



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 697th meeting

Held at Headquarters, New York, on Friday, 15 July 2005, at 10 a.m.

Chairperson: Ms. Manalo

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The meeting was called to order at 10.25 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second and third reports of the Gambia (CEDAW/C/GMB/1-3; CEDAW/PSWG/2005/II/CRP.1/Add.4 and CRP.2/Add.4)

1. *At the invitation of the Chairperson, the representatives of the Gambia took places at the Committee table.*

2. **Mr. Taal** (Gambia), introducing the State party's combined initial, second and third reports, said that his Government had a long-standing commitment to protect the rights of women, eliminate all forms of discrimination against them and enhance their social, political and economic status. For that reason, it had accelerated the process of ratifying the Convention in 1992. The 1997 Constitution had, for the first time in the country's constitutional history, extended the definition of discrimination to include discrimination on the basis of sex, in line with article 1 of the Convention.

3. The Government's commitment to empowering women had been reflected in the establishment of the National Women's Bureau and National Women's Council even before the ratification of the Convention in 1992. Other bodies which advised the Government and provided a framework for Gambian women to emerge from inequality and deprivation and become part of the national development process included a gender focal point network (consisting of representatives of key Government departments and civil society organizations), a National Assembly select committee on women and children, a cabinet committee on gender and a technical committee on gender. Finally, a Department of State for Women's Affairs had been established, and reported to the Office of the Vice-President. The Gambia had made progress, against the background of the National Policy for the Advancement of Women.

4. The Government's efforts in education had included establishing free State primary schools to encourage poor families to educate their children, especially their daughters, and give them access to further education, skills and employment opportunities. That would help to increase women's presence in

managerial positions (currently 25 per cent) and in skilled jobs (currently 4.9 per cent). As part of the national health policy launched in 2001, the Government had acted to improve the health of women, who were vital economic operators. Primary health-care services had been improved, maternal and infant mortality had declined and the use of modern contraceptives had increased.

5. Women constituted about half of the country's workforce and were its main food producers. Although much remained to be done to improve the situation of rural women, the Government and its partners had been working to improve functional literacy, enterprise development, skills training and microfinance, with the aim of alleviating poverty. Women had succeeded in breaking into male-dominated cash-crop production, and had benefited from the opportunities brought by community radio stations and multimedia telecommunications centres in rural areas. Women had begun to be elected as village heads and to area councils and local government. At the national level, the Gambia had the first and longest-serving woman vice-president in Africa, and six women members of the National Assembly (three appointed, three elected).

6. The Gambia's Constitution established that women must have equal political, economic and social opportunities. The recently adopted Children's Act 2005 defined who was considered a child and established measures against trafficking in children, child marriages, child betrothal and harmful traditional practices which affected children's welfare, dignity, growth and development. However, there was room for progress in implementing article 5 of the Convention. Failure to comply with that article would leave women under the continued domination of men. Attitudes must be changed, and cultural patterns which discriminated against women must be eliminated.

7. The Gambia's report had taken each article of the Convention in turn and commented on the national legislation adopted to give effect to it. The Gambia had made progress regarding most of the articles, and hoped to reflect the Convention fully in its legislation, enlisting the help of civil society and of religious leaders. It was working particularly hard to raise awareness of the Convention despite the country's 80 per cent rate of illiteracy.

Articles 1 and 2

8. **Ms. Šimonović**, recalling that the Gambia had ratified the Convention without reservations, said that giving effect to it in national law was vital. Section 33 (4) of the country's Constitution, which banned discrimination on the ground of gender, was positive but did not go far enough. While article 1 of the Convention required elimination of all discrimination against women in all fields, the Constitution would allow discrimination to continue in matters of adoption, marriage, divorce, burial, inheritance and other matters of personal law. She wondered if the Government had examined how to bring the Constitution into full compliance with the Convention, and who would be responsible for that task, particularly if the Committee recommended it in its concluding comments.

9. **Mr. Flinterman** said that he wished to know more about the relationship between the Convention, which the Gambia had ratified in 1992, and the 2003 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which it had recently signed. While it had lodged no reservations to the Convention, it had lodged reservations to the Protocol with regard to the elimination of harmful practices and to separation, divorce, annulment of marriage, and the right to inheritance.

10. The Protocol was extremely relevant: it was more explicit than the Convention on some rights (such as the right to peace) but more limited on others (such as marriage rights). Both the Convention (in article 23) and the Protocol (in article 31) stipulated that their provisions had no effect on other provisions of national or international law which were more conducive or favourable to women's rights. He therefore assumed that the Gambia's reservations to the Protocol did not jeopardize its commitments under the Convention, and he urged the withdrawal of the Gambia's reservations to the Protocol.

11. **Ms. Gabr** said that the Gambia was in a similar situation to other African least developed countries. Development was not just an economic issue: it depended on the existence of a balanced society in which women played a role and a realistic assessment of the situation. Outside experience could never take the place of local experience.

12. She had gathered from the Gambia's report and responses to the Committee's list of issues and

questions that it saw a combination of Islam and customary practice as an impediment to women's rights. As a Muslim, she disagreed that Islam was an inherent obstacle; in fact many Muslim countries had implemented the Convention well.

13. The Government was responsible for the implementation of all articles of the Convention and must work transparently with women's organizations to achieve that goal. She wondered how it proposed to assume responsibility for compliance with the Convention when legislative change was urgently needed, such as on the matters of female genital mutilation, marriage and equal employment rights.

14. **Ms. Gaspard** said that she was relieved to hear from the delegation of the Gambia that the Government had taken steps to bring about women's equality, as its report had not given her that impression. Although the Gambia had ratified the Convention over ten years previously, contradictions remained. For example, the Constitution had been revised to enshrine the principle of non-discrimination on the basis of gender, but customary and religious practices recognized as discriminatory to women had been allowed to continue. While she understood the country's economic constraints, she agreed with Ms. Gabr that gender equality was vital for development, and she believed that it would cost the Gambia nothing to pass legislation promoting equality. She asked how the Government proposed to ensure that equality was promoted, not just at the level of the Constitution, but also in the laws governing nationality and other matters.

15. **Ms. Saiga**, recalling that the Gambia had indicated in its report that many of its laws were not in line with the Convention and that the National Women's Council was responsible for informing the Government how traditional practices affected the situation of women, wondered whether that Council, or any other body, had made concrete proposals for legislative change. She also wondered whether there had been a review of discriminatory legislation.

16. **Ms. Shin** said that she too wished to emphasize the importance of amending discriminatory legislation. She asked whether the Law Reform Commission set up in 1987 had been dissolved. If that was the case, she wondered whether there were plans to reconstitute it, and what short or long-term plans the Government had made to legislate against such phenomena as female

genital mutilation and domestic violence, which caused women great suffering.

17. **Ms. Khan** said she was well aware that the Gambia was among the world's poorest countries, with a very low human development index (HDI). For that reason, she had been surprised to find that its report had so little information on the effect of poverty on women, particularly rural women. She wished to know if the Government had drawn up an economic strategy to emerge from the poverty trap, especially in the light of the economic downturn of the last several decades and the Millennium Development Goal of halving the number of people living in extreme poverty by 2015. It was important to bear in mind that poverty was not just a financial matter: it resulted in illiteracy, lack of health care and low empowerment of women. Finally, noting that the Gambia had microcredit programmes, she wondered how many were targeted at women, and whether they charged low interest or lent without collateral.

18. **Ms. Morvai** asked what role women's NGOs played in combating discrimination, how many such organizations existed, and what regular communication took place between them and the Government. Knowing that many NGOs and the informal women's movement worked to eliminate harmful traditional practices, she wished to know if they faced violent opposition and, if they did, how the Government protected them, especially in the light of the right to freedom of association, confirmed by article 3 of the Convention. She would also like to know how the NGOs were funded and whether they had access to means of communication, in order to remain in touch with each other and with the public. Given the Gambia's high illiteracy rate, she wondered whether the NGOs had access to radio.

19. In its oral report, the delegation had mentioned the Children's Act 2005; she wished to know if it outlawed practices that harmed children, particularly girls. For example, female genital mutilation amounted to criminal assault on a child. She felt sure that if such a serious assault had been made on male children, it would have been taken more seriously.

20. **Mr. Taal** (Gambia) agreed that poverty was endemic to the Gambia, as to most developing countries in Africa. Actions to eradicate poverty at the national level, including a medium-term plan, which had been submitted to the Government three weeks

previously, were linked to the country's Poverty Reduction Strategy Paper (PRSP) and the Millennium Development Goals and did not specifically target women. However, the Cabinet had just approved the establishment of a planning commission to address economic development issues, which would mainstream a gender perspective into its work.

21. He acknowledged that domestic legislation still failed to address article 5 issues in a satisfactory manner. However, to be effective, laws must be enforceable, which meant that society as a whole had to be aware of them and willing to abide by their provisions. While the high illiteracy rate meant that it was difficult to raise public awareness of the need to change attitudes and eliminate harmful traditional practices, the Government had recently initiated a dialogue with religious leaders with a view to sensitizing them to the dangers of female genital mutilation, a practice that was not a requirement of the Islamic faith.

22. He informed the Committee that a comprehensive overhaul of national legislation would be undertaken in order to bring it into line with the various international agreements to which the Gambia was a signatory. To that end, funding had been obtained from the Governments of the United Kingdom and the United States.

23. **Ms. Singhateh** (Gambia) said that section 33 (4) of the Constitution prohibited discrimination on the basis of gender except in matters governed by personal law. In order to amend that provision, a referendum of 75 per cent of the population would be required, since the Constitution could not be altered by an Act of Parliament. Given the fact that 90 per cent of Gambians were Muslims who were guided primarily by customary and sharia law, it was difficult to convince them that certain traditional practices were harmful and discriminatory towards women and, while Islam itself was not an excuse for failure to adhere to the Convention, sharia and customary law often went hand in hand. Nevertheless, the Government was working with imams and cadis to raise public awareness of the need to protect women's rights. In addition, the new Children's Act, which, inter alia, prohibited female genital mutilation, had been enacted in June 2005 and was awaiting Presidential assent.

24. As far as the Gambia's reservations to the Additional Protocol to the African Charter of Human

and Peoples' Rights on the Rights of Women in Africa were concerned, the National Assembly itself had decided which provisions of the Protocol it wished to ratify. She was afraid that the Assembly would formulate additional reservations if the matter was resubmitted to it. However, further efforts would be undertaken to advise the Government of the need to enact specific laws to combat discrimination against women. Lastly, in response to the question posed by Ms. Shin, she confirmed that the Law Reform Commission, which was responsible for making recommendations on legislative reforms, was still in existence.

25. **Ms. Fye-Hydara** (Gambia) said that women accounted for 80 per cent of the target beneficiaries of credit programmes run by various NGOs and the Government. However, some microfinance institutions charged interest on loans and the Government was investigating ways of reducing interest rates to ensure that the recipients of credit were able to benefit fully from it.

26. The National Women's Council was responsible for advising the Government on women's affairs and, even before the ratification of the African Charter of Human and Peoples' Rights, had worked in partnership with the National Assembly to raise awareness of women's rights among the general public and members of Parliament. The Council cooperated closely with NGOs, which had assisted the Government to draft the national report on Beijing +10.

27. **Ms. Dacosta** (Gambia) said that microcredit usually took the form of revolving funds with interest rates of between 18 and 35 per cent. Women tended to apply for credit in groups and then allocate the borrowed funds to a particular individual. The group used peer pressure as a form of collateral to ensure that individuals used the money appropriately and repaid it on time.

28. Turning to the question of access to information, she said that the radio was the most efficient means of communication in the Gambia and, thanks to the establishment of community radio stations, broadcasts reached every corner of the country. In addition, a number of individuals, mostly women, had been trained as communicators and were responsible for disseminating information about women's rights through the medium of theatre.

29. **Mr. Taal** (Gambia) stressed that sharia law applied only to family matters in the Gambia. Customary law was still applicable by virtue of the Law of England Application Act, but the Constitution took precedence over any other legislation.

30. As far as microcredit was concerned, he had been calling for a dramatic reduction in interest rates. Although the African Development Bank had provided \$5 million to be used for credits in the fisheries sector, that money had remained untouched because of prohibitive interest rates.

31. In response to the question posed by Ms. Morvai, he said that NGOs in the Gambia were not at all oppressed since, in accordance with the country's democratic principles, all citizens were entitled to demonstrate and to associate freely with one another.

Article 3

32. **Ms. Zou** Xiaoqiao said that she was unclear about the national machinery for the advancement of women. According to the report, the National Women's Bureau was the executive arm of the National Women's Council and the Department of State for Women's Affairs was the focal point for the implementation of the National Policy for the Advancement of Gambian Women. She enquired as to the relationship between those bodies and asked, in particular, whether the Women's Bureau functioned as the secretariat of the Women's Council. How was the information gathered by the Bureau used and with which other agencies was it shared? She also requested further information about the structure and composition of the Council and wished to know whether it had sufficient authority to promote women's rights in an effective manner.

33. She was perplexed by an apparent contradiction in the report, which stated that there was no comprehensive national policy on women but yet provided details of the National Policy for the Advancement of Gambian Women. The National Policy addressed a number of important issues affecting women but she wondered whether there had been problems with its implementation. Had the Government conducted a midterm review of the Policy and identified its main achievements and the obstacles encountered? If not, did it intend to do so?

34. **Ms. Shin** asked whether the Government's concept of national development coincided with its concept of the advancement of women. She wished to

know what kind of a distinction was made between equality and equity, because the Government seemed to believe that gender equality would be achieved when Gambian women were able to participate equally in the country's economic development. Lastly, she enquired as to the relationship between Vision 2020 and the National Policy for the Advancement of Gambian Women and asked whether the former included a gender equality component.

35. **Ms. Bokpe-Gnacadjia** stressed that the Gambian Government had primary responsibility for the introduction of legislative and policy measures to achieve gender equality and urged it to seek new ways of overcoming the obstacles in its path. While the Gambia had signed and ratified a number of international legal instruments designed to promote and protect women's rights, those instruments had not been incorporated into domestic legislation. Indeed, some of that legislation dated back almost 150 years and still allowed for the application of customary law.

36. According to the report, the authorities had been aware of the particular difficulties facing women since 1980, yet, in the interim, very little had been done to improve matters. It seemed as though gender-based discrimination was sanctioned by the State, particularly since women were denied access to the justice system because they could not afford legal fees and legal aid was not provided. She asked what steps the Government was taking to address that situation.

37. **Mr. Taal** (Gambia) said that affirmative action policies did not exist in the Gambia. Women occupied high-level posts in the public and private sectors because they were appropriately qualified, not simply because they were women. Vision 2020 represented the culmination of the Government's efforts to ensure that all citizens could participate on an equal footing in the political, economic and social development of the country.

38. He stressed that discrimination against women was not permitted by the Gambian Government. However, every women's NGO had a fundamentalist counterpart, which meant that progress was slow and difficult. Nevertheless, the Government had the political will to improve matters and was moving forward step by step.

39. **Ms. Fye-Hydara** (Gambia) said that the Women's Bureau was the secretariat of the National Women's Council, established in 1980 prior to the

existence of the Department of State for Women's Affairs. The latter recognized the role of the Women's Bureau as the implementing office for the National Women's Council. In order to avoid duplication and to ensure the proper utilization of resources, the Women's Bureau also implemented the activities of the Department of State for Women's Affairs.

40. The Council was the advisory body to the Government on women's issues. When it wished to raise an issue, it communicated with the Secretary of State for Women's Affairs, who was the Vice-President. The National Council was headed by the Vice-President of Gambia; it had 50 members, 44 of whom were elected and came from each of the country's districts and four or five technical experts who were appointed. The Executive Director and the Deputy Executive Director of the Women's Bureau were ex officio members of the Council. The Council was headed by a Chairperson and a Vice-Chairperson, chosen from among its elected members.

41. The Bureau was responsible for sharing information with all stakeholders. It posted the findings of research on gender mainstreaming on the newly operational Gambian women's website, funded by the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund, and was in the process of developing its own database.

42. The National Policy for the Advancement of Women and Girls, finalized in 1999, while well-defined and clearly aimed at empowering women, could not be effectively implemented for lack of sufficient resources and access to necessary information. There was as yet no way to monitor and coordinate its implementation at all levels by government entities and NGOs. Also, government departments were slow to embrace gender-sensitive policies as their own sectoral policies, instead viewing them as separate and specific measures for women.

43. There had been no midterm review of the 1999 National Policy as yet but the Government planned to carry one out with a view to incorporating more of the 12 critical areas of concern of the Beijing Platform for Action on which the Policy was based. Special attention would have to be focused on the impact of HIV/AIDS on Gambian women, which had been a far less serious issue when the Policy was first formulated. The Gambia had already contacted a number of

potential partners to help in the revision of its policy. The revision exercise would also be an occasion to evaluate the implementation of the Policy and its impact on the situation of women thus far.

44. **Ms. Singhateh** (Gambia) said that section 24 of the Gambian Constitution provided for legal aid in capital-offence cases and cases punishable by life imprisonment. Apart from that, the Gambia had no legal aid system per se. Developing a legal aid system was not a priority in a least developed country; however, legal aid was provided by some NGOs. Under the Alternative Dispute Resolution Act, parties were encouraged to resolve their differences out of court in order to avoid the costly legal process.

45. **Mr. Taal** (Gambia) said that the Gambia would look to the Federation of Women Lawyers-Kenya (FIDA) as a model. FIDA offered legal aid to women on a broad range of issues.

Articles 4 and 5

46. **Ms. Schöpp-Schilling** welcomed the State party's initiative to review its anti-discrimination legislation but cautioned that substantive equality was as important as formal legal equality. The report did not contain many examples of Government-initiated temporary special measures. In that connection, she drew the delegation's attention to the Committee's general recommendation No. 25, in paragraph 4, article 1, on temporary special measures, which, in the Gambia, could usefully be applied in such areas as literacy, rural development and women's participation in politics. Noting that the President had appointed a number of women to the National Assembly, she asked whether that temporary special measure would be sustained, and whether changes in the electoral law were contemplated in order to increase women's involvement in political parties. She commended the State party on seeking the cooperation of religious leaders in mobilizing the population's support for that initiative and wondered whether such cooperation would continue.

47. Lastly, she enquired about the success of the newly adopted Children's Act 2005, and about its provisions with regard to female genital mutilation.

48. **Ms. Arocha Domínguez** agreed with the delegation that legislation and the revision of school curricula and media campaigns might not be sufficient to change attitudes and beliefs, but stressed that

programmes to transform the mentalities of religious and community leaders, particularly in the rural area, must be ongoing and persistent in order to have an impact.

49. **Ms. Dairiam** referred to the delegation's observation, in its introductory statement, that non-fulfilment of the obligations under article 5 would mean that Gambian women would continue to be dominated by men. If the Government was so acutely aware of what needed to be done in order to eliminate stereotypes, why had it not been more proactive in changing the law? Even if it took time for mentalities to change, penalizing certain actions would keep them under control.

50. In any case, the problem seemed to lie not so much with grass-roots mentalities as with resistance by the elite in positions of power: the National Assembly, which had entered a reservation to the Optional Protocol; religious leaders who, with the support of the head of the Islamic Council, had rejected an NGO memorandum requesting the Assembly to lift its reservation; and the Attorney-General, who, in 1987, had failed to submit to the National Assembly draft legislation on marriage rights under the sharia. When women's rights were at stake, the Government must take a firm stand and the weight of the law must be used to enforce them.

51. **Ms. Tavares da Silva** agreed with Ms. Dairiam that, in many cases, the Gambian elite was more conservative than society at large. She was deeply disturbed by the Government's seeming resignation to customary practice, which was regularly invoked in the report to justify the denial of women's rights — for example, in its answers to question 6 on the influence of religion on women's participation in political life, to question 10 on female genital mutilation and to question 29 on polygamy. Even more alarming was the State party's labelling of the latter two as "sensitive matters"; human rights could never be sacrificed out of deference to "sensitive matters", as the Government was responsible for protecting all its citizens. While the State party had specified some long-term measures to combat gender-based violence, it had given no details on essential immediate action, such as punishing perpetrators and providing support to victims.

52. **Ms. Gaspard** said that, even beyond legislation, political will was crucial to the elimination of gender

stereotyping. The Government, with the support of NGOs, must mount a large-scale awareness-raising campaign among the rural population. Although the delegation had maintained that the sharia applied only to family matters, equality began in the home and what happened in the family conditioned the situation of women in society.

53. She wondered whether the harmful traditional practices addressed by the Children's Act 2005 also included female genital mutilation, and whether penalties were prescribed for those who practised it. Was the Government making an effort to prevent female genital mutilation through awareness-raising?

54. **Ms. Coker-Appiah** pointed out that culture was dynamic, that it was constantly changing over time and in response to the social environment. While that evolution sometimes occurred without specific government action, for example, as a result of education or greater economic independence, there were other situations that called for political will and the enactment of laws to bring about change. Unfortunately, she did not sense such political will on the part of the Gambian Government.

55. In her own country, Ghana, which also had a colonial history and had to wrestle with the obstacles of tradition, the Constitution and statutory law prevailed over customary law. While legislation alone could not change deeply entrenched cultural practices overnight, it was a first step. She strongly encouraged the State party to amend article 33.5 of its Constitution.

56. Lastly, she requested a definition of the "harmful traditional practices" prohibited by the recently adopted Children's Act 2005.

57. **Mr. Taal** (Gambia) said that, while traditional culture was not sacrosanct, the most effective way of changing it was not always apparent. Having heard about Ghana's approach, he was now convinced that legislation could be enacted even before the population was sensitized. The delegation was learning a great deal from its dialogue with the Committee.

58. **Ms. Singhateh** (Gambia) said that one problem was the differing views of the Gambia's many different traditional cultures on issues relating to women, children and the family. Nonetheless, the Government maintained an ongoing dialogue with religious and community leaders, seeking their interpretation of religious laws on relevant issues and consulting them

on legislation, including the Children's Act. It also held regular workshops and awareness-raising sessions for them. The population was not yet aware of the penalties that could be imposed under the Children's Act — the product of three years' work — as it had been adopted on 23 June and must be approved by the President before it could be disseminated. Female genital mutilation was included among the harmful traditional practices prohibited by the Act but it was not specifically named. A preliminary draft of the Act that had specified each of the harmful traditional practices, including female genital mutilation, had met with resistance on the part of the vast illiterate Muslim population in rural areas. Given the reality that legislators needed the backing of their constituents to remain in Parliament, the draft legislation had been revised and watered down to improve its chances of being adopted in Parliament.

59. **Ms. Fye-Hydara** (Gambia) said that once Gambian girls had been educated, many of the problems under discussion were likely to disappear. Moreover, if women studied sharia law and the Koran, they could decide for themselves what those texts dictated and would not be misled by others. The culture of the Gambia was changing. It had to be remembered that religious leaders represented the views of many people.

60. A discussion had been held with the members of the National Assembly, many of whom were illiterate, on the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. She had been persuaded that the men needed to be familiar with the document itself and had arranged for its translation into the local languages. One male member of the National Assembly had proclaimed that culture and religion should be respected. A woman had retorted that the issue was not religion but the empowerment of the women of the Gambia. Members of the National Assembly seemed to fear innovation. Many more educational efforts would be needed.

61. **Mr. Taal** (Gambia) said that in Gambia, which was a haven for refugees from other countries of the region, female genital mutilation was an important topic. Recently, a 12-year-old girl who was a refugee in the Gambia had refused to return home with her family when peace was restored, claiming that if she returned, she would be subject to female genital mutilation. The Gambia had granted her political asylum.

Article 6

62. **Mr. Flinterman** said he had been shocked to learn that the tourist industry in the Gambia had led to an increase in prostitution, in particular of young girls. He asked the Government whether the growth of sexual tourism was attributable to the availability of prostitutes, both male and female, child and adult. If such was the case, he would also like to know if the Gambia was cooperating with the countries of origin of the perpetrators with a view to punishing the perpetrators and eradicating the practice, and whether it was cooperating with such countries to stimulate other varieties of tourism. Was it correct that there was no prohibition in the Gambia against sexual intercourse with minors? How many men had been prosecuted for sex with minor girls? The State party should explain any changes made in anti-prostitution legislation, such as the introduction of higher penalties, including when such penalties would come into force.

63. **Ms. Simms** said that the report stated that the Gambia was male-dominated; that was true not only of the Gambia, but of the entire world. It also stated that women were valued for their reproductive roles, that both men and women accorded women an inferior status, and that early marriages accounted for the low school enrolment of girls. She wondered what progress the Government had made in combating trafficking in girls, whether girls were trafficked across the border into Senegal, and on what grounds they were trafficked. Prostitution could not be blamed on tourism; it was equally important to look into the reasons why local men within the country sought prostitutes. Men should be prosecuted for engaging in prostitution. As a Ghanaian, she believed that people of African origin must deconstruct sexism just as they had deconstructed apartheid and accept no justifications in the name of any god.

64. **Mr. Taal** (Gambia) said that a small percentage of the tourists who came to the Gambia did so for sexual purposes; others came for their health, or to enjoy nature, for example. Many Europeans had been prosecuted for seeking little girls in Thailand; they could no longer enter Asian countries without risk of arrest. Africa must take measures of that kind to protect its girl children. In the Gambia no girls under the age of 15 were allowed into tourist areas, in particular hotels; that was a measure the Government had taken to protect them. Sex tourists, who were usually older men, stayed in service apartments,

however, instead of hotels, and young girls made contact with them through the Internet. In a recent case, a tourist who had raped a 10-year-old girl had been arrested, and his passport confiscated. When he had been released on bail, his own Government had provided him with a new passport. The Gambia was currently making efforts to extradite him.

65. Throughout the world, young girls moved from country to country to work as domestic servants. In the Gambia, most maids came from other countries, on a seasonal basis, when they were not needed for rural tasks. He wondered if that was considered to be trafficking. He was proud to state that instances of the sexual abuse of foreign girls in domestic service in the Gambia were rare.

66. **Ms. Singhateh** (Gambia) said that, even before the introduction of the Children's Act, the Gambian Criminal Code had prohibited sexual intercourse with any person under the age of 15, providing a penalty of seven years imprisonment. In addition, the Tourism Act 2003 contained provisions protecting minors. When the report had been prepared, in 2000, no information had been available regarding sexual tourism. The Gambia was indeed cooperating with countries of origin. In one case of sexual tourism, an official had come to the Netherlands and had worked with the Government to arrange for the prosecution of the perpetrator in his home country. In some instances, however, States assisted their citizens to escape from justice in the Gambia.

67. In 2004, a group of 12 Ghanaian children had been brought to the Gambia to work the streets. The Gambia had worked hand in hand with Ghana as well as with UNICEF to repatriate those children. Although traffic in children was a new problem for the Gambia, the Government had quickly introduced a provision into the Children's Act which provided a punishment of life imprisonment. The severity of the punishment demonstrated the Government's position with regard to that practice. The United States Embassy was also assisting the Gambia in tackling the traffic in children.

Articles 7 and 8

68. **Ms. Popescu** said that the participation by Gambian women in political life was particularly low. The report emphasized that women tended to be supporters rather than participants; and yet, more women than men had voted in 2002, which testified to

women's interest in participating as voters. It was important also to encourage women to run for office. She would like to know why the three women members of Parliament appointed by the President did not have voting privileges, unlike the other three, who had been elected. In that regard, she urged the Gambia to adopt temporary special measures, including quotas, to enhance participation by women. In addition, she encouraged the Government to support NGOs in conducting capacity-building programmes to empower women at the local level.

69. **Ms. Belmihoub-Zerdani** observed that the delegation of the Gambia was led by a male minister and included five women, who had demonstrated that they were fully capable of participation in public life. It was also evident that Islam did not prevent women from filling that role, as knowledge of Muslim texts revealed. Each country must find its own method for advancing the participation of women, and measures must be taken to speed up the process. It was, after all, the twenty-first century, and it was high time that women played a full part in the life of the country, in the interests of both men and women. She suggested that the President of the Gambia might use his power to appoint women to office, invoking the Convention to justify his action. Since the Gambia had entered no reservations to the Convention, there should be no obstacles.

The meeting rose at 1.05 p.m.