic, social, and cultural rights, transitional justice as well as rights of vulnerable persons and groups including women, children and Persons with Disabilities (PwDs).

ⁱⁱ Word Limit: 5,630

ⁱⁱⁱ The Gambia Assumes ECOWAS Commission Presidency | Office of The President | State House of The Gambia (gov.gm)

^{iv} <https://op.gov.gm/address-his-excellency-adama-barrow-president-republic-gambia-and-chairman-15th-organisation>

^v Developments in Gambia's Case Against Myanmar at the International Court of Justice, Human Rights Watch, February 14 2022, Developments in Gambia's Case Against Myanmar at the International Court of Justice | Human Rights Watch (hrw.org)

^{vi} 1. Build household and community resilience to address shocks and crises arising from climate change, economic volatility and to counter the effects of pandemics like the COVID-19; 2. Consolidate gains and address critical development gaps in governance and in economic and social transformation and 3. Strengthen accountability, build partnerships, and set up robust and sustainable resource mobilisation strategies for effective delivery of development actions and expected outcomes.

^{vii} (1) Building Community Resilience to Shocks and Crises; (2) Governance Reforms; (3) Macroeconomic Stability and Growth; (4) Human Capital Development; (5) Agriculture, Environment, Natural Resources and Climate Change; (6) Empowerment, Social Inclusion and Leaving No One Behind; and (7) Energy, Infrastructure, and ICT/Digital Connectivity.

^{viii} Recovery Focused-National Development Plan (RF-NDP) 2023 – 2027 locally branded as “YIRIWAA” – Abridged version

^{ix} *ibid*

^x Its vision statement is “ By 2030, an inclusive, resilient, and prosperous Gambia, where all people live a dignified life, enjoy equitable access to quality services while ensuring environmental sustainability, and consolidating gains in democratic governance.”

^{xi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.1, 127.2, 127.3, 127.5, 127.6, 127.7, 127.8, 127.9

^{xii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.13, 127.14

^{xiii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127 – Rwanda 127.11

^{xiv} Through the Ministry of Gender, Children and Social Welfare (MoGCSW)

^{xv} Namely the CAT, CERD, ICCPR; ICESCR; CEDAW; CRPD, CED, CMW and CRC https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=GMB&Lang=EN

^{xvi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127 – Ghana (127.7) and A/HRC/43/6 - Para.127 – Mali (127.8).

^{xvii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127 – Cote d'Ivoire (127.13)

^{xviii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127 – Rwanda (127.11)

^{xix} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.39, 127.68, 127.74, 127.75, 127.76, 127.81, 127.82, 127.83

^{xx} women, girls, children, persons with disabilities, and older persons

^{xxi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.34, 127.77, 127.78, 127.187, 127.188

^{xxii} The UN in The Gambia - 2021 COMMON COUNTRY ANALYSIS. An analysis of The Gambia's progress toward the SDGs. https://gambia.un.org/sites/default/files/2022-10/FINAL%202021%20CCA%20Report_8%20OCT_DIGITAL%20PRINT.pdf

^{xxiii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127-Tunisia (127.78)

^{xxiv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.80, 127.139, 127.140, 127.141, 127.142, 127.143

^{xxv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.79, 127.155,

^{xxvi} One of those represented a political party, the other 2 being independent candidates.

^{xxvii} only 7 percent of local councilors were women.

^{xxviii} <https://gambia.unfpa.org/en/news/empowering-women-governance-significant-step-forward-womens-political-participation-project>

^{xxix} UPR Cycle 3, 34 session recommendations A/HRC/43/6 - Para.127- Bangladesh(127.142)

^{xxx} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.109, 127.190, 127.193, 127.194, 127.195, 127.197

^{xxxi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.196, 127.198,

^{xxxii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.30, 127.84, 127.105,

127.107, 127.108, 127.110, 127.111, 127.112, 127.113, 127.114, 127.115, 127.116, 127.117, 127.118, 127.125, 127.200

^{xxxiii} 2019/20 Demographic and Health Survey (DHS) report reported in UNFPA in The Gambia, Annual report 2023

^{xxxiv} UNFPA in The Gambia, Annual report 2023, pg 19

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- xxxv Section 32(A) (as well as its request, incitement, and promotion)
- xxxvi Women's (Amendment) Act, 2015 - <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/112946/141296/F-449260431/GMB112946.pdf>
- xxxvii introduced in Parliament in February 2024 and passed a preliminary vote in March 2024 with overwhelming support,
- xxxviii <https://www.un.org/en/observances/female-genital-mutilation-day/message>
- xxxix <https://www.oic-iphrc.org/home/article/567>
- xl “Joint Press Statement: Expression of Concern by the African Commission on Human and Peoples’ Rights and the African Committee of Experts on the Rights and Welfare of the Child over the Ongoing Debate on Female Genital Mutilation in The Gambia,” 14 September 2023 - <https://achpr.au.int/en/news/press-releases/2023-09-14/debate-female-genital-mutilation-gambia>
- xli <https://gambia.un.org/en/261480-statement-united-nations-gambia-protecting-rights-girls-and-women-female-genital-mutilation> and <https://gambia.un.org/en/246516-statement-united-nations-gambia-protecting-rights-girls-and-women-female-genital-mutilation>
- xlili <https://www.unicef.org/press-releases/unicef-and-unfpa-alarmed-proposed-repeal-law-banning-fgm-gambia>
- xlili Thematic Report 11
- xliv held in the margins of the ACHPR’s 79th Ordinary Session.
- xlvi UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.204, 127.206
- xlvi e.g., lack of inclusive policies and legislation
- xlvi e.g., challenges in access to vehicles and buildings
- xlvi e.g., lack of sign-language interpretation at meetings
- xlvi Study on Persons with Disability in The Gambia (2023/2024), UNFPA & the University of The Gambia
- l Thereby contributing towards a solid legal and policy framework and strengthening the capacity of duty bearers and rights holders to enforce and monitor the enforcement of the Disability Act and implementation of related policies.
- li UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.41, 127.45, 127.54, 127.199, 127.201, 127.202
- lii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.147, 127.148
- liii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.178, 127.179, 127.180, 127.181, 127.182, 127.183, 127.184, 127.185, 127.186, 127.189, 127.191, 127.203
- liv including FGM/C and SGBV
- lv from 52 percent in 2015 to 56 per cent in 2019 and a 10 per cent increase in the number of girls attending secondary schools, going from 40 per cent to 50 per cent according to the 2020 DHS and quoted in The UN Gambia 2021 Common Country Analysis.
- lvi The UN Gambia 2021 Common Country Analysis – quoting the 2020 Gambia DHS
- lvii A/HRC/43/6 - Para.127 – Solomon Islands (127.199)
- lviii A/HRC/43/6 - Para.127- Algeria(127.148)
- lix DHS 2019-20
- lx State of Human Rights Report 2022
- lxi UPR Cycle 3, 34 session recommendations A/HRC/43/6 128.90 (Fiji)
- lxii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.90 (Fiji)
- lxiii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.165, 127.166, 127.167, 127.168, 127.169, 127.170, 127.171, 127.172, 127.173, 127.174, 127.175
- lxiv WHO GAMBIA BIENNIAL REPORT 2020-2021 – citing the DHS Gambia Demographic and Statistic Survey (DHS) 2019-2020
- lxv NHRC’s 2023 Advisory Note on Mental Health -The Government of The Gambia ‘The Gambia Mental Health Strategic Plan 2017-2022.
- lxvi A/HRC/43/6 - Para.127 – Maldives(127.168)
- lxvii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.156, 127.157
- lxviii The RF-NDP 2023 - 2027
- lix The Food Safety and Quality Control Act 2011 deals with food safety and quality regime. Due to the enactment of the Food Safety and Quality Control Act, 2011, the following provisions of the Food Act 2005, were repealed: Parts IV, VII, VIII; Section 36(Prohibition of Sale of Food); Section 37 (Other Prohibitions); Section 42 (Inconsistency with other enactments); and Section 43(2) (Regulations). All these provisions are now under the purview of the Food Safety and Quality Authority (FSQA) of The Gambia. The Women’s Act, 2010 amended in 2015, provides, for the right to nutritious and adequate food. The Consumer Protection Act, 2014 gives every consumer the right to safe, good quality goods and services, and food products.
- lxx As part of the Strategic Plan, an extensive monitoring and evaluation (M&E) framework called the Common Results Framework will be developed to track implementation and progress towards meeting objectives
- lxxi UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.69, 127.86, 127.87, 127.88, 127.89, 127.158, 127.160
- lxxii UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.162, 127.163, 127.164, 127.205
- lxxiii Build household and community resilience to address shocks and crises arising from climate change, economic volatility and to counter the effects of pandemics like the COVID-19; Consolidate gains and address critical development gaps in governance and in economic and social transformation and strengthen accountability, build partnerships and set up robust and sustainable resource mobilisation strategies for effective delivery of development actions and expected outcomes.
- lxxiv Recovery Focused-National Development Plan (RF-NDP) 2023 Text taken from the Foreword by His Excellency President Barrow and the overview.
- lxxv including leaving no one behind and aligned with the SDGs
- lxxvi 1) Advocating for green, resilient, and inclusive livelihoods, 2) Championing human advancement, societal inclusion, and governance centered around the citizenry and 3) augmenting innovative, cohesive development financing and partnerships.
- lxxvii State of Human Rights Report 2023
- lxxviii <https://gambiana.com/imf-flags-corruption-among-gambia-govts-vulnerabilities/>
- lxxix Repeals the Gambia Anti-Corruption Commission Act 2012 and establishes a new commission empowered to investigate and prosecute corruption offenders.
- lxxx Source of Position: A/HRC/43/6 - Para.127-127.164(Bolivarian Republic of Venezuela)
- lxxxi UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.24, 127.120, 127.122, 127.123, 127.124, 127.129, 127.130, 127.131, 127.135
- lxxxii Second Stakeholder Conference on Access to Justice, 2023

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- ^{lxxxiii} The Point. (2023). "Judicial Officers (Remuneration and other Entitlements) Bill Pending in Parliament." The Point Newspaper
- ^{lxxxiv} Strategic Plan 2021 – 2025 [PDF], Judiciary of The Gambia, <https://judiciary.gov.gm/sites/default/files/2021-08/JSP%20Full%20Report.pdf> accessed June 27, 2024)
- ^{lxxxv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.28, 127.32, 127.33, 127.38, 127.44, 127.49, 127.50, 127.52, 127.53, 127.57, 127.58
- ^{lxxxvi} The UNCT has supported training for duty bearers and rights holders including the Gambia Press Union (GPU) which established a Media Freedom Monitoring Unit that regularly publishes reports documents incidents of harassment against journalists and advocates for legal protections.
- ^{lxxxvii} "Demand the repeal of repressive laws in Gambia," Amnesty International - <https://www.amnesty.org/en/petition/demand-the-repeal-of-repressive-laws-in-gambia>
- ^{lxxxviii} <https://www.amnesty.org/en/location/africa/west-and-central-africa/gambia/report-gambia/>
- ^{lxxxix} The Gambia: Crackdown on free speech must stop - ARTICLE 19
- ^{xc} for example, in March, the UDP Youth Wing was granted a permit to march against corruption
- ^{xci} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.144, 127.145, 127.146, 127.149, 127.150, 127.151, 127.152, 127.153
- ^{xcii} The RF-NDP
- ^{xciii} This strategy streamlines messaging and information dissemination on TiP, enhancing prevention and reporting outcomes. Furthermore, the UNCT supported the Government to, ensuring a unified and systematic approach to tackling TiP cases
- ^{xciv} to effectively identify, investigate, and prosecute TiP cases, emphasizing a victim-centered approach.
- ^{xcv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.145 (United Kingdom of Great Britain and Northern Ireland).
- ^{x cvi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.21, 127.22, 127.23, 127.91, 127.92, 127.93, 127.94, 127.95, 127.96, 127.97, 127.98
- ^{x cvii} <https://www.reuters.com/article/idUSKCN1G20V2/>
- ^{x cviii} applicable for crimes such as murder, treason, and terrorism
- ^{x cix} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.21 (Ireland)
- ^c UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.154 (Mauritius)
- ^{ci} Gambia is a party to the Supplementary Act Relating to the General Convention on Social Security of Member States of ECOWAS (2013), which guarantees portability of social security benefits for (non-national pensioners, migrant workers and permanent residents) member States' nationals within ECOWAS.
- ^{cii} to serve as a blueprint to guide migration governance in line with both the National Development Plan (NDP) 2018 - 2021 and the guidelines provided by the African Union
- ^{ciii} trained the government, private recruitment agencies and security officials trained on promoting and managing the regular labour migration of Gambians and improving their protection
- ^{civ} Over 595 youth and female cross-border traders received entrepreneurship/skills training, cash grant and/or equipment support. (February-December 2021), Conducted sensitization workshops on the ECOWAS Free Movement Protocol
- ^{cv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.4, 127.99, 127.100, 127.101, 127.102, 127.103, 127.119, 127.127
- ^{cvi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.104, 127.121
- ^{c vii} 2023 State of Human Rights report
- ^{c viii} a police officer, against Drug Law Enforcement Agency Officers, Immigration Officers and a local psychiatric treatment centre.
- ^{c ix} <https://thepoint.gm/africa/gambia/headlines/interior-minister-inaugurates-tvet-centre-legal-aid-desk-renovated-female-wing-at-janjanbureh-prison>
- ^{c x} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.133, 127.134, 127.136
- ^{c xi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.28, 127.32
- ^{c xii} including setting up offices, recruiting staff, and conducting outreach programs.
- ^{c xiii} ... (including)... widespread abuse of public office, arbitrary arrests and detentions, extrajudicial killings, enforced disappearances, sexual and gender-based violence, witch hunting, inhumane and degrading treatment, fake HIV-AIDS treatment, and widespread and systematic torture especially by the Junglers and officials of the National Intelligence Agency, both outfits directly under the Office of former president Yahya Jammeh and taking orders and instructions only from the former president The Gambia TRRC Report, Volume 1, Acknowledgement, <https://www.justiceinfo.net/wp-content/uploads/Volume-1-Compendium-Part-A.pdf>
- ^{c xiv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.16, 127.18, 127.19, 127.20, 127.25, 127.26, 127.29, 127.31, 127.35, 127.36, 127.37, 127.40, 127.42, 127.43, 127.46, 127.47, 127.48, 127.51, 127.55, 127.56, 127.177
- ^{c xv} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.17, 127.27, 127.67, 127.71, 127.72, 127.73
- ^{c xvi} Constitutional Reform Process <https://www.commonwealthlawyers.com/cia/gambia-constitutional-building-process-a-second-bite-at-that-cherry-by-salieu-taal-and-siddharth-sijoria/> and
- ^{c xvii} https://www.pulp.up.ac.za/edocman/edited_collections/gambia_in_transition/2022%20Gambia%20in%20trans%20chapter%2012.pdf
- ^{c xviii} Which "...provides a framework for mutual legal assistance in criminal matters between The Gambia and other countries, enabling the country to cooperate with foreign law enforcement agencies in investigating and prosecuting cross-border crimes Mutual Assistance In Criminal Matters Act 2023 Passed by Parliament - MoJ
- ^{c xix} which bans individuals from holding public office based on the TRRC recommendations
- ^{c xx} establishes a Reparations Commission to administer reparations for victims from the TRRC
- ^{c xxi} to provide a comprehensive framework for prosecuting individuals implicated in serious human rights violations identified by the TRRC between 1994 and 2017
- ^{c xxi} to establish the office of the special prosecutor, tasked with investigating and prosecuting cases involving serious human rights violations identified by the TRRC.
- ^{c xxi} aimed to amend the Commission of Inquiry Act to allow for a presidential review of the Commission's findings
- ^{c xxi} repeals the President's Act of 2006 and establishes provisions for pensions and benefits for former presidents
- ^{c xxi} This Act provides the legal framework for the prohibition, prevention, punishment of any form of torture and other forms of cruel, inhuman, or degrading treatment in The Gambia and provides penalties aimed at ensuring accountability for acts of torture. It also imposes a duty on all

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persons to report all forms of torture and inhumane treatment to relevant authorities and provides for the protection of witnesses, victims, and persons reporting torture

^{xxxv} former Interior Minister of Gambia was convicted to 23 years imprisonment Switzerland, for crimes against humanity allegedly committed under former President Yahya Jammeh

^{xxxvi} In November 2023, a German court sentenced former Jungler driver, to life imprisonment for crimes against humanity, murder and attempted murder. Mr. Lowe was linked to assassinations committed between 2003 and 2006, including murder of Mr. Deyda Hydara, editor of The Point newspaper.

^{xxxvii} In the case against Bai Lowe, a family member of the victim stated, that the trial in Germany could “.... send a strong message to the Gambian government that it is time for justice. Criminal investigations need to begin in the Gambia. Victims should not have to go abroad to seek redress

<https://www.justiceinfo.net/en/125156-bai-low-ried-to-make-amends-for-something-beyond-repair.html>

^{xxxviii} pursuant to Sections 131 (3) and 143(1) of the Constitution an order was issued establishing

^{xxxix} The 11- person JTC comprises representatives of the Ministry of Justice, Ministry of Foreign Affairs, the Judiciary, The Gambia Bar Association, the Alliance of Victim-led Organisations, and ECOWAS. The JTC is co-chaired by the Solicitor-General / Legal Secretary of The Gambia and the Head of Legal Affairs of the ECOWAS Commission. The JTC was given 18 weeks from 29 February to complete the legal framework for establishment of the court.

^{xxx} setting out the terms of cooperation between The Gambia and ECOWAS, proposing a budget for its operation and an implementation plan.

^{xxxi} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.62, 127.63, 127.64, 127.65, 127.66

^{xxxii} UPR Cycle 3, 34 session recommendations A/HRC/43/6 127.70

^{xxxiii} in accordance with the National Human Rights Commission Act, 2017. Its operation is guided by the Paris Principles relating to the Status of National Human Rights Institutions

^{xxxiv} in Basse and Farafenni

^{xxxv} in accordance with section 33(2) (a) and (b) of the NHRC Act 2017 as amended which requires the NHRC to submit to the National Assembly an annual report detailing the state of human rights in The Gambia and what appropriate measures should be implemented by the State to ensure the effective promotion, protection and realisation of human rights. It discusses the State's compliance with its human rights obligations with respect to treaties it has ratified, the 1997 Constitution and other domestic legislation, and the steps taken to protect and fulfil fundamental human rights and freedoms in The Gambia. The Report also gives a breakdown of the human rights complaints the Commission has received and actions that have been taken to remedy the violations in the admissible complaints.