



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

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**Committee on the Elimination of Discrimination  
against Women**

**Sixth periodic report submitted by the Gambia under  
article 18 of the Convention, due in 2019\***

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\* The present document is being issued without formal editing.



## **Acknowledgement**

We acknowledge and appreciate the dedication and commitment of two Hon Ministers, the Attorney General Chambers, the Women's Bureau and National Women Council. More importantly to Inter-Ministerial Committee on statutory reporting who spearheaded the preparation of this National Review Report of the CEDAW.

Special thanks and appreciation also go to the Permanent Secretary (MoWCSW), the Solicitor General, Executive Director and Staff of the Women's Bureau and National Women's Council, members of the Gender Focal Point Network, Heads of CSO's, and NGOs who participated in the review process.

## Preface

1. The Republic of The Gambia's Sixth Periodic Report covers the period 2015 to 2019. The report seeks to highlight the progress made in achieving gender equality in the public sphere, the challenges encountered and the efforts being made by the Government of The Gambia in collaboration with other stakeholders towards the realization of women's empowerment.

2. This report was formulated through a wide range of consultation with key stakeholders and documentary analysis of existing reports relating to the priority areas of concern. This was with the objective of assessing The Gambia's commitment on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (UN-CEDAW) for the period 2015 to 2019.

3. The report comes at a time when The Gambia is undergoing a transitional process which embarks on an ambitious and comprehensive transitional reform process focusing primarily on the following areas:

- Constitutional Review;
- Institutional Reform;
- Security Sector Reform;
- Civil Service Reform;
- Transitional justice;
- Land Reform commission;
- Criminal Justice & Media Law Reform;
- Truth Reconciliation and Reparations Commission;
- Addressing Impunity.

4. In addition to these, a wider space has been created by government for inclusive participation of the Non-Governmental Organisations, Civil Society Organizations and Independent Partners in national development and more awareness is being created in the Country for dealing with gender issues and encouragement given to accelerate the pace of women's involvement and participation in national development.

5. The report therefore is done against a particular backdrop and context that must be clearly understood in order to fully appreciate the magnitude and nature of the challenges that the new administration was confronted with following over two decades of systematic dismantling of State institutions particularly in governance. Understanding this peculiar context, especially in light of limited available human, material and financial resources, will also help you to appreciate the decisions which reflect our prioritization needs in our efforts to rebuild a peaceful, just and inclusive society in The Gambia.

6. Available information reflects the progress made in women's health, education (especially the girl-child) and protection from harmful traditional practices. Some challenges however remain in the areas of politics, administration and economic development. The percentage of non-literate women vis-à-vis men remains high.

7. The establishment of a Ministry of Women, Children and Social Welfare in 2019 is a sincere demonstration of the political will by Government of The Gambia to give the issue of gender disparity the highest consideration.

8. The Government of The Gambia takes this opportunity to express its appreciation to the distinguished Experts of the Committee on the Elimination of all Forms of Discrimination Against Women and hope that the distinguished experts will appreciate the progress made so far, the determinations being made to overcome the highlighted challenges and continue to support The Gambia's obligation to promote and protect the rights of women in the country.

9. The Government of The Gambia looks forward to the opportunity to engage in a constructive dialogue with the Committee on the implementation of the Convention.

*Prepared by: Women's Bureau, The Ministry of Women, Children and Social Welfare  
in collaboration with the Attorney General's Chambers & Ministry of Justice*

*July 2019*

## List of acronyms and abbreviations

AATG	Action Aid The Gambia
ACDHRS	African Centre for Democracy and Human Rights Studies
ACHPR	African Charter on Human & People's Rights
ADB	African Development Bank
ADWAC	Association for Development of Women & Children
AFP	Association of Food Processors
AGSP	Ambassador's Girl's Scholarship Programme
AIDS	Acquired Immunodeficiency Syndrome
APWGA	Association for the Promotion of Women and Girls
AWE	Association of Women Entrepreneurs
BAFROW	Foundation for Women's Research and the Environment
BPFA	Beijing Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CDDP	Community Driven Development Project
CIWS	Core Indicator Welfare Survey
CPA	Child Protection Alliance
CPAP	Country Programme Action Plan
CPD	Country Programme Document
CRC	Convention on the Rights of the Child
CRR	Central River Region
CSIP	Community Skills Improvement Project
CSO	Civil Society Organisation
CST	Commercial Sex Tourism
DMC	Disaster Management Committee
DPO	Disabled Persons Organisations
EBF	Exclusive Breast Feeding
ECOWAS	Economic Commission of West African States
ECD	Early Childhood Development
ECOFEPA	ECOWAS Female Parliamentarians Association
EDF	European Development Fund
EFA/FTI	Education for All/Fast Track Initiative

EMNCH	Emergency Maternal Newborn Child Health
EMOC	Emergency Obstetric Care
EMOP	Emergency Operations
ESSP	Education Sector Strategic Plan
EU	European Union
FAWEGAM	Forum for African Educationalist-Gambia Chapter
FIOH	Future in our Hands
FLAG	Female Lawyers Association of The Gambia
GAMCOTRAP	Gambia Association on Traditional Practices
GAMWORKS	Gambia Association for the Management of Public Works
GAWFA	Gambia Women's Finance Association
GBoS	Gambia Bureau of Statistics
GEM	Gender Empowerment Model
GER	Gross Enrolment Rate
GFPA	Gambia Family Planning Association
GFSI	Girl Friendly School Initiative
GIG	The Gambia is Good
GRTS	Gambia Radio & Television Services
GTU	Gambia Teacher's Union
HIPC	Highly Indebted Poor Countries
HMIS	Health Management Information System
HIV	Human Immunodeficiency Virus
ICPD	International Conference for Population & Development
IDD	Iodine Deficiency Disorder
ITN	Insecticides Treated Bed nets
IMR	Infant Mortality Rate
IPT	Intermittent Preventive Treatment
ITN	Insecticide Treated Bednets
KAP	Knowledge, Attitudes & Practices
KMA	Kanifing Municipal Authority
LGA	Local Government Authority
LLIN	Long Lasting Insecticide Nets

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LRR	Lower River Region
MDG	Millennium Development Goals
MICS	Multiple Indicators Cluster Survey
MMR	Maternal Mortality Rate
MoBSE	Ministry for Basic and Secondary Education
MTR	Mid Term Review
NACCUG	National Association of Credit Unions of The Gambia
NaNA	National Nutrition Agency
NAWFA	National Association of Women Farmers
NBR	North Bank Region
NEPAD	New Partnership for Africa's Development
NERICA	New Rice for Africa
NGO	Non-Governmental Organisation
NSF	National Strategic Framework
NSGA	Nova Scotia Gambia Association
PLHWHIV	People Living with HIV
PPTCT	Prevention of Parent to Child Transmission
PTA	Parent Teacher's Association
RCH	Reproductive Child Health
SDF	Social Development Fund
SMC	School Management Committee
SWAGAM	Society for Women Against Aids in Africa-Gambia Chapter
TANGO	The Association of Non-Governmental Organisations
TBA	Traditional Birth Attendant
U5	Under 5 Mortality
UN	United Nations
UNFPA	United Nations Population Funds
UNICEF	United Nations Children's Fund
URR	Upper River Region
UNSCR	United Nations Security Council Resolution
VDC	Village Development Committee
VISACA	Village Savings and Credit Associations

WASDA	Wuli and Sandu Development Association
WDC	Ward Development Committee
WHO	World Health Organisation



## I. Preparatory process

10. For the preparation of this report, the Government established a multi-stakeholder taskforce referred to as the Inter-Ministerial Taskforce comprising of the Ministry of Justice, Ministry of Finance & Economic Affairs, Ministry of Foreign Affairs, International Cooperation and Gambians Abroad, Ministry of Lands, Regional Government and Religious Affairs, Ministry of Agriculture, Ministry of Trade, Industry, Regional Integration & Employment, Ministry of Defence, Ministry of Interior, Ministry of Basic & Secondary Education, the Judiciary, Ministry of Health, Ministry of Higher Education, Research, Science & Technology, Ministry of Women, Children and Social Welfare, National Population Commission Secretariat, the National Assembly, Civil Society Organisations as well as Non-Governmental Organizations and International Organizations based in The Gambia.

11. Under the guidance and supervision of the Ministry of Justice, a drafting team undertook the task of preparing the report after conducting extensive consultations and meetings with stakeholders in relevant Ministries and Institutions to obtain information on the progress made and challenges being encountered in the implementation of the Convention since the last report in 2015.

12. The report was subjected to internal review and validation workshop wherein it was further presented to participants from both Government and CSOs for consideration. Their contributions, suggestions and recommendations made therein, were incorporated in the final report for submission to the Committee.

## II. General information

### Geography

13. The Gambia is located midway on the bulge of the West Africa coast and stretches over 400 kilometres inland from west to east on either side of the River Gambia, varying in width from about 50 km near the mouth of the river to about 24 km upstream. The country is bound to the north, south, and east by the Republic of Senegal and to the west by the Atlantic Ocean. The River Gambia, which runs the entire length of the country from the Futa Jallon highlands in the Republic of Guinea to the Atlantic Ocean, divides the country's land area of 10,689 square kilometres almost equally into two halves: the South Bank and the North Bank (Gambia Bureau of Statistics [GBoS], 2007).[culled from GDHS 20132].

### Population

14. The island capital city of Banjul has a population of 31,054 excluding its suburbs but is exceeded in size by both Brikama 688,744 and Kanifing 377,134 inhabitants (GBoS, 2013) The total population of The Gambia in 2013 was 1,857,181, (GBoS, 2013).

15. The country is divided into seven administrative areas (two municipalities and five regions): Banjul municipality (the seat of the government), Kanifing municipality, and the West Coast, Lower River, North Bank, Central River, and Upper River regions. The municipalities are headed by mayors and the regions by governors. The regions are administered by chiefs. Councils in the provincial regions are headed by elected chairpersons. Districts and municipalities are divided into wards headed by elected councillors. For the purposes of surveys and censuses, the country is

divided into eight Local Government Areas (LGAs): Banjul, Kanifing, Brikama, Mansakonko, Kerewan, Kuntaur, Janjabureh, and Basse.

## **Languages**

16. English is the official national language of The Gambia. However, a wide variety of ethnic groups live in The Gambia namely, Mandinka, Wollof, Fula, Jola, Sarahule, Serere, Manjago and Creole (krio), each preserving its own language and traditions. The Mandinka people form the largest group, followed by the Fula, Wolof, Jola and Serahule.

## **Religion**

17. Muslims constitute 96 per cent of the population (GBoS, 2013). Christians and traditionalist account for the remainder. Gambians officially observe the holidays of both religions and there is a high degree of religious tolerance.

## **Economy**

18. After 22 years of autocratic rule, the new Government has inherited a dire economic and social situation and faces a daunting task of rebuilding the economy. Despite the efforts to fight poverty over the years, poverty levels remain quite high (the percentage of households living below the poverty line of \$US1.25 /day in 2010 was 48.4 per cent in (IHS, 2010) and in 2015 was 48.6 per cent (IHS, 2015). The average GDP growth of 3.1 per cent per annum from 2013 to 2018 has barely kept up with population growth of 3.1 per cent (GBoS, 2013).

19. The Government is committed to economic reforms and the historic transition to democracy opens up many possibilities that could spur growth and restore the country's economic stability.

## **Constitutional**

20. The Gambia became independent on the 18th February 1965 and immediately embraced multi-party democracy until the military coup of July 1994 ended the democratically elected Government of Sir Dawda Kairaba Jawara. After a two-year military rule, The Gambia returned to civilian rule in 1996 and a new Constitution (the 1997 Constitution) was promulgated, which came into force on the 12th of January 1997. The Constitution provides for participatory democracy, separation of powers, judicial independence and fundamental human rights.

21. The Gambia has a unicameral legislature with the National Assembly (Parliament) consisting of 58 members, 53 elected by universal suffrage, and 5 nominated by the President, for a five-year term.

22. Section 7 of The Gambian Constitution stipulates The Gambia's laws to include Acts of the National Assembly and subsidiary legislation made under said Acts, decrees passed by the Armed Forces Provisional Ruling Council, the common law and principles of equity, Customary law so far as concerns members of the communities to which it applies, the Sharia as regards matters of marriage, divorce and inheritance among members of the communities to which it applies.

## Political

23. The Gambia gained independence in 1965. In 1994 there was a coup d'état and Lieutenant Jammeh took over power and ruled as a military leader for two years before transitioning to civilian rule in 1996. He continued to rule for 22 years until December 1st 2016 when he lost the Presidential elections. He initially conceded the elections but later changed his mind, triggering a political impasse, followed by mediation by the Economic Community of West African States (ECOWAS) and the deployment of a military force to The Gambia to ensure that he leaves power peacefully. President Adama Barrow took over from Yahya Jammeh on the 19th of January 2017.

24. Since the present Government took office in January 2017, it has committed itself to the full realization of the fundamental human rights of all persons in The Gambia. To this end, the Government is undertaking key constitutional and legal reforms to consolidate the democratic gains made by The Gambia.

## Legal System

25. The Gambian legal system is modelled on the English Legal system as it incorporates the Common Law, doctrines of equity and statute of General Application. In The Gambia, the Sharia is applicable to over 95 per cent of the population as personal law in matters like marriage, divorce and inheritance.

### III. Concluding comments on The Gambia's previous report

26. The Committee considered the combined fourth and fifth periodic reports of The Gambia (CEDAW/C/GMB/4-5) at its 1311th and 1312nd meetings, on 9th July 2015 (see CEDAW/C/SR.1311 and 1312). The Committee's list of issues and questions are contained in CEDAW/C/GMB/Q/4-5 and the responses of The Gambia are contained in CEDAW/C/GMB/Q/4-5/Add.1.

## Positive Progress

### Legal Reform

27. There has been significant advancement in the status of Gambian women since the last report in 2015 most especially with the introduction of the Women's Amendment Act on the prohibition of Female Genital Mutilation in 2015 and the Children's Amendment Act on the prohibition of Child Marriage in 2016. A draft Disability Bill 2019 was submitted to cabinet for approval and the review of the Labour Act 2007 in progress.

### Sexual and Gender Based Unit

28. A Sexual and Gender Based Violence unit has been established at the Ministry of Justice in 2018 to monitor, investigate, prosecute and provide support for counselling of victims of sexual and gender-based violence most especially as it relates to women and children. Similarly, the Network against Gender Based Violence made up of relevant Government Ministries and Civil Society Organizations has been established through which One Stop Centres are created in three Hospitals (EFSTH, Bansang and Kanifing Hospitals) for provision of medical, legal and counselling support to victims of sexual and domestic violence.

**Judicial Reform**

29. In 2017, out of 12 new judicial appointments to the Superior Courts of The Gambia, 5 of the judges are women, 4 out of the 7 judges of the newly constituted Gambia Court of Appeal are women including the President of the Court of Appeal. For the first time in the history of The Gambia, we now have a Gambian female judge of the Supreme Court which is fully indigenized. Out of a total number of 20 judges in the superior courts, 10 are women and 22 out of the 42 magistrates in the subordinate courts.

**Transitional justice process**

30. There is high level of gender consideration in The Gambia transitional justice processes undertaken by the Government particularly the transformative governance rebuilding state institutions that respect human rights and the rule of law. For instance, 6 out of 11 Commissioners of the Constitutional Review Commission are women including the Vice Chairperson; 4 out of the 11 Commissioners of the Truth, Reconciliation and Reparations Commission are women including the Vice Chairperson; and 2 out of the 5 Commissioners of the National Human Rights Commission are women including the Vice Chairperson.

31. While considerable progress has been made in the advancement of women, we also recognize that more needs to be done particularly in the area of political participation. The Gambia is yet to attain the requisite 30 per cent representation at all levels of Government and we are conscious of this obligation. The ongoing constitutional review process also provides a new opportunity to improve on this.

32. The government has deliberately adopted a policy for public consultations and inclusiveness in some of the key governance reform activities. This was borne out of the necessity for public participation to engender greater legitimacy, and in the recognition that by giving the people ownership of the processes, they are more likely to accept the outcomes.

**Truth, Reconciliation and Reparations Commission (TRRC)**

33. The Truth, Reconciliation and Reparations Commission (TRRC) was established with the objective to investigate human rights violations and abuses committed during the past 22 years of former President Jammeh's authoritarian rule, to foster social cohesion and encourage National reconciliation among Gambians, to address impunity and also to recognize the rights and dignity of victims through the provision of appropriate Reparations. This will provide greater legitimacy to the process.

**Constitutional Review Commission**

34. There is currently an ongoing review of the 1997 Constitution which, in our estimation, was amended at least 52 times in order to entrench the former President in power to the exclusion of others. The objective is to draft a new republican constitution that will faithfully and accurately reflect the wishes and aspirations of the people of The Gambia based on public consultations with Gambians both at home and abroad. The Constitutional Review Commission has now completed its in-country public consultations and the first phase of its external consultations with Gambians abroad. Sector specific position papers are submitted for incorporation into the new constitution.

**National Human Rights Commission**

35. The establishment of a National Human Rights Commission in The Gambia for the first time in our history, and in full compliance with the Paris Principles of

independence and autonomy also saw the central role and active participation of civil society organizations in the selection of the five Commissioners. It was civil society organizations that exclusively reviewed the full list of candidates and compiled the shortlist for final selection by the National Assembly of The Gambia.

## **IV. Responses to the concluding observations**

### **The Role of the National Assembly in ensuring the full implementation of the Convention**

36. In accordance with the 1997 constitution and Rules of Proceedings of the various select committees had been established and tasked with oversight functions to ensure full implementation of the treaties, conventions, resolutions and other national development priorities. In line with its mandate, the National Assembly select committees on education, agriculture and natural resources, health, women, children and differently abled persons in consultations with Ministries, Departments and Agencies periodically review status of implementation of concluding recommendations from various Committees including the CEDAW.

### **Legislative framework**

37. *Harmonize legislation, including the Constitution, the Women's Act and personal laws (Sharia and customary law) with the Convention (CEDAW/C/GMB/CO/4-5, para 9 (a)).*

38. Section 7 of the Constitution provides that the laws of The Gambia consist of amongst others Customary Law so far as it concerns members of the communities that it applies. The same provision provides for the application of Sharia law as regards matters of marriage, divorce and inheritance among Muslims. It must be said that the provisions of the Sharia on the above matters are not considered to be discriminatory among the adherents of the faith to which it applies. As a result, section 33(5) of the Constitution and other laws such as the Women's Act 2010 are subject to personal law. However, with support from UN Women, all discriminatory laws against women are presently under revision through the Constitutional Review process. In addition, the Women and Children Amendment Acts of 2015 and 2016 respectively prohibits the practice of Female Genital Mutilation or Circumcision and Child Marriage in The Gambia.

39. *Urgently repeal Article 33(5) of the 1997 Constitution which provides that the prohibition of discrimination does not apply in respect of adoption, marriage, divorce, burial and devolution of property on death (CEDAW/C/GMB/CO/4-5, para 9 (b)).*

40. Section 7 of the Constitution provides that the laws of The Gambia consist of amongst others Customary Law so far as it concerns members of the communities that it applies. The same provision provides for the application of Sharia law as regards matters of marriage, divorce and inheritance among Muslims. It must be said that the provisions of the Sharia on the above matters are not considered to be discriminatory among the adherents of the faith to which it applies. As a result, section 33(5) of the Constitution and other laws such as the Women's Act 2010 are subject to personal law.

41. In addition, section 108 to 123 of the Children's Act 2005 regulates adoption procedures and the Children's Court makes decisions on adoption. However, it is pertinent to note that the 1997 Constitution is currently under review and hopefully all the issues relating to discriminatory practices towards women would be reviewed.

## Access to Justice

42. *Design a comprehensive judicial policy to eliminate barriers faced by women and girls in accessing justice, including legal aid and provide adequate resources and a monitoring mechanism for its implementation (CEDAW/C/GMB/CO/4-5, para 11 (a)).*

43. Section 7 of the Women's Act provides that every woman is entitled to equality and justice before the law and to equal protection of the law. In fulfilment of this right, the Act provides for legal aid to ensure protection and promotion of women's rights. The National Agency for Legal Aid in The Gambia is responsible for the administration of the grant of Legal Aid in proceedings where persons are in conflict with the law and cannot afford the services of a legal representation as enshrined in the constitution. The Agency embarks on Regional Mobile Aid Clinics in different parts of the country to offer legal support to indigent as well as Gambians, legal representation in the courts of law, in criminal matters limited to capital offences only, in any court, police station or prisons. Although the Agency has the mandate to handle civil cases, due to constraints, it is yet to handle any civil case.

44. The Agency has opened four legal aid centres in the rural areas. The Brikama (West Coast Region), Basse (the Upper River Region) and Farafenni (North Bank Region) centres which were previously established are materially equipped and sufficiently staffed. The Central River Region centre is in the process of being established. The National Agency for Legal Aid has recently signed an MOU with The Gambia Bar Association and The Gambia Prisons Service for the establishment of Prisons Legal Aid Desks on behalf of the Prisons Service.

45. The Memorandum of Understanding outlines the commitment of the 3 entities to providing legal aid services to men, women and juveniles detained in all 3 prisons in The Gambia. This initiative is supported by the UNDP and UNICEF in collaboration with the government of The Gambia in the implementation of its Rule of Law and Access to Justice Project. The project seeks to cover: the establishment of Prison Legal Aid Desk (two visits a month), Mobile Legal Clinics in Greater Banjul Area, Continuous Legal Education and support for Legal Aid Clinic for post-call law students.

46. The Female Lawyers Association of The Gambia (FLAG), in addition to the pro bono legal services provided to disadvantaged women and girls also embarks on various trainings, advocacy, sensitization on various laws, legal clinics and awareness campaigns on different issues relating to women and their legal rights. The Association is implementing legal empowerment initiatives that enable women to be active participants in using the law. These interventions include the provision of legal aid, capacity building and human rights awareness trainings.

47. In a bid to further ensure access to justice, the Judiciary with the support of UNDP prepared rules of procedure for The Cadi Appeals Panel and the Cadi Courts which were hitherto unavailable and training was provided for all Cadis on the application said rules of procedure in their respective courts. There is now a prescribed procedure in these courts which not only ensures order in procedure but gives litigants the confidence to access these courts with the expectation that like the conventional courts they too can get justice in these courts. There is a gradual integration of the District Tribunals into the formal judicial system and training of their clerks and scribes are ongoing.

48. Furthermore, in its effort to ensure the continuous access to justice, the Judiciary of The Gambia with the support from UNDP prepared a compendium of the Sharia law relating to marriage, divorce and inheritance. The main purpose of this document is to ensure that all laws relating to the personal laws of Muslims as provided for in

the Constitution of The Gambia, could be easily accessible. This compendium has been most useful particularly to Muslim women who sought redress from the Cadi (Sharia) courts.

49. *Promote the appointment of women judges at all levels of the judiciary, including the Cadi Courts and District Tribunals (CEDAW/C/GMB/CO/4-5, para 11 (b)).*

50. The Judiciary is working towards promoting women in all levels of the Judiciary. Out of the new judicial appointments to the Superior Courts of The Gambia, 5 of the Judges are women. 4 out of the 7 justices of the newly constituted Gambia Court of appeal are now women including the President of the Court of Appeal. The Supreme Court now has a Gambian female judge which is the first of its kind in the history of The Gambia. There are a total of 20 Judges in the Superior courts and 10 are women. For the Magistrates Court, there are 22 women out of 42 Magistrates and none in the Cadi Courts. Since 2017, women have been included in decision making at the local administrative level and currently, six women have been incorporated (voluntary) as District Tribunal Members in The Gambia.

51. *Enhance women's awareness of their rights and legal literacy in all areas of the law and the Convention, to enable women to avail themselves of procedures and remedies to claim their rights under the Convention (CEDAW/C/GMB/CO/4-5, para 11 (c)).*

52. Gambian women are exposed to sensitization and awareness raising programmes being conducted by relevant stakeholders including the Women's Bureau and Department of Social Welfare under the newly created Ministry of Women, Children and Social Welfare, the Ministry of Justice, the Ministry of Health, MoBSE, National Council for Civic Education, and Civil Society Organisations including Female lawyers Association, AAITG, Think Young Women, Network against Gender Based Violence, WANEP – The Gambia, GAMCOTRAP, FAWEGAM, The Girls Agenda, Safe Hands for Girls, The Girls Generation, TOSTAN – The Gambia, Department of Community Development, the Child Protection Alliance amongst others.

53. In addition to the awareness creation government and civil society organizations such as AAITG, Legal Aid etc. are providing Para-legal trainings.

54. These nationwide sensitization activities on the international and national legislative frameworks (the Constitution, Women's Act, the Children's Act, the Domestic Violence Act, Sexual Violence Act, Tourism offences Act, District Tribunals Act etc.) targets women groups, youth, District Tribunal Members, Law enforcement institutions, students, and National Women Councillors.

55. *Strengthen efforts to provide training on women's rights and violence against women to judges, Cadis, Prosecutors, Police Officers and the legal profession (CEDAW/C/GMB/CO/4-5, para 11 (d)).*

56. The Ministry of Justice between 2014 and 2016 with support from UNICEF, conducted nationwide training on the Domestic Violence Act 2013, Sexual Offences Act 2013, the Women's Amendment Act 2015 and Children's Amendment Act 2016 to more than one thousand (1000) Law Enforcement Officials including Investigators and Prosecutors.

57. With the amendment to the Women and Children's Acts 2015 and 2016 respectively, series of trainings have been conducted by various institutions for the Judges, Magistrates, prosecutors and legal professionals. The Women's Bureau with support from the UNFPA/UNICEF Joint programme on accelerating the abandonment of FGM/C and GBV with a Generation also conducted capacity building training for 52 police prosecutors and charge officers on Gender and Human Rights using the

revised police training manual. The Network against Gender Based Violence also conducted series of capacity building and community awareness on the content of the Women's and the Children's amendment Acts.

58. Furthermore, government and CSOs have conducted series of training for law enforcement officers across the country.

## V. National machinery for the advancement of women

59. *Expediently review the national machinery for the advancement of women with a view to ensuring the overall coordination among relevant institutions and that each institution has clearly defined responsibilities as well as adequate capacity, resources, autonomy and/or authority to effectively operate (CEDAW/C/GMB/CO/4-5, para 13 (a)).*

60. In January 2019, the Ministry of Women, Children and Social Welfare was established mandated by Cabinet Resolution to coordinate the affairs of Women, Children and Social Welfare. Having the Ministry will go a long way in addressing weak coordination, inadequate capacity and under-resourced national machinery for the advancement of women and girls. The Ministry recognized the slow progress registered so far in the implementation of the Gender and Women Empowerment Policy 2010–2020.

61. The Ministry will secure the services of a consultant to conduct capacity needs assessment of the Ministry and its line Departments. This will be followed by the development of a comprehensive strategic plan that will spell out the overall capacity needs, institutional mandate with defined roles and responsibilities. The Gender Machinery (GM) includes the National Women's Council (NWC) and Bureau, and the gender focal point Networks. The National Women Council and Bureau was established by an Act of parliament in 1980 repealed in 1988 and amended to Women's Act 2010. The Bureau serves as a secretariat to the National Women Council and established national steering committees to complement efforts of the Bureau in the implementation monitoring and evaluation of the treaties, conventions and protocols.

<i>Institution</i>	<i>Roles and responsibilities</i>
The Ministry of Women Children and Social Welfare	<ul style="list-style-type: none"> <li>• Responsible for the overall coordination and harmonization of efforts by all stakeholders;</li> <li>• Establish appropriate mechanism for coordinating Gender Mainstreaming at all levels;</li> <li>• Lobby, advocate and mobilize resources implementation of the Gender and Empowerment policy;</li> <li>• Provide support to gender units and focal points.</li> </ul>
Women's Bureau	<ul style="list-style-type: none"> <li>• Provide technical support on gender mainstreaming to ministries, institutions, governments bodies, civil society organizations and private sector;</li> </ul>



<i>Institution</i>	<i>Roles and responsibilities</i>
National Women's Council	<ul style="list-style-type: none"> <li>• Coordinate, Monitor and Evaluate the implementation process of the Gender and Women Empowerment Policy;</li> <li>• Provide back stopping support in critical areas;</li> <li>• Lobby, advocate and coordinate the sensitization process of all stakeholders on gender and women issues;</li> <li>• The Secretariat of the National Women's Council;</li> <li>• Set standards, develop guidelines and disseminate and monitor their operations.</li> <li>• Advise Government on Gender and women Issues;</li> <li>• Oversee the implementation of the Gender and Women Empowerment Policy at Decentralized level;</li> <li>• Lobby and advocate for policy reviews and enactment of laws;</li> <li>• Sensitize and advocate on gender and women issues at grassroots level.</li> </ul>
Government Ministries and Parastatals (Gender Focal Point Network)	<ul style="list-style-type: none"> <li>• Translate the National Gender and Women Empowerment Policy into institutional specific policies, strategies and programmes;</li> <li>• Assess the needs of their respective ministries in the field of gender responsive planning, programming, implementation, monitoring, and evaluation and make appropriate recommendations for capacity building;</li> <li>• Support the gender units and focal persons by building their capacity in gender analysis, planning and provide budget lines for their operations;</li> <li>• Monitor, evaluate and provide disaggregate data on sector programmes and their impact on gender equity;</li> <li>• Institute and implement affirmative action on short term basis to bridge the existing gender gaps;</li> <li>• Partner with the Ministry of Women, Children and Social Welfare and the Women's Bureau on matters of Gender mainstreaming;</li> <li>• Mobilize, allocate and release resources for gender mainstreaming;</li> </ul>

<i>Institution</i>	<i>Roles and responsibilities</i>
CSOs	<ul style="list-style-type: none"> <li>• Ensure institutional policies and programmes are gender sensitive and benefit women and men.</li> <li>• Translate the National Gender and Women Empowerment Policy into institutional specific policies, strategies and programmes;</li> <li>• Develop and implement programmes that address key Policy intervention areas;</li> <li>• Participate in the implementation committee;</li> <li>• Monitor the implementation of National Gender and Women Empowerment Policy;</li> <li>• Share information of institutional programmes with MoWCSW, Women’s Bureau through the Gender Focal Point Network.</li> </ul>
Development Partners	<ul style="list-style-type: none"> <li>• Recognize and use The Gambia Gender and Women Empowerment Policy in development cooperation partnerships;</li> <li>• Collaborate with MoWCSW, Women’s Bureau and National Women’s Council on matters of gender mainstreaming;</li> <li>• Establish mechanisms for ensuring responsiveness of development cooperation;</li> <li>• Provide financial and technical support for promoting Gender Equality and Women Empowerment in Development Cooperation;</li> <li>• Develop/set-up capacity building incentives for promoting gender equity and women’s empowerment in development cooperation.</li> </ul>
Gender Policy Implementation Committee	<ul style="list-style-type: none"> <li>• Identify priority gender and women issues;</li> <li>• Plan for relevant sector interventions;</li> <li>• Review progress in implementation of the policy;</li> <li>• Advise national machineries on strategies to attain Policy objectives;</li> <li>• Support of the monitoring and implementation of the policy.</li> </ul>

62. *Conduct a mid-term evaluation of the Gender Policy 2010–2020 and ensure that it addresses all areas covered by the Convention, includes measurable indicators, a timeframe and an effective monitoring mechanism, and that adequate resources are allocated for its implementation (CEDAW/C/GMB/CO/4-5, para 13 (b)).*

63. The Gender and Women Empowerment Policy 2010–2020 was subjected to a midterm review and evaluation in 2018. The findings of the review indicated the

inclusion of emerging issues which for the first time resulted to the establishment of the Ministry of Women, Children and Social Welfare and the scaling up of the Gender Management Information System (GMIS) that measures progress on the policy implementation with measurable indicators. The Gender Policy Implementation and Monitoring Committee also meet periodically to review sector level implementation and report on progress, gaps and recommendations to the Ministry for necessary actions.

## **National Human Rights Institution**

64. *The Committee urges the State Party to establish, within a clear time frame, an independent national human rights institution, in accordance with the Paris Principles, with a mandate on women's issues, strong linkages with the women's machinery and authority to consider and issue opinions on complaints submitted by women alleging violations of their rights (CEDAW/C/GMB/CO/4-5, para 15.*

65. In line with its international human rights obligations (Paris Principles), The Gambia established the National Human Rights Commission in 2017 by an Act of Parliament. In 2018, 5 commissioners were sworn-in, 2 of whom are women including the vice chairperson with a functional secretariat. The commission is an independent body which is not subject to the direction or control of any person or authority and has a broad mandate to promote and protect Human Rights in The Gambia.

66. The mandate of the commission amongst other things includes organizing public awareness and educational programs to promote a culture of human rights, conduct local and international seminars to educate the public on human rights issues, encouraging the government to review laws that are not in line with human rights and ratifying and acceding to international human rights instruments. The protective mandate of the commission also includes the powers to monitor, receive, investigate and consider complaints of human rights violations in The Gambia amongst other powers.

67. In addition, the National Human Rights Commission Act provides the Commission with the power to establish thematic committees, such as a committee on the Human Rights of Women and any other as the commission may consider necessary in fulfilment of its mandate.

## **Temporary special measures**

68. *The Committee recommends that the State party effectively implement Article 15 (1) of the Women's Act and significantly increase the use of temporary special measures in education, health, employment or any other relevant areas, including quotas, with specific targets and time frames (CEDAW/C/GMB/CO/4-5, para 17.*

69. Since the 30 per cent quota system is yet to be legislated, the government of The Gambia has put in place institutional mechanisms in meeting its commitments in gender equality and women empowerment. The MoWCSW was created in 2019 with the aim of promoting women advancement and empowerment in accordance with CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa.

70. Government of The Gambia has adopted special measures in Education, Health, Employment and other relevant areas; these include: The Second Chance to Education (formal and informal), improving quality learning with special emphasis on Science Technology, Engineering and Mathematics (STEM), promote TVET and other skills

enhancing initiatives to match the job market as well as the scholarship of excellence for girls in science and Technical and Vocational fields.

71. The Ministry of Health continues to ensure the provision of free maternal and child health care services across the country and ensure easy access to affordable health care services. Building Resilience through Social Transfers for Nutrition Security (BReST) project provides cash transfers with social behavioural change communication to 6,176 for mothers with children under two years aimed at improving their nutritional and health status.

72. The Maternal and Child Nutrition and Health Results Project (MCNHRP) supports the MoH to build capacities in delivering quality of care of maternal and child services to the population. The project provides conditional cash transfers to pregnant women for booking early at the antenatal care in their pregnancies.

73. The Government of The Gambia has created a special budget line (Enterprise Development Fund) under the Women's Bureau which aims to improve livelihoods of women and girls. Similarly, the Social Development Fund support women entrepreneurs in the form of loans and training on business development services. The Support to Private Sector Development Project under MoTIE in 2018 trained 800 rural women in micro finance and associated banking techniques to boost their income generation capacity and employability. The development of the Gender Position Paper for consideration by the Constitutional Review Commission considers the inclusion of 30 per cent Quota system in the new constitution.

74. The Youth Empowerment Project (YEP) had built capacities of more than 200 young people on tradable skills and provided window of funding to support Small and Medium Enterprises (SMEs). These initiatives contributed significantly in job creation and curbing illegal migration in rural communities.

### **Stereotypes and harmful practices**

75. In 2015, Female Genital Mutilation (FGM) was prohibited under the Women's (Amendment) Act. Section 32B of the Act prohibits the practice in all its forms and any person found culpable is liable on conviction to a term of three years imprisonment or to a fine of Fifty Thousand Dalasis or both. Where the act results in the death of the victim, the perpetrator is liable to life imprisonment. The Act also imposes a legal duty to report that the act has been done or is being done or about to be done. So far, only one case has reached the courts (*State vs. Sunkaru Darboe and Saffiatou Darboe 2017*) at the Mansakonko High Court. However, the case was subsequently withdrawn by the State largely due to insufficient evidence.

76. On the other hand, Child Marriage is criminalised by the Children's (Amendment) Act 2016. In addition to the prohibition, the Act also prohibits child betrothal. The Children's (Amendment) Act 2016 prohibits marriage of any person below the age of eighteen with a stipulated punishment of up to twenty years imprisonment for any parent or guardian found wanting. However, due to deep rooted cultural practices among mainly rural families, legislative intervention and prosecution will not be a panacea to the problem of child marriage. It would take education and awareness to comprehensively deal with the issue.

77. Government and CSOs (Think Young Women, GAMCOTRAP, The Girls Agenda, FLAG, CPA, Girls Agenda, TosTAN, Safe Hands for Girls, NGBV) are engaged in extensive awareness raising programmes through media, community engagement, trainings etc. through these initiatives it is hoped that people will be enlightened thus change attitudes. The Network of Gender Journalist was created and trained on Gender sensitive reporting. TOSTAN-The Gambia and GAMCOTRAP are

engaging former practitioners in alternative income generation mechanisms in various communities.

78. There is no law prohibiting polygamy in The Gambia, the issue of marriage is subject to personal law. Levirate is not a compulsory practice as women have the right to remarry their late husband's relatives in line with tradition only if they so desire.

### **Violence against women**

79. In recent times, the government has undertaken major legislative reforms with support from UN Women aimed at repealing discriminatory provisions or enacting provisions to better protect women. On the definition of 'aggravated domestic violence', the definition as contained in the Domestic Violence Act 2013 includes acts considered to be domestic violence and the definition of this offence refers to physical assault or use of physical force, sexual abuse, economic abuse, emotional, verbal or psychological abuse, sexual harassment and intimidation. In addition, the Act provides that settlement of domestic violence out of court should be done in consultation with the complainant and such settlement will be by alternative dispute resolution.

80. Since the enactment of these Acts, consultations have been undertaken by government institutions and non-governmental organisations to raise awareness of the Acts, ensure compliance and effective implementation. As a result the Acts are currently being applied throughout the country. However, it is recognised that there is a need to improve on the implementation of the Acts. On the enactment of regulations, the Network against Gender Based Violence is supporting Regulations for the Sexual Offences Act 2013.

81. The National Agency for Legal Aid despite its limited resources provides free legal services to the less privileged across the country. To complement government efforts, the Female Lawyers Association-The Gambia provides free legal advice and representation to women in civil proceedings alongside protecting their interests during criminal proceedings brought against them or where they are victims. Additionally, the Network against Gender Based Violence, also hires the services of legal counsel to represent women in courts.

82. The Department of Social Welfare continues to provide psychosocial rehabilitation and reintegration for women victims of violence. However, due to inadequate resources, services are limited and at times not available to all. The services are central however, efforts have been made to decentralize. Currently, the country has one safe home for victims/survivors of sexual and domestic violence. The government is working on the modalities to get the second one in Basse, URR operationalized. Victims of sexual and domestic violence receive free medical examination and treatment for the vulnerable women and girls.

83. The creation of a database remains a challenge to the government. However, with the ongoing reform agenda of the government measures to enhance the criminal justice system are being explored with a view to adopting practices that improve the system and protect victims. Currently, the Women's Bureau recently launched a pilot scheme of the Gender Management Information System portal (GMIS) in 3 police stations with the sole aim of tracking cases to generate statistical data on GBV in The Gambia.

84. The major forms of violence perpetuated to women are domestic and sexual violence, child marriage, forced marriage, and Female Genital Mutilation/Cutting. The MICS6 Report 2018 indicated that 7.5 per cent of women married before they were 15 years, while 25.7 per cent were married before 18 years. It is not uncommon

to hear of stories of young girls being taken out of school and forced into marriage by their family. In The Gambia, the prevalence of FGM still remains high at 75.7 per cent.<sup>1</sup>

Table 7

**Total Number and types of GVB by Cases recorded by the Care Institutions from 2014 to 2018 after verification**

<i>GBV type</i>	<i>Number of cases recorded in 2016</i>	<i>Percentage (%)</i>
Sexual violence	941	46%
Economic violence	636	31%
Psychological/emotional violence	239	12%
Physical violence	214	11%
<b>Total GBV cases recorded</b>	<b>2 030</b>	<b>100%</b>

### Trafficking and exploitation of prostitution

85. During the period under review no study has been conducted, however, the MoWCSW is committed to initiating discussion with NAATIP and partners to implement this recommendation. The Trafficking in Persons Act 2007 codified the offences relating to Trafficking in Persons and providing punishments for persons found guilty of such an offence. The Act has also provided concrete guidelines and procedures to guide in the identification and prosecution of perpetrators. Furthermore, it has provided the several actors involved in programs combating Trafficking in Person with the legal backing to conduct advocacy programs. With regards to early identification, through proactive investigation and in collaboration with the inter-agency taskforce early detection of victims is made easier.

86. As part of counter trafficking measures, the National Agency Against Trafficking in Persons (NAATIP) with the assistance of international partners such as UNICEF had organized a series of training activities for law enforcement officials to build capacity in the prevention and detection of Trafficking in Persons. NAATIP also organizes sensitization missions for communities around border posts to sensitize them on the dangers of human trafficking.

87. Since 2018, the National Agency Against Trafficking in Person of The Gambia in collaboration with the National Agency for the Prohibition of Trafficking in Nigeria have been working on creating a bilateral cooperation towards joint collaboration in the fight against trafficking of persons most especially women and children between the two nations. The Department of Social Welfare in collaboration with NAATIP conducts sensitization events at border villages of Amdalie and Giboro on the dangers of human trafficking.

88. The Gambia government legislated the Tourism Offences Act 2003 criminalising the procurement of children for sex, child pornography and all forms of sexual exploitation against children. The Gambia government through the Judiciary in collaboration with The Gambia Tourism Board designated a Magistrate to preside over offences committed under the Tourism Offences Act. The children's Amendment Act 2016 criminalises the use of hotels, brothels, motels to sexually abuse children.

<sup>1</sup> The Gambia Multiple Indicator Cluster Survey (MICS 6) 2018.

## Participation in political and public life

89. The Women's Act 2010 requires the State to ensure that women are adequately represented in the judiciary and enforcement organs of the state; it is also a directive principle of state policy to ensure that women are fairly represented and involved in decision-making positions.

90. Currently 4 out of 22 Cabinet Ministers in the Government are women including the Vice President. At the National Assembly, although the current Speaker is a female, it is worthy to note that there are five female National Assembly Members. Among the five female NAMs 2 of them are nominated by the president.

91. At the local government level, out of the 119 elected councillors 7 are female and 9 are nominated by the Mayors and Chairpersons of the various councils. Among the 8 LGAs there is one Mayoress.

Table 4.4

### Number of local elected representative by gender and region (Local councilors Statistics).

Region/Council	Indicator	Sex		Both sexes
		Male	Female	
Banju	Elected	8	1	9
	Nominated	2	1	3
<b>Total</b>		<b>10</b>	<b>2</b>	<b>12</b>
Kanifing	Elected	17	–	17
	Nominated	4	2	6
<b>Total</b>		<b>21</b>	<b>2</b>	<b>23</b>
Brikama	Elected	24	4	28
	Nominated	4	1	5
<b>Total</b>		<b>21</b>	<b>7</b>	<b>33</b>
Kerewan	Elected	16	0	16
	Nominated	4	1	5
<b>Total</b>		<b>20</b>	<b>1</b>	<b>21</b>
Mansakonko	Elected	11	1	12
	Nominated	2	2	4
<b>Total</b>		<b>13</b>	<b>3</b>	<b>16</b>
Janjangbureh	Elected	12	0	12
	Nominated	2	1	3
<b>Total</b>		<b>14</b>	<b>1</b>	<b>15</b>
Kuntaur	Elected	9	1	10
	Nominated	2	1	3
<b>Total</b>		<b>11</b>	<b>2</b>	<b>13</b>

<i>Region/Council</i>	<i>Indicator</i>	<i>Sex</i>		<i>Both sexes</i>
		<i>Male</i>	<i>Female</i>	
Basse	Elected	14	0	14
	Nominated	2	1	3
<b>Total</b>		<b>16</b>	<b>1</b>	<b>17</b>

<i>Civil/Public Servants</i>	<i>Indicator</i>	<i>Sex</i>		<i>Total</i>
		<i>Male</i>	<i>Female</i>	
Representation of women in the Civil Service	Minister	18	4	22
	Secretary General	1	0	1
	Permanent Secretaries	25	11	36
	Deputy Permanent Secretaries	27	15	42
	Director General	4	1	4
	Executive Directors/Directors	31	7	38
	Executive Directors of Agencies	3	1	4

**Table Number of elected NAMs**

<i>National assembly</i>	<i>Indicator</i>	<i>Sex</i>		<i>Total</i>
		<i>Male</i>	<i>Female</i>	
Number of NAMs	Elected	50	3	53
	Nominated	3	2	5
<b>Total</b>				<b>58</b>

92. In the Judiciary and legal sector, out of the new judicial appointments to the Superior Courts of The Gambia, 7 out of the 21 Judges are women. Four (4) out of the 7 justices of the newly constituted Gambia Court of appeal are women including the President of the Court of Appeal. The Supreme Court now has a Gambian female judge which is the first of its kind in the history of The Gambia. We have a total of 21 Judges in the Superior courts and 7 are women. For the Magistrates Court we have 22 women out of 42 Magistrates and non in the Cadi Courts. Currently, six women have been appointed as District Tribunal Members. Women representation in the legal sector has been significantly increasing with the advent of The Gambia Law School. The number of female Permanent Secretaries had increased significantly compared to the previous years.



**Table Number of Women in high state institution**

State Justice	Institution of Judiciary	Sex		Total
		Male	Female	
Number of women in high state institution	High Court Judges	5	4	9
	Supreme Court Judges	6	1	7
	Appeal Court Judges	3	2	5
	Magistrates	20	22	42
	Cadis to confirm	36	0	36
	Economic and Social Council	n/a	n/a	n/a
	Heads of District Tribunals	48	0	48

### Women human rights defenders

93. *The Committee recommends that the State party create an enabling environment for participation of women human rights defenders, including those working on sexual and reproductive health and rights (CEDAW/C/GMB/CO/4-5, para 29.*

94. State institutions are not restricting women human rights defenders from accessing state owned platforms such as GRTS. The CSOs are engaging government to legislate Access to Information. With support from The Gambia Press Union a Bill on Access to Information is already drafted. Since the advent of the new dispensation there are no reported cases of abuse or violation of rights of women human rights defenders. The government has created an enabling space for them to go about their activities without any form of hindrance or threat to their being.

### Nationality

95. *The Committee recommends that the State party ensure that all children born in the State party, including children born out of wedlock or in rural areas, are immediately registered at birth to enable them to access citizenship, education and health, and de-stigmatize children born out of wedlock and their mothers (CEDAW/C/GMB/CO/4-5, para 31.*

96. The Births, Deaths and Marriages Registration Act of 1990 identifies the processes of registration and certification, the necessary documents required for the registration as well as the legal timeframe for registration and the penalties to be incurred for late registration. The Births and Deaths Registry under the Ministry of Health is responsible for these registrations. In accordance with the Children's Act 2005, the birth of every child shall be registered and consequently, there is no fee attached to the registration of births of children from 0 to 5 years in The Gambia.

97. In order to get a full coverage especially in rural areas, sensitisation and awareness raising campaigns have been conducted to inform the general populace about the importance of birth registration and the penalty attached for late registration. The awareness raising also calls for the promotion of hospital or health facility delivery for ease of registration.

98. Children born out of wedlock and their mothers are provided the ultimate protection and those children are issued birth certificates upon tendering of the fathers' ID cards or any identification document and this is done to avoid paternity dispute. This remains a concern, however, the efforts are undergoing to remedy the situation.

## Education

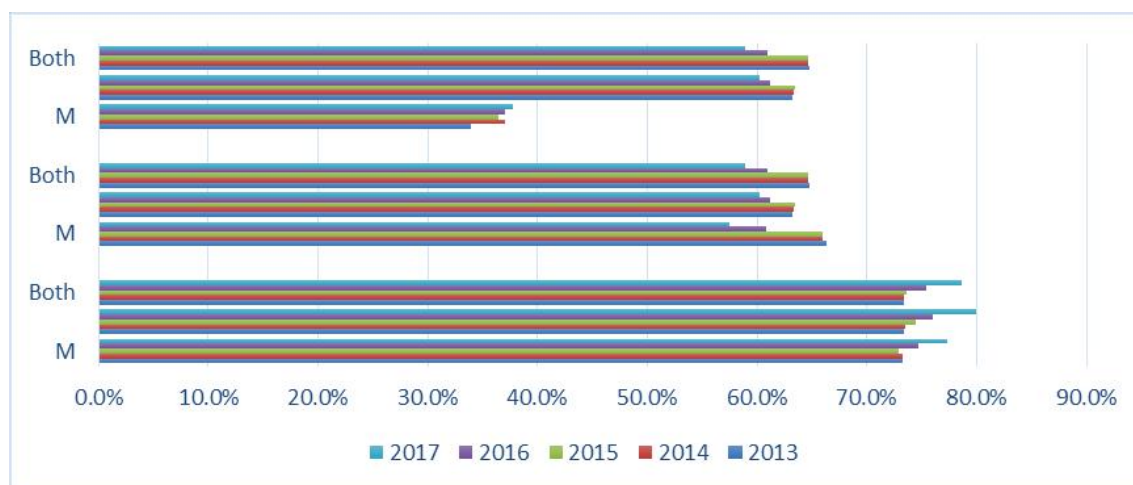
99. Some of the policies and strategies that effectively mainstream gender in the education sector are: The Education Sector Strategic Plan 2013–2022 and currently the new education policy 2016–2030. Within the 2004–2015 Education Policy framework, the Ministry of Basic and Secondary Education regards gender equity in education as a key priority for achieving the Millennium Development Goals (MDGs) and the Education for all goals. The Education for All goals set out two targets as regards basic education, which The Gambia is aiming at. These are: That gender parity in enrolment in basic education by 2005 is achieved. Every child of school-going age completes a full cycle of primary education by 2015 (Universal Primary Education and Completion).

100. The School Improvement Grant (SIG) initiated in 2013, covers school fees, book rental and the development fee up to senior secondary level for both boys and girls. This programme is being implemented to improve re-entry of students out of school due to pregnancy. This re-entry program had provided educational opportunities for out-of-school children and youth to attain basic education, lifelong learning and livelihood skills. The Ministry also established tutorial centres which are evenly spread across the country, from regions 1 to 6. The objectives of the centres are to give every school going age the opportunity to have access to educational facilities regardless of gender, age, ethnic, culture and religion.

Table 1  
**Percentage of children in the population who completed Grades 6, 9 and 12 by gender**

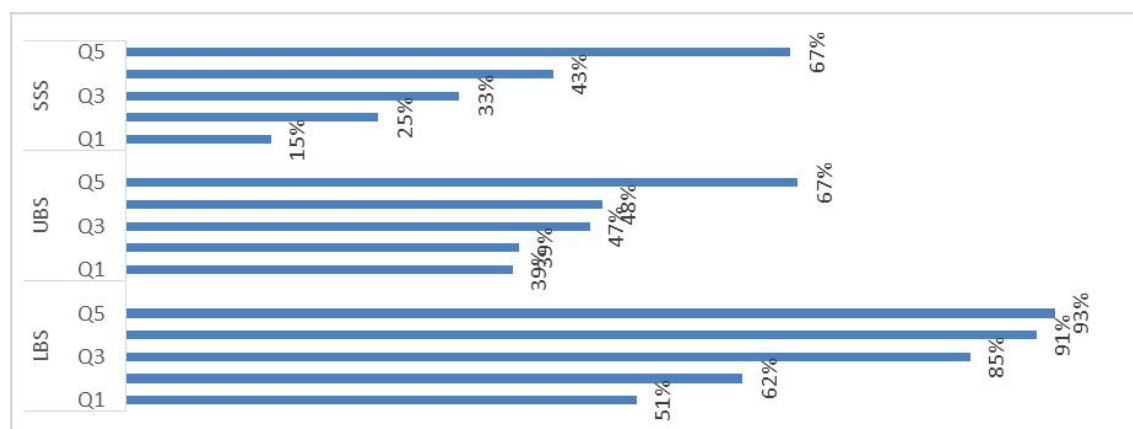
	2010	2011	2012	2013	2014	2015	2016	2017
Grade 6								
M	73.3%	71.2%	73.8%	73.3%	73.3%	72.8%	74.7%	77.4%
F	73.9%	70.5%	71.1%	73.4%	73.6%	74.4%	76.0%	80.0%
Both	73.6%	70.9%	72.4%	73.4%	73.4%	73.6%	75.4%	78.7%
Grade 9								
M	62.7%	64.7%	65.1%	66.3%	66.0%	66.0%	60.8%	57.5%
F	56.3%	62.0%	64.2%	63.2%	63.3%	63.5%	61.2%	60.2%
Both	59.5%	63.3%	64.7%	64.8%	64.6%	64.7%	61.0%	58.9%
Grade 12								
M	31.4%	32.1%	34.1%	33.9%	37.0%	36.4%	37.1%	37.7%
F	56.3%	62.0%	64.2%	63.2%	63.3%	63.5%	61.2%	60.2%
Both	59.5%	63.3%	64.7%	64.8%	64.6%	64.7%	61.0%	58.9%

Figure  
**Percentage of children in the population who completed Grades 6, 9 and 12 by gender**



101. The Grade 6 completion rates for the period 2010 to 2017 were about 80 per cent for both males and females. The completion rates, however, decreased as the children move to higher grades, with only 58.9 per cent of children completing Grade 12 in 2017. Nonetheless, the trend for completion rates for all grades is upward. Generally, more females than males complete grades 6, 9 and 12.

Figure  
**Completion rates by wealth quintile and level of education**



102. In terms of completion rates by wealth quintile and level of education, the completion rates for the poorest decreased as they move to higher grades, with only 15 per cent of the poor children completing Grade 12 in against 67 per cent (more than two-third) in 2015. However, more than half of the poor (51 per cent) complete grade 6. Generally, completion rates are lower for poor quintiles compared to rich quintiles at all levels of education.

103. Over the years (2015 to 2018), a lot of activities have been carried out and achievements registered include: Orientation of female teachers to take up teaching in the rural areas. All female teachers in regions one and two were sensitised to take up teaching in the upper regions:

- An annual Female Teacher Recruitment Drive conducted by the Gender Education Unit: (Six thousand girls and one thousand seven hundred boys were sensitised to take up teaching as a profession);
- Six hundred teachers in lower and upper basic schools in regions one to six benefitted from the training of teachers in Gender Responsive Pedagogy;
- All girls in grades 7 to 12 from regions 3 to 6 are provided with scholarships every year under the Scholarship Trust Fund for girls. However, with the introduction of the School Improvement Grant in 2013, boys and girls in public schools all over the country are being sponsored by the World Bank Project on SIG;
- From 2010 to 2018 academic years, all girls from regions three to six who were in grades seven to twelve were supplied with sanitary pads yearly. Girls in the special needs education schools from grades three upwards were also supplied with sanitary pads;
- Mathematics and Science Clinics for girls in the upper basic school were conducted and six hundred girls from all over The Gambia benefitted;
- Strengthening of Mother's clubs in Regions 3 to 6 to promote enrolment and retention of girls in schools;
- Separate toilet facilities for girls are now available in 80 per cent of the schools;
- Yearly supply of sanitary pads to over thirty thousand girls annually.

104. There is a Unit responsible for Special Needs Education in the Basic and Secondary Programmes Directorate, MoBSE. The sector is doing a lot on the area of access to education for special needs children:

- There is a new initiative which aims to identify severe cases in order to empower children with special needs;
- Visually impaired children are taught using the Braille Dots from grade (1) one and at grade (3) three, they are introduced to the Braille machine for them to start Braille reading and writing;
- Children with mild and moderate visual impairment are supported by bringing them in front of a classroom whilst those with severe and profound cases are issued with LENS to facilitate their learning;
- Itinerant teachers were trained and given clusters to support children with special needs who are integrated into conventional schools nationwide;
- Donkey carts are provided to feeder villages within two to three kilometres to schools in communities. This is done for easy access and safety for students especially the girls.

105. There are some challenges concerning the retention of pregnant girls in schools; this is why girls are most of the time re-entered after giving birth. Some of the challenges are:

- Maternal health problems;
- Stigmatization from both community and their peers in school.

106. The fear that students might think it is normal to be pregnant and come to school, and this can increase the number of teenage pregnancies in schools.

107. There is a new project in the Ministry of Basic and Secondary Education called the Second Chance Education (2018) which aims to give everyone the chance for education regardless of gender, age, ethnic, culture and religion one may belong. Over

the past eight years, about one thousand, seven hundred girls and five hundred boys were re-entered back to school. Most of them are now in tertiary institutions:

- This is an initiative that provides educational opportunities for out-of-school children and youths to attain basic education, lifelong learning and livelihood skills;
- It is a project that is run and managed by MoBSE;
- It has tutorial centres spread across the country, from regions 1 to 6.

108. A Comprehensive Sexuality Education Curriculum Framework was developed in 2017. Eight thematic areas were developed to cover all aspects of Comprehensive Sexuality Education from Grades four to twelve. These are: 1. BODY, - Puberty and Reproduction. 2. Interpersonal Relationship and communication. 3. Society and Culture. 4. Factors of Vulnerability. 5. Sexual and Reproductive Health. 6. Gender 7. Human Rights for Sexual and Reproductive Health and well-being. 8. Guidance and Counselling:

- The training manual on Comprehensive Sexuality Education (CSE) was developed and validated. There are plans to conduct a training of trainers on the CSE and a step-down training for teachers and all relevant stakeholders. A policy on Special Needs Education is being developed and incorporated in the national education policy that catered for everyone;
- There are resources for School Improvement Grant, and teachers are trained on how to use such resources;
- In almost all schools in the country, Braille machines are provided for those that are visually impaired and Hearing Aids for the deaf and hard of hearing;
- They also assess and identify children with special needs in collaboration with health personnel and itinerant teachers. The Guidelines against Sexual Abuse in Gambian Schools The Guidelines Against Corporal Punishment in Gambian Schools.

## **Employment**

109. The Department of Labour under the Ministry of Trade, Industry and Employment is currently reviewing the Labour Laws of The Gambia and made commitment to strengthen its efforts to eliminate horizontal and vertical segregation in the labour market and promote women's access to the formal sector, including through the use of temporary special measures. The Gambia has ratified and demarcated all the core Conventions including Equal Remuneration Convention, 1951 No. 100 and Discrimination (Employment and Occupation) Convention, 1958 No. 111. Convention No. 111 is tame in Section 83 (1 & 2) of the Labour Act 2007. The promotion of women and men empowerment, Sections 20 (1 & 2) of the Women's Act 2010 (2016) this include maternity and paternity leave entitlement for men and woman in employment.

110. Under the Social protection programmes women in the formal and informal sectors are provided with the required support to cushion their vulnerability to sock during disasters. The National Social Protection Programmes (Health, Education, Agriculture, Environment, Climate Change, Energy, Food and Nutrition Security, Disaster Management and Risk Reduction etc.) are implemented to build resilience of the vulnerable group.; The World Bank is supporting the SPS with a Social Safety Net project to strengthen coordination and increase the inclusion of the extreme poor in the social safety net program.

111. UNICEF is providing support for the recruitment of a Technical Assistant to support the establishment of the SPS. The BreST Project provide monthly Cash Transfers to Vulnerable mothers/baby pairs in the catchment area of 10 health facilities with the highest global acute malnutrition rates. The Maternal and Child Nutrition and Health Results Project using the Results Based Financing (RBF) approach aims to increase the utilization community nutrition and primary maternal and child health services, provide conditional cash transfer to pregnant women linked to specific health indicators. The MCNHRP also provide Cash Transfer to the vulnerable households in selected districts. Acquisition of land women farmers Support marketing of women's product through contract farming.

112. In The Gambia sexual harassment has been criminalized at public and private institutions of work. The Sexual Offences Act 2013 had criminalized sexual harassment in the workplace, include in the legislation a broad definition of sexual harassment in the workplace which covers conduct that creates a hostile working environment, in accordance with General Recommendation No. 19 (1992) on violence against women, and adopt effective measures to prevent, monitor and adequately punish sexual harassment in the workplace.

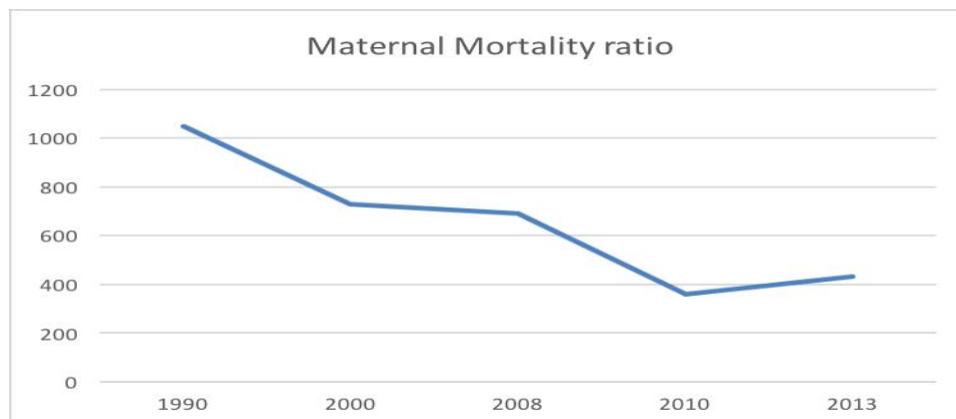
113. There are ongoing efforts to collect information on the number, nature and results of labour inspections conducted and the complaints registered, and strengthen mechanisms to monitor compliance with the Labour Act and relevant provisions of the Women's Act by both public and private entities.

## Health

114. *Increase efforts to reduce maternal mortality by ensuring adequate sexual and reproductive health services, including access to antenatal, delivery and postnatal services, and prevention and treatment of anaemia (CEDAW/C/GMB/CO/4-5, para 37 (a)).*

115. Maternal health care services are freely offered in all Government health centres and hospitals. Primary and secondary health care has also significantly expanded. Great achievements have been registered in access to basic health care however Primary Health care over the past 5 years lacks the adequate capacity to provide health care services and village level. Mortality and causes of death data and the denominator is the total live births from the 2015 Mid-year population estimates. The graph is represented below:

Table  
Maternal Mortality ratio (SDG Baseline Report 2017)

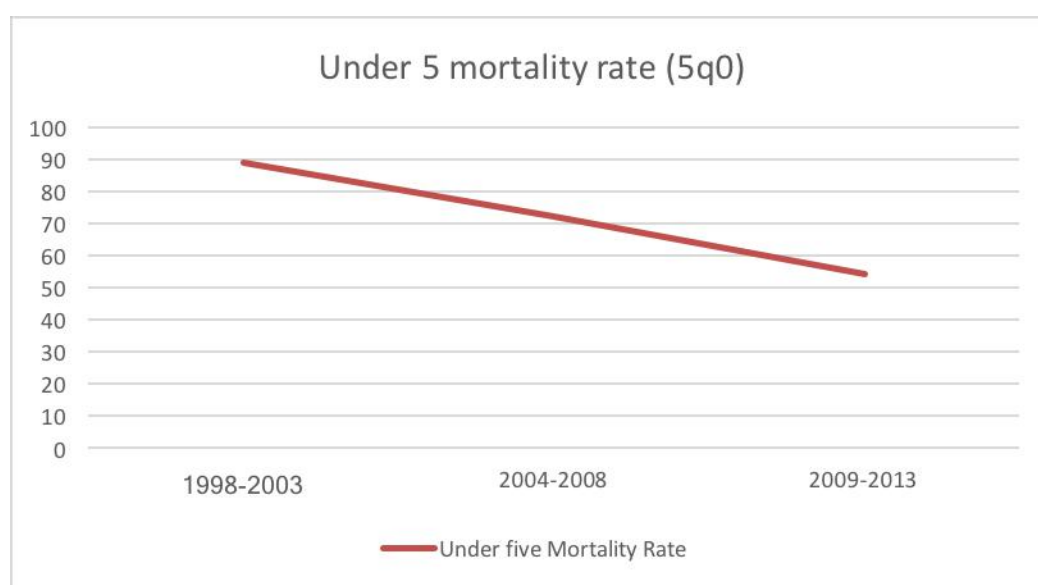


116. The number of women who died as a result of complications during pregnancy or childbearing decreased from 1050 per 100 000 in 1990 to 433 per 100 000 in 2013 (Gambia DHS 2013).

117. The Sustainable Development Goals (SDGs) Baseline Reports 2017 has targeted by 2030, to end preventable deaths of new-borns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1 000 live births and under-5 mortality to at least as low as 25 per 1 000 live births.

118. Number of children who died before they reached their 5th birthday, divided by the number of live births in a given year, multiplied by 1 000. The data available shows the mortality rate at 54 per 1 000 live births (Gambia DHS 2013) update from MICS 6.

Figure 5  
**Mortality rate (5q0) SOURCE**



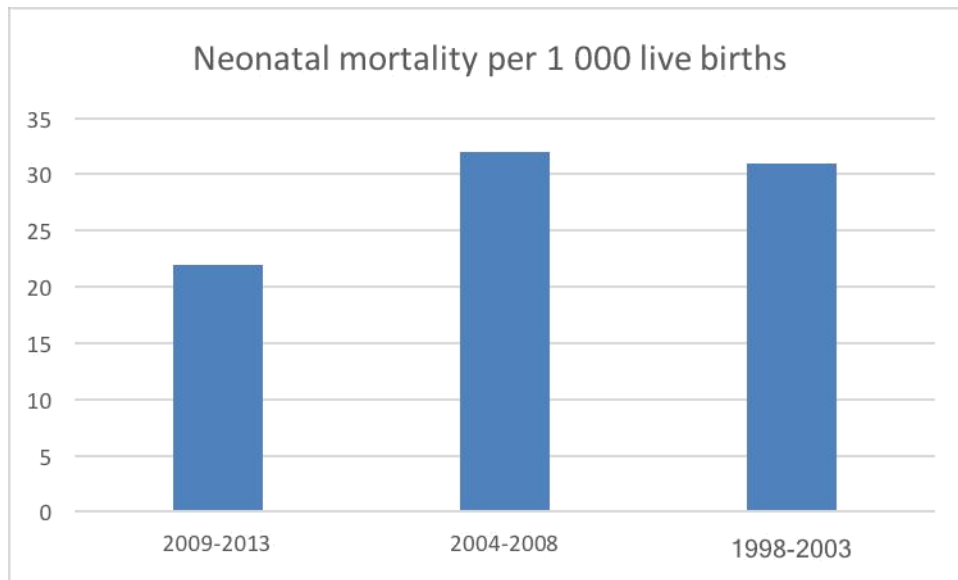
119. The number of children who died before reaching their 5th birthday decreased from 89 per 1 000 live births to 54 per 1 000 live births in 2009–2013.

120. The Sustainable Development Goals (SDGs) Baseline Reports 2017 has targeted in the by 2030 to end preventable deaths of new-born and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1 000 live births and under-5 mortality to at least as low as 25 per 1 000 live births.

*Neonatal mortality rate (NMR) update from the MICS 6*

121. Definition: Probability that a child born in a specific year will die during the first 28 days of life if subjected to age-specific mortality rates of that period, expressed per 1 000 live births. Data available shows this to be 22 per 1,000 live births. The number is reached by dividing total live births and number of children who die during the first 28 days of life, multiplied by 1 000.

Figure  
**Neonatal mortality per 1 000 live births**



122. From the figures provided, in comparison with other countries in the sub-Saharan region, childhood mortality is relatively low in The Gambia. Under-5 mortality for the period 0–4 years before the 2013 GDHS survey, which corresponds approximately to the calendar years 2009–2013, is 54 deaths per 1,000 births.

123. Following the usual pattern, most of the early childhood mortality occurs in the first year of life; the infant mortality is 34 deaths per 1,000 births, while mortality between the first and the fifth birthday is 20 deaths per 1,000. As expected, neonatal mortality (mortality during the first month) is higher than post neonatal mortality (22 deaths per 1,000 compared with 12 deaths per 1,000), representing 65 per cent of the overall infant mortality.

124. Data from Registration of Birth and Death Unit shows that from the 2018 HMIS the infant mortality rate is 1.95 per cent and the Maternal mortality rate is 2.38 per cent.

### **Reduce adolescent pregnancies**

125. Government ensures access to age-appropriate information and education on sexual and reproductive health rights for girls and boys, and in particular for out-of-school children and adolescents. The Gambia Family Planning centre provides free contraception and advice to members of the public on sexual and reproductive health education. Measures envisaged to further increase availability and accessibility of age appropriate comprehensive sexual and reproductive health and rights education and family planning and contraceptive use are:

- (a) Production of services manuals on adolescence and family planning for services providers;
- (b) Awareness creation in communities using community radios and traditional communicators;



(c) Expansion of services delivery points (outreach services, clinics & health centres) in the communities to improve access to family planning and adolescent health services;

(d) Maintaining uninterrupted supply of method mix contraceptive at various levels of care including the community;

(e) Making major health centres functional by providing Comprehensive Emergency Obstetric care services;

(f) Training of service providers on contraceptive technology;

(g) By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes;

(h) Proportion of women of reproductive age (aged 15–49 years) who have their need for family planning satisfied with modern methods;

(i) 7.1 per cent of women of reproductive age have their need for family planning satisfied with modern methods of contraception;

(j) By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes.

126. From the 2013 DHS, 7.1 per cent of the proportion of women of reproductive age (aged 15–49 years) has their need for family planning satisfied with modern methods 7.1 per cent.

127. *Provide adequate access to affordable modern methods of contraception, including emergency contraception, to all women and girls (CEDAW/C/GMB/CO/4-5, para 37 (d)).*

## **Decriminalize abortion**

128. *Expediently amend its legislation to decriminalize abortion, removing all punitive measures particularly for women undergoing abortion, expand the grounds of legal abortion to cases of rape, incest, and severe foetal impairment, and ensure the availability of safe abortion and post-abortion services (CEDAW/C/GMB/CO/4-5, para 37 (e)).*

129. Abortion remains criminalised in The Gambia except when the health or life of the mother is at risk. However, the continued practice of clandestine abortions remains an issue and a concern as it leads to adverse consequences on the health of women and girls. Due to the near total ban on abortion, this has resulted in the paucity of reliable data on the national burden of abortion. According to the 2015 HMIS report, nearly 1607 cases of post abortion were treated within a year (MoHSW, 2016). However, many more might have been conducted underground and not reported to reflect the true magnitude.

130. Due to continued public support for the near complete ban on abortion, the Government is yet to adopt specific measure to revise legislation criminalising abortion. Notwithstanding, through the work of The Gambia Family Planning centre and non-Governmental organisations such as Think Young Women, Action Aid The Gambia, campaigns continue to be undertaken to raise awareness on the provision of contraception along with the dangers of clandestine abortions.

## HIV/AIDS

131. *Increase efforts to prevent and treat HIV/AIDS among women as well as mother-to-child transmission of HIV, and ensure the availability of antiretroviral drugs for women living with HIV/AIDS (CEDAW/C/GMB/CO/4-5, para 37 (f)).*

132. The Government of The Gambia continues to undertake gender sensitive initiatives that address sexual transmitted diseases, HIV/AIDS, and Sexual and Reproductive Health Issues such as the free maternal health care services across the country. The expansion health care services and facilities had significant impact evident in the low prevalence rate of HIV as well as the decline of infant and maternal mortality rate cumulated with effective, efficient, accessible and affordable reproductive health services. The World Bank continues to provide funding for the health human resources development strategies under the Global Fund, to support malaria, HIV and AIDS and tuberculosis and other related infectious diseases. These are three major areas from which both Gambian women (the main victims) and men could continue to benefit directly, today, while they resonate into future gains.<sup>2</sup>

133. Programmes to support women living and affected with HIV are not stand-alone but integrated in the comprehensive HIV interventions and in Sexual and Reproductive Health Services. NAS has updated both the National HIV Policy and National Strategic Plan (NSP) for the period 2015–2019, with an overall goal: To achieve zero new HIV infections, zero AIDS-related deaths and zero stigma and discrimination in The Gambia.

134. Currently, implementation of the National Health Policy Framework (NHPF) 2007–2020 is ongoing. The Policy seeks to ‘promote equity (both gender and territorial) in access and affordability of quality health services, maintain ethics and standards, promote health system reforms and improve staff retention and client satisfaction.’ Other health sector policies currently being implemented include the National Reproductive Health Policy, National HIV/AIDS Policy, the National Nutrition Policy and the National Population Policy and Plan of Action. Health policies and programmes have contributed to low prevalence rates of HIV/AIDS in The Gambia. Furthermore, the HIV and AIDS Act has been enacted to ensure adequate addressing of HIV and AIDS by the Government.

### Prevalence of HIV infections by sex, age and key populations

<i>Characteristics</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	
	15–19	0.4	0.3	0.4
	20–24	0.3	0	0.1
	25–29	2.5	0.6	1.7
	30–34	2.5	3.9	3.1
Age	35–39	5.9	5.9	5.9
	40–44	4.9	3.2	4.1
	45–49	3.4	2.7	3.1
	50–59	n/a	3.3	n/a
Overall	2.1	1.7	1.9	
Urban	2.4	1.3	1.9	
Rural	1.8	2.3	2	

<sup>2</sup> The Gambia SDG Baseline Report 2017.

135. The National AIDS Secretariat (NAS) is responsible for the overall coordination and management of the national HIV response. The National AIDS Secretariat continues to deliver on its mandate of coordination and monitoring of the national response, in addition to fulfilling its responsibility as a Principal Recipient (PR) for the Global Fund (GF) Round 8 HIV Grant and Government is providing counterpart funding equivalent to over D2.5 million per quarter towards the operational cost of the Secretariat as condition precedent for Global Fund Grant. Total Grant funding for the period 1st January 2018 to 31st December 2020 for HIV/TB/RSSH) amounts to Twelve Million, Two Hundred and Seventy Dollars, Two Hundred and Eight Dollars (USD 12,270,208).

### **Economic Empowerment of Women**

136. The Gambia has implemented programmes to reduce poverty since 1994, when it launched its first Strategy for Poverty Alleviation. Poverty had shown signs of decline in the past, with the proportion of people living in poverty decreasing slightly. In 2010, a Multi-Dimensional Poverty Index (MPI) conducted as part of the 2010 Human Development Report used 10 indicators to measure poverty in three dimensions:<sup>3</sup> Education, Health and living standards. The index which reflects both the incidence of poverty and the average intensity of deprivation estimated that 34 per cent of the population lives below the \$1.25/day poverty line and 57 per cent live below the \$2/day poverty line. It estimated the national poverty line at 61 per cent in 2010. However, the 2015/16 Integrated Household Survey indicated little progress in poverty decline overall; in fact, it shows a slight increase in rural areas.<sup>4</sup>

137. Achieving the SDG target of eradicating extreme poverty could be a big task for the country as almost half the population (48.6 per cent) currently live below the poverty line. The new National Development Plan (NDP) formulated and being implemented since January 2018 focuses on the elimination of poverty and the reduction of inequality through job creation programmes as well as creating conducive conditions for entrepreneurship. The NDP has in place evidence-based policies, strategies and programmes to achieve the SDGs including inclusive structural transformation, access to land and resources, income diversification, decent jobs and gender equality as well as strategies to strengthen rural institutions and access to social protection for the rural poor.

138. In spite of a relatively high level of domestic inflation, the macro-economic situation is generally stable; the policy framework to enable a more effective productive sector is in place and private investment has begun to gain significance in the economy with opportunities for employment expansion, and significant payoffs resulting from major public investments in education and health. Education at all levels account for 22 per cent of the national consolidated expenditure budget whilst health accounts for 7.1 per cent.<sup>5</sup>

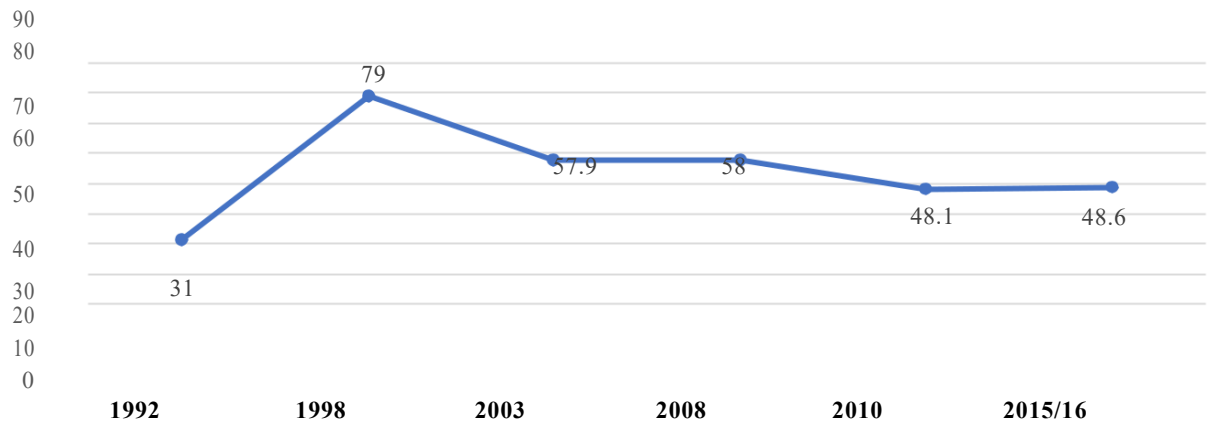
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<sup>3</sup> Human Development Report 2015.

<sup>4</sup> The Gambia SDG Baseline Report 2017.

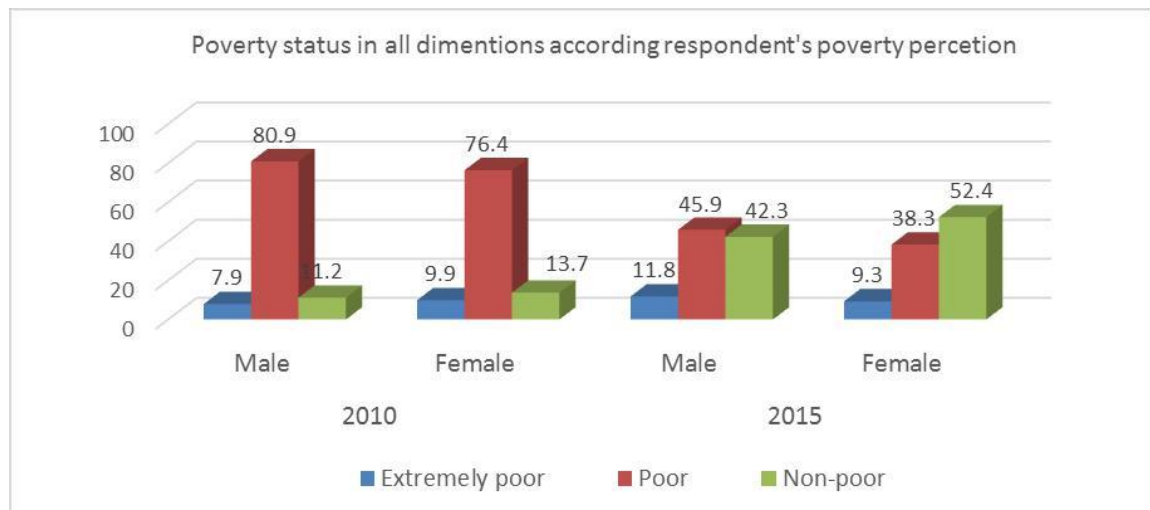
<sup>5</sup> Approved National Budget 2019.

**Figure 1**  
**Percentage of Population below the poverty line (1992 - 2015) updated by GBoS**



139. About 48.6 per cent of the population lived below the international poverty line in 2015/16. There is hope for improvement in the living conditions of The Gambian, as the percentage trend of poverty is going down. In that vein the Government of The Gambia renews its commitment to eradicating poverty, made in the National Development Plan 2018–2021.

**Figure 2**  
**Poverty status in all dimensions according respondent’s poverty perception**



140. Respondents were asked a question on how often in the last 12 months did their household experience difficulties satisfying the following needs; food, school fees, health care, house rent, utility. Issues relating to house rent received the highest proportion of households (86.3 per cent) that did not experience difficulties paying for, followed by utility (73.4 per cent), school fees (70.4 per cent) health care 63.5 per cent) and food (57.4 per cent). With reference to the above chart the 2015 perception rate has drop significantly for both male and female compared to 2010 reports.

141. Government is committed to improving the lives of the poorest and the most vulnerable by providing them with the requisite support and tools to improving their lives and making them productive members of society. A National Social Protection Policy (NSPP) 2015–2025 accompanied by a strategic plan and implementation plan was developed and approved by Cabinet. The policy defines a comprehensive and crosscutting social protection agenda and proposes a set of priority actions to guide the gradual establishment of an integrated and inclusive social protection system in The Gambia. The NSPP sets out in detail the Government’s vision and commitment to modernize the social protection system, as well as the steps it will take to broaden coverage to those in need of support.

142. A social protection mapping has been done and a secretariat established under the office of the Vice President to coordinate all social protection programmes in the country. A single registry system was set up to provide a single platform where common and essential information across social protection programmes are stored, analysed and reported for the benefit of the stakeholders. A study on the creation of fiscal space to determine how space can be created in the national budget for social protection as well as new and innovative way of financing social protection and a cost-benefit analysis study for school meals done.

143. The Maternal and Child Nutrition and Health Results Project (MCNHRP) using the Results Based Financing (RBF) approach, the Building Resilience through Social Transfers (BReST) of which 2,400 vulnerable households and 6,000 women with children 0–2 in food insecure districts respectively are benefiting. The unconditional cash transfers known as “NAFA” program will also be initiated soon targeting over 6,000 vulnerable households so as to increase the coverage of social assistance for the extreme poor. The World Bank has approved \$30 Million for the strengthening of the Social Protection System in The Gambia and The Government of The Gambia provided a counterpart funding of 1 million dollars. In 2019 The Gambia.

144. *Government had approved 6 million Dalasi and the EU budget support of 3 million Euro for the establishment of the Women Enterprise Development Fund.* The implementation of this fund may likely be challenged with low financial literacy of women; limited employable skills, capital, and access to market opportunities and ownership of land mainly due to inherent socio-cultural and traditional barriers which continues to impede women getting out of the poverty. The high interest rates ranging from 8 per cent to 50 per cent in the formal sector does not allow wealth creating investment borrowing by women. To address these challenges a strong set of social protection guiding documents was developed by the Government of The Gambia with the support of development partners through a participatory process. These includes the:- National Social Protection Policy (2015–2025) and the Social Protection Implementation Plan (2015–2020), Social Protection Fiscal Space Analysis, Functional review of the social protection system, Social Protection Mapping, Design of the social protection and social registry as well as the National Cash Transfer Programme (NCTP).

## **Rural women**

145. The Government of The Gambia is committed in providing rural women access and control to productive resources (land, credit, inputs and implements), income generating opportunities including access to justice, health, education and participation in decision-making processes. With the view to address the issues of women and girls limited access to income generating opportunities, credit, land etc.

146. Action Aid – The Gambia in partnership with EU supported the following from 2015 to date; microfinance institutions linked with women to provide them credit and

other services in CRR/South. These unions have already mobilized good amount of money for the registered members.

147. So far, over 1,500 women have been adequately informed on microfinance products and services, 420... women groups are exposed to credit union concepts and most of them are saving with the credit union. A total number of 78 plots of land have been officially registered for 78 women groups to authenticate their ownership and possibly requirement as a condition for any support. 3 vegetable gardens established with a fence, water supply, waiting shades, toilets and multi-functional platforms and over 200 women are benefiting from these gardens. A total number of 6 women are now members of the District tribunals in CRR/South and have received legal and leadership training to make them useful and proactive in their new assignment. Two (2) cooling houses have been built in Brikamaba and Kundang “Mayo” CRR/S for poultry and fish preservation respectively.

148. Moreover, 3 communities have been supported with vegetable production tools and inputs where 50 women enhanced production and productivity. A nursery indigenous tree species is established with 8,390 seedlings to be transplanted.

149. With regards to employment, 15 girls from CRR and 5 girls from NBR are undergoing training at Fandema (MBOLO) on solar installation and management, food processing and business management. These girls will be deployed back in their various communities to serve their people in promoting marketing and creating new markets for women produce and products, the women have been supported to participate in trade fairs for past 5 years.

150. In strengthening women economic initiatives and building their resilience, 53 women were supported with small ruminant, 22 with poultry production and 35 women with farm inputs and implements. The poultry farmers association for CRR/S is also supported with a cooling house to facilitate storage for their chicken. 10 women were provided with 15, 000 each to expand on their tie/dye and batik after training them intensively on the skill. Another ten women were trained on Para Extension Garden services to provide extension services for other women in their various vegetable gardens. 45 women trained on improve vegetable production and 60 on poultry management and feed preparation. Series of interactive radio talk shows on issues relating to women’s empowerment, justice, girls education, women’s right to productive resources and women participation in decision making have conducted.

151. A total of 4,340 women from 120 women groups spread across the three Districts of Niamina East, West and Dankunku were trained and the key output from these trainings is that women are more informed and knowledgeable about their rights to access economic resources, how to better manage their businesses and how to engage with micro finance institutions.

152. The Ministry of Basic and Secondary Education in collaboration with FAWEGAM and funding from UNICEF, supports the education and participation of women in decision – making processes by setting up Mothers’ Clubs in all schools and trained on Income Generation activities as well as provided with seed money (D6000.00 from UNICEF, D5000.00 by MoBSE) which is administered on their own. The Adult and Non-Formal Education Unit in collaboration with stakeholders (specifically Literacy providers) also ensures that adults aged 15 years and above who were not opportune to attend formal schooling and out of school youths (males and females) are provided with some form of literacy/numeracy and life and livelihood skills. This is done using the codified local languages depending on their geographical location and choice.

153. Currently there are more than 200 literacy centres across the country being operated by different Adult Literacy providers such as: The National women farmers

Association, World Evangelisation Crusade, Association of Baptists for World Evangelisation and TOSTAN. Family and Inter-generation learning approaches is also piloted in the rural areas. This is a situation where young children of pre-school age and above and their parents are both in the same literacy class learning together. This offers the opportunity for adults and children to engage in lifelong learning and adopt the culture of early reading.

154. Learners are provided with seed money to encourage them practicalise their literacy and numeracy skills by embarking on income generation activities to improve their socio-economic status. Furthermore, the SDG targets e.g. Target 4.6, which stated that all youth and a substantial proportion of adults, both men and women achieve literacy and numeracy.

### **Women with disabilities to be updated by Harriet**

155. *The Draft Disability Bill will be subject to cabinet approval in 2019, this Bill will fulfil Government commitment in ensuring that women and girls with disabilities have effective access to inclusive education, health, justice, employment and participation in political and public life, among others.* The Department of Social Welfare in collaboration with The Gambia Federation of Disabled conducted sensitization programmes on disability issues; provides wheelchairs, crouches, walking sticks and other mobility aid and orthopaedic materials free of charge to persons with disabilities including children conducted many outreach activities at regional level to provide rehabilitation services to persons with disabilities including women and girls with disabilities; gave grants to special need schools and provides educational sponsorship to children with disabilities and those of parents with disabilities and provides counselling services for families with children with disabilities for their social inclusion. There is a disability bill and cabinet paper prepared but there are no specific laws for women and girls with disabilities.

### **Lesbian, bisexual and transgender women**

156. The issue of LGBT is not considered to be a problem in The Gambia because even though it is criminalised the LGBT community are not subjected to any form of discrimination and harassment. At this point of our nation's history, The Gambian people have not accepted homosexuality as a lifestyle and so the government as the representative of the people does not plan to decriminalise the practice of homosexuality.

### **Women in detention**

157. With *regards* to the Prisons Reform Programme, all the twelve Women in Detention are accorded adequate living conditions the prisons Act is currently under review so as to align it with *the United Nations Rules for the Treatment of Women Prisoners (the Bangkok Rules)*.

158. Recently among the reform process women are under the supervision of female guards and that gender-sensitive complaint mechanisms are available to them; and that all cases of violence against women in detention are effectively investigated and prosecuted. The Gambia is yet to conduct a study on the phenomenon of infanticide but women charged with infanticide have access to psychological assessment and care.

## Equality in marriage and family relation

159. The Gambia Government put women and children health and wellbeing as a key priority in the National Development Plan 2018–2021 and also put in place legislations that guarantee *equality in marriage and family relation and ensure children and protected from harmful practices*, *The Ministry of Women, Children and Social Welfare in partnership with the Ministry of Justice and the National Assembly will undertake a study on the good practices of other countries with Muslim populations which have non-discriminatory personal status laws in line with the Convention and organize an expert meeting on the issue which also includes religious and traditional leaders.*

160. The finding of the recent study on the laws of The Gambia indicated contradictory laws and the Ministry constituted a Technical Committee to identify the areas of harmonization of the legislation, including the Constitution, the Women’s Act and personal laws (Sharia and customary law) with the Convention, repealing all discriminatory provisions, to ensure that women enjoy equal rights as men in marriage, divorce, inheritance, marital property, adoption, burial and devolution of property on death. The supplementary gender position paper to the Constitutional Review Commission already recommended the *Replacement of the term “equitable” by “equal” as regards women’s access to property in the Women’s Act and ensure that judges interpret it accordingly in their judgments.*

161. In *line with the Sharia guidelines which dictate the devolution of property during inheritance, women are subject to one third while men receive two thirds of the shared property. The term “equitable” in reference to this practice is for women be given the one third designed for them. Furthermore, it must be restated that the provisions of the Sharia on the above matters are not considered to be discriminatory among the adherents of the faith to which it applies. As a result, section 33(5) of the Constitution and other laws such as the Women’s Act 2010 are subject to personal law. Ensure that the minimum age of marriage is set at 18 years of age for both girls and boys, that child marriage is criminalized and adequately sanctioned and that polygamous marriages and levirate are prohibited without exception.*

162. The Children’s Amendment Act 2016 sets the marriage age of boys and girls at 18 years. Polygamy is an entrenched socio-cultural and religious practice in The Gambia. The practice of is endorsed by religions such as Islam and traditional religions. With the Islam being the dominate religion Muslims are generally allowed to practice polygamy in accordance with their religion. In relation to the protection of women in polygamous marriages, the State has created legislations including the Women’s Act and Domestic Violence Act which seek to protect all women including those in polygamous marriages.

163. With regards to levirate, women in The Gambia are not in any way subject to compulsory *marriages* with their late husbands’ relatives. It is a traditional practice whereby women can opt to marry their late husband’s relative only if they so desire. Currently, all marriages tied in the country can be registered at either the religious institutions marriages are tied or at the civil registry for civil marriages.

## Optional Protocol and amendment to article 20, paragraph 1, of the Convention

164. The Gambia had ratified the Optional Protocol to the International Covenant on Civil and Political Rights on the Abolition of the Death Penalty and accepted, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.



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## **Beijing Declaration and Platform for Action**

165. The Gambia had harmonized and domesticated the Beijing Declaration and Platform for Action, in its national development blue prints and put in place mechanisms for the implementation of the provisions of the Convention. The National Development Plan 2018–2021, the Gender and Women Empowerment Policy 2010-2020 all are efforts to implements the Beijing Platform of Action.

## **Millennium Development Goals and the post-2015 development framework**

166. The Gambia Government continue to also integrate gender perspective as crosscutting issues or key critical enabler in its development blueprints, in accordance with the provisions of the Convention, into all efforts aimed at the achievement of the Millennium Development Goals and into the post-2015 development framework which is the Sustainable Development Goals.

## **Technical Assistance**

167. The Ministry of Women Children and Social Welfare commits to link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect. The Development Assistance from the EU and UN Agencies mainly focus on the implementation of the Convention.

## **Annex**

### **List of treaties signed and ratified by The Gambia in the last 2 years**

1. The Gambia signed the UN Treaty on the Prohibition of Nuclear Weapons on 20 September 2017 and ratified it on 26 September 2018.
  2. Convention Against Torture and other Cruel, inhumane or degrading treatment or punishment (CAT) signed in 2017 and ratified in 2018.
  3. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) signed in 2017 and ratified in 2018.
  4. International Convention for the Protection of All Persons from Enforced Disappearance (CED) signed in 2017 and ratified in 2018.
  5. Optional Protocol to the International Covenant on Civil and Political Rights on the Abolition of the Death Penalty in 2017 and ratified in 2018.
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