



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

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against Women**

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms of
Discrimination against Women**

**Replies of the Gambia to the list of issues and questions in
relation to its sixth periodic report***

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* The present document is being issued without formal editing.



Introduction

1. The Government of The Republic of The Gambia hereby submits its written responses to the list of issues and questions (hereinafter referred to as “the Report”) in relation to its Sixth Periodic Report to the Committee on the Elimination of Discrimination against Women (hereinafter referred to as “the Committee”), in accordance with document CEDAW/C/GMB/Q/6 of 7th March, 2022 and the reporting guidelines.

2. The report was prepared by the Ministry of Gender, Children and Social Welfare which guides and advises government on all matters affecting the development and welfare of women, children and other vulnerable groups, the Ministry of Justice which provides indispensable legal services in promoting and protecting rule of law, justice delivery and good governance and with support from other Government institutions, Civil Society Organisations (CSOs) and Non-Governmental Organisations (NGOs).

3. With this report, the Government of The Republic of The Gambia reiterates its commitment to the advancement and protection of women and girls and women’s empowerment. This report further seeks to expose the government’s efforts in prioritizing women’s economic empowerment and elimination of all forms of violence against women in the post-Covid-19 era.

Visibility of the convention

Advocacy and sensitization

4. Following the ratification of the Convention in 1992, significant steps have been taken to ensure its implementation and visibility. Since the establishment of the Gender, Children and Social Welfare Ministry as a stand-alone Ministry in 2019, the political will and commitment of the Government, Ministries, Parliamentarians and Community Leaders to guard the rights of women and girls has been felt nationwide. The National Assembly of The Gambia continues to play a critical role in ensuring the full implementation of the Convention in accordance with the National Assembly Act and Rules of procedure. National Assembly Select Committees were established to oversee functions that will ensure full implementation of the treaties, conventions, resolutions and other national development priorities. Following the recently concluded National Assembly Elections in April this year, there is now a separate Select Committee on Gender, Children and Social Welfare, replacing the Select Committee on Women, Children, Refugees, Disasters and Humanitarian Relief. In line with its mandate, the National Assembly Select Committees on Education, Agriculture and Natural Resources, Health, Women Children and differently abled persons in consultation with Ministries, Departments and Agencies periodically review status of implementation of concluding recommendations from various Committees including the CEDAW.

5. The Ministry of Gender, Children and Social Welfare developed a National Gender, Children and Social Welfare Strategic Plan 2021–2025 in line with the National Development Plan (2018–2021) which further aims to achieve the Sustainable Development Goals (SDGs), African Union Agenda 2063, and International and Regional Conventions and Protocols. We must acknowledge that the process for developing the Strategic Plan went through an Institutional Assessment (IA) of capabilities of the Ministry and its line departments against its mandate to effectively address the issues of women, children, persons with disabilities, and other vulnerable groups. A key priority of the strategy is strong government leadership and coordination (both nationally and regionally) across all programs aimed at empowering women and children and protecting the vulnerable.

6. For financing the above-mentioned strategy, the Ministry of Gender Children and Social Welfare developed the National Investment Plan (2021–2025). It specifies the resources required for programming and capacity building as well as potential sources (e.g. government budget, development partners, and private sector). The purpose of this Plan is to ensure that resources are directed to priority areas and interventions by taking deliberate and bold steps. Aid resources are especially important in this regard, since the plan will also rely heavily on funding from development partners.

Capacity building

7. Various capacity-building trainings have been provided to judges, prosecutors, lawyers, health workers, and other law enforcement professionals responsible for the implementation of the Convention by the government. The Domestic Violence Act, Sexual Violence Act, and the Women and Children’s Acts have been presented to over one thousand (1000) law enforcement officials, including investigators and prosecutors.

8. Further, the Judicial Training Institute, on its own and in collaboration with other agencies such as the Commonwealth Magistrates’ and Judges Association (CMJA), the Nigeria Judicial Institute (NJI), UNDP, UNICEF and the British High Commission have been able to deliver a wide variety of training programs.

9. The MoGCSW, through its Directorate of Gender Equality and Women’s Empowerment between 2020 and 2021, conducted capacity building trainings for 25 Magistrates, Prosecutors, and Gender and Child Welfare Officers on Sexual and Gender Based Violence with support from the UNFPA/UNICEF Joint Programme. Additionally, about 20 prison officers were also trained to strengthen protection and care mechanisms against sexual harassment. The legal implications of resolving GBV issues at the local level are discussed in biannual meetings with faith-based organizations and traditional leaders. Police Training Manual is also being revised to include Prison Officers. A series of capacity building workshops was also conducted by the Network against Gender Based Violence on the Women’s and Children’s Amendment Acts.

Women’s rights and gender equality in relation to the pandemic and recovery efforts

10. The government of The Gambia initially put in place a D500 million (US\$10 million) National COVID-19 Emergency Response Fund through budgetary reallocation from other sectorial budgets to enhance the National Response Plan and generated external resources from development partners. The budgetary reallocations posed the risk of eroding gains in social safety nets in education, agriculture, rural infrastructure, etc. but the systems established for the Emergency Response provided a basis for future disaster risk responses. (Director of Gender).

11. To further mitigate the impact of COVID-19 on vulnerable households, the government provided a food aid package worth GMD854 million (Rice, Sugar, and Cooking Oil) that covered 84 per cent of households (mainly female-headed) in May 2020 followed by a second-round food support package of GMD224.3 million in 2021. Similarly, support was also extended to SOEs (GMD121 million), LGAs (GMD46.8 million), and the tourism sector (GMD125.6 million). (Director of Gender).

12. This approach enhanced the incorporation of persons with disabilities and other vulnerable groups including children to respond to COVID19 as they are less likely than others to have power over the decision-making around the outbreak in families and communities.

13. Furthermore, the Ministry conducted a Rapid Desk Review on the COVID19 Vulnerability and Mitigation Survey using the 2015/2016 Integrated Household Survey data sets. This helped in the identification process to locate vulnerable households including people living with a disability.

14. The Ministry also provided support to 75,000 households in the Gambia with supplementary food supplies as well as assisted 75,000 households with unconditional cash transfers.

15. Equally, there was a **Coronavirus (COVID-19) Response Plan on the Education Sector**: The nationwide school closure directly affected about 674,300 children from Early Childhood Development to Senior Secondary School. In addition, about 18,000 children in Majalis (Koranic) Schools, 600 students benefitting from second-chance education, and several thousands of adolescents and youths in non-formal, higher, and tertiary education were affected. The Plan was, therefore, setup is to ensure that no child is left behind and the Multidisciplinary Technical Committee in charge of overseeing the Education Response Strategy to the COVID-19 Pandemic for the short and medium terms was charged with the responsibility to “develop and support the implementation of a coherent, effective and equitable educational response to the COVID-19 Pandemic”. It is understood that all the curriculum delivery modes (e.g. radio, TV, home-based study, online learning, etc.) during the school closure period may not work for every child, but a conscious effort was made to ensure that children at the risk of being left behind (e.g. children with disabilities, with no access to internet and TV; with a poor radio signal, etc.) are served appropriately. The Plan reached its objective of ensuring that children and their families have access to relevant and timely information on COVID-19 to protect themselves from infection and to reduce the transmission rate within their communities. To ensure continuity of learning during the initial 21-day school closure and progressively expand the curriculum coverage using multiple platforms in the medium to long term with particular attention to reaching children at risk of being excluded from the distance learning means. To strengthen the capacity and resilience of the Education Sector develop functional multiple platforms for delivering the curriculum and guarantee continuity of learning under all circumstances and leaving no child behind. To ensure that students living in underprivileged family households are supported with basic food items.

16. The interruption of court proceedings by the advent of the covid-19 pandemic has given greater urgency to the need to harness technology for the improvement of judicial processes. Accordingly, with the help of technology and the support of UNDP the system of virtual court hearings was created. The judiciary with the assistance of UNDP has also commenced a consultancy to expand the use of technology in the courts’ system.

Constitutional and legislative framework

17. 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.

18. In relation to discriminatory laws against women, The Ministry of Justice between 2019 and 2021 led a comprehensive review and harmonization of all existing legislations with particular focus on laws intended to stifle freedom of expression, discriminatory laws against women and children amongst others. At moment, bills touching on the criminal justice reform are pending before the National Assembly. However, amendments made to some existing legislations found to be discriminatory against women were all adopted by the National Assembly in 2021. The amended legislations are:

- Domestic Violence (Amendment) Bill, 2020;
- Christian Marriages (Amendment) Bill, 2020;
- Civil Marriages (Amendment) Bill, 2020;
- Married Women’s Property (Amendment) Bill, 2020;
- Matrimonial Causes (Amendment) Bill, 2020;
- Tourism Offences (Amendment) Bill, 2020;
- The Gambia Nationality and Citizenship (Amendment) Bill, 2020;
- Women’s (Amendment) Bill, 2020;
- Birth, Deaths and Marriages Registration (Amendment) Bill, 2020.

19. The amendment of the Women’s Act 2010 in Section 15 (2) states that it shall be mandatory for every Public Institution, authority, or state-owned enterprise to ensure that, for political and public offices, a minimum of 30 per cent of all offices, positions, and appointments are reserved for women. For Educational placement and school enrolment award of scholarships, bursaries, and other allocations, a minimum of 50 per cent is reserved for women among eligible candidates. In all other cases, a minimum of 30 per cent is reserved for women.

20. The amendment of the Domestic Violence Act 2013 sought to amend Subsection (2) of section 36 of the Principal Act by inserting a new paragraph that will ensure that the rights of complainants are not prejudiced by an out-of-court settlement.

21. The amendment to the Married Women’s Property Act sought to review and amend the provisions of the married Women’s Property Act found to be discriminatory against women and girls in the Gambia.

22. The amendment to the Matrimonial Causes Act sought to review and amend the Provisions of the Matrimonial Causes Act found to be discriminatory against Women and Girls.

23. The amendment to the Forced Labour Act sought to amend by inserting a new section 7A which states that “a woman shall not be subjected to any labour during pregnancy, that is hazardous to her health or likely to affect her reproductive health and that a child should not be exposed to any labour that is hazardous to her health and safety”. This Bill is currently on second reading and passed to the Assembly Business Committee. Labour Amendment Bill: The Bill seeks to repeal and replaces Section 71 which states that “every woman is entitled to a period of six months maternity leave with pay or with comparable benefits without loss of employment, seniority or similar benefits”. It goes on to state that, “every father is entitled to a reasonable time not exceeding 10 working days as paternity leave with pay”. Basic and Secondary Education Amendment Bill: The Bill seeks to review and repeal the provisions of the Basic and Secondary Education Act found to be discriminatory against Women and Girls in the Gambia.

24. In addition to the Constitutional and legislative measures, The Gambia adopted the National Policy for the Advancement of Gambian Women 2010–2020 which focuses on gender as a development concept and the participation of women and men in an equal and equitable manner for economic, political and social development of the Gambia. Furthermore, one of the policy’s guiding principles was to take affirmative action to redress historical and traditional forms of discrimination against women and girls in political, education, economic and other social spheres.

Access to justice

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 applies to over 95 per cent of the population as personal law in matters like marriage, divorce, and inheritance. Therefore, Gambian Law and the Sharia are administered contemporaneously. In February 2022 Government for the first time through the Cadi court appointed two (2) female judges to serve in the Cadi courts of The Gambia. As of now, information on cases brought before the courts on discrimination against women and the outcomes of those cases are not available. Matters relating to provisions of the Convention are invoked before the High Court. There is no restriction on any aggrieved person to go to the High Court in matters relating to the Convention.

National machinery for the advancement of women

26. The government of the Gambia established the Ministry of women, Children, and Social Welfare in 2019 and later changed it to the Ministry of Gender, Children and Social Welfare in 2020. It has also established 4 four sub-sectors under its purview. These sub-sectors namely; the Directorate of Gender Equality and Women Empowerment formerly Women’s Bureau, Directorate of Social Welfare, Directorate of Children Affairs, and The Directorate of Strategic Planning, Monitoring, and Evaluation. All these Sub-sectors are being headed by Director.

27. The establishment of the Ministry of Gender Children and Social Welfare, therefore, is to address the gaps in coverage and align programs more effectively to meet the varied needs of the population; and guide to increase the coordination of interventions through the adoption of a systematic and harmonized mechanism of actualizing Gambia’s development goals. The establishment of the Ministry of Gender combining issues of children and social protection is, therefore, a laudable development decision for The Gambia. This ministry will deal with challenges related to influencing other ministries on gender issues as well as resistance from sectorial administrations that are not amenable to cross-cutting mechanisms.

Constrains/challenges of the Ministry/provide information

28. The National Gender and Women Empowerment Policy 2010–2020 was subjected to a Midterm review in 2017. The purpose of the review was to ensure that the policy is aligned with the new National Development Plan, Sustainable Development Goals, legal instruments as well as International Instruments that The Gambia is a signatory. The percentage as of 2022 budget 0.3 per cent of the total national budget is invested in Gender, Children, and Social Welfare.

29. The review of the implementation of the policy went through various processes including an active consultative process with stakeholders. Government sector

policies of the ministries and state departments that constitute the Gender Focal Network were reviewed to assess the gender sensitivity and responsiveness of their internal policies. An assessment of the level of awareness of the concerned stakeholders to the Gender Policy, as well as an implementation status assessment of the Policy was conducted. The findings of all these assessments are contained in this report and recommendations were also included. Currently, the Gender Policy 2021-2030 is being developed. One International and one local consultant were contracted to develop this policy and currently, national, regional, and grass-root consultations are being conducted with the participation of the Ministry's staff and key relevant stakeholders.

National human rights institution

30. The National Human Rights Commission (NHRC) established in 2018 is now fully operational with an 'A' accredited status, and as part of its duties, the Commission has been monitoring institutions with statutory duties to respect, protect and fulfil human rights obligations for all including women and children. As part of its electoral monitoring responsibilities in 2021, the Commission conducted pre-election, election, and post-election exercises. These monitoring exercises were aimed at ensuring that human rights standards were upheld during the presidential election cycle. The Gambia's National Assembly has already received two State of Human Rights Reports in the Gambia from the Commission since its inception.

Women human rights defenders and civil society

31. Since 2017, there have been no reported cases of harassment and intimidation of human rights defenders in The Gambia. However, with the ongoing reform initiatives, it is envisaged that best practices would be adopted to provide us with the opportunities to adopt best practices for a more enabling environment. Furthermore, as we review our criminal laws to criminalize torture and the domestication of the CAT, mechanisms to prevent acts of torture from occurring will be established. The Government of the Gambia has affirmed its commitment to the protection of all persons in the country, including Journalists, civil society and other human rights defenders.

Harmful practices

32. The Gambia has ratified the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (the Maputo Protocol) and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women. The provisions of these instruments have been domesticated through the Women's Act, 2010, including the prohibition of child marriage as contained in the Children's Amendment Act 2016. The Constitution of The Gambia also makes provisions for the promotion of women's rights. Section 28 provides that Women shall be accorded full and equal dignity. In addition, women have the right to equal treatment, including equal opportunities in political, economic, and social activities. The Domestic Violence Act 2013 and Sexual Offences Act, 2013 are also fundamental in addressing violence against women and girls.

33. According to the 2020 DHS, overall, 99 percent of women and 98 percent of men in The Gambia have heard of FGM. By religion, the prevalence of FGM is higher among Muslim women (74 per cent) than Christian women (19 per cent). The prevalence of FGM is highest in Basse (97 per cent) and lowest in Kerewan (42 per cent). Women and

men who have heard of female circumcision were asked whether this practice is a requirement of their religion. Only about one-third of women (34 per cent) and men (31 per cent) believe that it is not a religious requirement. Less than half of women (46 per cent) and men (42 per cent) believe that female circumcision should not be continued.

34. Over the past three decades, the government of the Gambia, partners, and several organizations such as The Gambia Committee on Traditional Practices Affecting the Health of Women and Children (GAMCOTRAP), TOSTAN, and Wassu Gambia Kafo have taken active and meaningful roles in ending FGM in The Gambia. At the time, there were no youth-led organizations actively engaged in the campaign to end FGM. However, from 2011 to date, there has been a surge in the number of youth-led organizations that took up the mantle and complimented the efforts of the older generation organizations to end FGM. The building of the movement amongst young people in The Gambia could be attributed to initiatives such as the Girl Generation whose grants allowed more grassroots engagements by giving funds to grassroots organizations, such as Mbalondirem in Upper River Region (URR), Just Act in Central River Region (CRR), Fandema Kafo in Lower River Region (LRR), Kids Come First Foundation in West Coast Region (WCR) amongst others, who often do not have access to funding. UN agencies such as UNFPA and UNICEF, through their joint programs, to end FGM in the Gambia, have also supported this process and these organizations. As a result, more youth-led organizations were able to access funding to implement important work, which has accelerated the abandonment of FGM.

Reported cases of FGM practises and its litigation

35. In terms of monitoring mechanisms, the establishment of the National Women's Council under section 57 of the Act is an important innovation as the Council is tasked among other things with the implementation of gender and women's rights initiatives in all areas of government activities and advice government on women's rights issues. The Council also monitors compliance with the Act. However, the Act failed to adequately make provision for traditional and indigenous leaders and communities to take a role in the fight against FGM. Since these entities are major gatekeepers of FGM, it is important to include their members in the fight against the practice. Under the Council's advisory mandate, it can regularly avail the Government of up-to-date information on the dynamics of FGM and how to approach the challenges surrounding the full abolition of the practice.

36. The High Court of The Gambia, which has branches in all regions of the country has the jurisdiction to enforce the rights protected in the Act just like other rights protected in the 1997 Constitution. Section 12 of the Women's Act allows for any person acting on behalf of another person, any member of an interest group, and anyone acting in the public interest to bring an action for the enforcement of these rights before the High Court. The National Women's Bureau can also initiate proceedings on behalf of the National Women's Council in the High Court to enforce these rights or seek any other redress. Thus, unlike under section 37 of the Constitution which only recognizes *locus standi* of the person who alleges his or her rights have been, are being, or likely to be violated, or by someone acting on behalf of a detained person, the Women's Act opens various avenues through which women, and other interested in the protection of women and girls, can seek enforcement of the provisions of the Act. These provisions can be used to litigate the violation of women's rights to dignity and freedom from torture and inhuman treatment, including the practice of FGM in The Gambia.

37. The Ministry of Gender, Children and Social Welfare has commissioned a Research Study in 2021 for the Development of the National FGM Policy and Plan

of Action for the Elimination of Female Genital Mutilation in The Gambia. The Gambia has registered some progress in the fight against FGM. The legal and policy framework provides for some measures of the resort to combat FGM as the 1997 Constitution and other international and regional instruments have broad provisions that can be relied on to justify the criminalization and prosecution of perpetrators of FGM. The Women's Act, of 2010 and the 2015 amendment thereof are good starting points to eliminate FGM. The policies that were reviewed also provided a series of piecemeal measures to fight FGM.

Gender-based violence against women

38. In recent times, the government has undertaken major legislative reforms with support from UN Women aimed at repealing discriminative 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 offense 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. GBV data was recorded from care team institutions and one-stop centres from 2017 to 2019.

Total number and types of GBV cases recorded by the care institutions in 2016 after verification:

<i>GBV type</i>	<i>Number of cases recorded in 2016</i>	<i>Percentage (%)</i>
Sexual violence	153	38%
Economic violence	147	36.4%
Psychological/emotional violence	58	14.4%
Physical violence	45	11.2%
Total GBV cases recorded	403	100%

Total number and types of GBV cases recorded by the care institutions in 2017 after verification:

<i>GBV type</i>	<i>Number of cases recorded in 2016</i>	<i>Percentage (%)</i>
Sexual violence	191	41.4%
Economic violence	161	35%
Psychological/emotional violence	61	13.2%
Physical violence	48	10.4%
Total GBV cases recorded	461	100%

Total number and types of GBV cases recorded by the care institutions in 2018 after verification:

<i>GBV type</i>	<i>Number of cases recorded in 2018</i>	<i>Percentage (%)</i>
Sexual violence	302	65%
Economic violence	89	19%
Psychological/emotional violence	33	7%
Physical violence	42	9%
Total GBV cases recorded	466	100%

Total number and types of GBV cases recorded by the care institutions in 2019 after verification:

<i>GBV type</i>	<i>Number of cases</i>	<i>Percentage (%)</i>
Sexual violence	217	50.8%
Economic violence	113	26.5%
Psychological/emotional violence	42	9.9%
Physical violence	51	11.9%
Harmful traditional practices	4	0.9%
Total GBV cases	427	100%

39. 1,757 Cases from 2016 to 2019 and 863 of the cases are Sexual violence – Rape and other sexual offences (49 per cent) Number and types of SGBV cases recorded from January to April 2020.

<i>Health facility/OSC</i>	<i>Total no. of cases</i>	<i>No. of sexual violence cases</i>	<i>No. of physical violence cases</i>	<i>No. of child victims</i>	<i>Age of adult victims</i>
Bansang Hospital-OSC	3	1	2	1	2
Brikama District Hospital	8	8	0	6	2
Kanifing General Hospital-OSC	51	39	12	34	17
EFSTH-OSC	10	8	2	6	4
Total	72	56	16	47	25

Note: all the 47 child victims are victims of sexual violence out of the 16 victims of physical violence, 15 are pregnant women.

40. The impact of COVID-19 on women and girls is likely to create a parallel pandemic in the area of human rights by deterring progress made towards gender equality and protection of women. The impact is multi-faceted, including lowering the purchasing power of the population, especially for women, who are forced to stay at home because of the pandemic. The specific effect of the COVID-19 pandemic is likely to undermine efforts to end gender-based violence, and is estimated to decelerate progress towards this target by one-third by 2030.

41. A rapid GBV assessment was conducted, led by UNFPA with support from the Ministry of Gender, Children and Social Welfare, Ministry of Health, Network Against Gender Based Violence and other agencies, clearly showed an indication of

a high rate of domestic violence during the lockdown. The women who are in the informal sectors, small traders, day wagers have economic loss and this has also heightened the risks of GBV. The assessment also identified the already weak protection efforts for the survivors of GBV as well as reduced prevention efforts during the lockdown. In this situation, although GBV issues have been included in the mandate of the Mental Health and Psychosocial Support (MHPSS) Subcommittee of the National Health Emergency Response to COVID-19 to mitigate, respond and prevent gender-based violence, however responding to GBV to mitigate and prevent is beyond the scope of MHPSS while IASC GBV Coordination guidelines clearly shows GBV responses require multi-sectoral efforts with improved coordination. Multi-sectoral efforts are required nationally by all agencies with a stake in GBV issues in the Gambia from government to non-governmental agencies to eliminate all forms of gender based violence in the country by 2030, a commitment Gambia Government made at the ICPD conference held in Nairobi Kenya in 2019. Furthermore, The Gambia has an international, regional and national commitment with regards to the protection of women and children as outlined in the Constitution, CEDAW, CAT and Maputo Protocol. The Gambia has an obligation to ensure protect, promote and fulfil it human rights obligations and as such all GBV responses should be human rights based to ensure inclusion, participation and that no one is left behind.

Trafficking and exploitation for prostitution

42. The National Agency Against Trafficking In Persons (NAATIP), was established by an Act of Parliament in 2007 to Prevent, suppress and punish those engaged in, the trafficking in persons and to rehabilitate and reintegrate victims of Trafficking. The institution under the period has investigated case of TIP as listed below.

Table for 2021

<i>TIP for exploitation of prostitutions</i>	<i>TIP for force labour</i>	<i>TIP for organ removal</i>	<i>TIP for force marriage</i>	<i>TIP for other purposes</i>	<i>TIP for unknown purposes</i>	<i>Number of victims</i>	<i>Number of perpetrators</i>
6	42	NIL	NIL	NIL	NIL	48	25

43. Perpetrators of which six (6) where on exploitation of prostitution and forty two 42 on Labour Exploitation. The girls given reintegration package are thirty six (36). The nationals among were (3) Nigerians victims, thirty (30) Gambians victims and (3) Sierra Leoneans (3). The age ranges from 17-28. From the number of cases investigated six where sent for prosecution of which four (4) were acquitted and discharge and two (2) are ongoing in the year 2022.

44. The National task force comprises Civil Society Organization (CSO), Non-Governmental Organizations (NGOs), Inter Governmental Organization, which meets quarterly to discuss pertinent issues of TIP. The Task force is funded by the American government through the JTIP Fund to support Government efforts in combating trafficking In Persons. Other supporting legislations include the Tourism Offense Act 2003 and Children's Act 2005 geared towards combating human Trafficking.

Table for 2022

<i>TIP for exploitation of prostitutions</i>	<i>TIP for force labour</i>	<i>TIP for organ removal</i>	<i>TIP for force marriage</i>	<i>TIP for other purposes</i>	<i>TIP for unknown purposes</i>	<i>Number of victims</i>	<i>Number of perpetrators</i>
10	3	NIL	NIL	NIL	NIL	13	6

45. In year 2022 the National Agency Against Trafficking In Persons (NAATIP) registered thirteen (13) cases of victims of trafficking and six (6) perpetrators. Ten (10) are Victims of Exploitation of Prostitution and three (3) were on Labour exploitation.

46. The girls given reintegration for the year 2022 are seventeen (17). Four (4) victims of year 2022 whose cases were registered for reintegration and thirteen of them were 2021 victims registered in 2022 for reintegration package.

The National task force is funded by the American Embassy through the JTIP Fund.

47. Two (2) are of Sierra Leoneans on exploitation of Prostitution, and eight (8) Nigerians. For Labour exploitation two (2) are Gambians and one (1) Sierra Leonean. The age range from 15–42.

48. In the year 2022 two (2) accused were convicted under section 35 attempts of the trafficking in Persons act but punishable under section 28 of the Tip.

Participation in political and public life

49. Section 39 of the Constitution provides the right to vote and be registered for the purpose of voting in elections of a President and members of National Assembly, referendum, local Government authorities and traditional rulers. As provided by the Constitution, voting in election is to be done in secret. The Constitution also established the Independent Electoral Commission which regulates the registration of voters and conduct of elections in the country. In a bid to ensure that elections are transparent and conducted in a free and fair manner, the Independent Electoral Commission has received the political commitment of the Government to guarantee its independence.

50. It is expected that the IEC's independence and financial autonomy will be entrenched in the new Constitution that will be promulgated after the Constitutional review process is completed. Furthermore, to encourage fair elections and widespread participation of the ordinary citizenry, the Elections Act was amended in 2017 to reduce the exorbitant deposits payable by candidate for elected office. This has had a tremendous effect with the IEC registering a record number of candidates in the National Assembly and Local Government elections. There is a registered increase in the level of participation for the first time in the electoral history nine (9) political parties were registered for the local Government elections of 2018. In addition the 1997 Constitution recognizing the right of women to participate in political and public life as provided in Section 26.

51. In addition, Section 214(4) states that "in the composition of Government, women shall be fairly represented". The Women's Act under Section 15 provides for temporary special measures to be adopted by every organ, body, public institution, authority or private enterprise aimed at accelerating de facto equality between men and women. This Section becomes more relevant in the political arena and decision-making at all levels, where women are not legally barred from participating

effectively on an equal footing with men, but may not be able to do so due to cultural bias in favour of men, and stereotypical perception of the role of women.

52. In the area of governance, women's invisibility is pronounced especially in the National Assembly and local government administration. There is only one female mayor and one female Governor out of 8 who of recent has been elevated to the portfolio of Minister, though gender parity is applied in the appointment of Village and Ward Development Committees as prescribed by the Local Government Act in effect, women, who are elected to these committees, are generally prominent females whose interests are to represent women in the committee.

53. In the legislature only 6.3 per cent of National Assembly members are women. In the Executive at the level of Cabinet where vital government decisions are taken, we have three (3) female Ministers.

Nationality

In the absence of the father's document, the father's details are not entered in the register, however the child could still be registered and issued with certificate aligned to the mother's name.

Education

54. Section 30 of the 1997 Constitution guarantees the right to education. All Gambian citizens are entitled to free and compulsory basic education. Furthermore, it is a directive principle of state policy to ensure basic education for all citizens and to provide adequate resources to make such basic education free for all citizens. Apart from the Constitution, the Children's Act 2005 also provides for the right to education, and an Education Bill is currently being drafted to provide for the management and development of educational services. The right to a free and compulsory education is also enshrined in previous education policies, as well as in the recent policy 2016-2030. Through universal basic education programmes, the Government is focusing more on improving literacy levels among Gambians than on elite education. In a bid to implement the legislative and administrative measures adopted to provide free and compulsory basic education and to realize Governments policy of accessible, equitable and inclusive quality education for sustainable development, several grants, schemes and projects have been introduced to assist the Government in providing this basic right.

55. With the introduction of School Improvement Grant (SIG), this can be seen as a positive stride towards actualizing the progressive introduction of free education provided for under the constitution and in education policies. The SIG covers the cost of stationary, books and school uniforms for children from lower basic, upper basic and senior secondary education levels. The Grant is also coupled with the bursary scheme for girls that also provides for uniforms and stationary especially for girls in the rural area. In addition, the READ Project, by the Ministry of Education and the World Bank, a grant recently received in 2018 also providing for free text books in schools for both boys and girls. To further ensure that education is made available for all, a Conditional Cash Transfer scheme has also been introduced to provide another form of education with minimum curriculum standards to children and youth who attend non-conventional Islamic schools.

56. The Scheme has been introduced to 17 centres countrywide and aims to provide functional literacy and numeracy coupled with life and livelihood skills. Moreover, these funds are supplemented by regional initiatives and incentives of various types,

including special scholarship packages that cover a wide range of costs from fees, uniforms, and books to mentoring. The Ministry of Education was able to build classrooms throughout the country supported by various donors to improve access to quality education for all Gambians. Additional resources from the Education for All or Fast Track Initiative (EFA/FTI) and Global Partnership for Education (GPE) have also greatly contributed to the provision of additional classrooms and provided the impetus to accelerating access to basic education. Also the development of the TVET Policy in the Basic Secondary School Curriculum by the Ministry of Education in collaboration with the Ministry of Trade.

The table below shows the number of schools by type and year.

<i>Number of ECD Centres</i>				
	2015	2016	2017	2018
	1 115	1 141	1 154	1 257
<i>School type</i>	2015	2016	2017	2018
LBS	705	718	758	811
UBS	138	150	163	188
BCS	223	240	236	250
SSS	145	160	171	189
Total	1 211	1 268	1 328	1 438

57. There has also been a notably significant increase in school enrolment at different education levels from 104 per cent in 2016 and 112.7 per cent in 2018. This includes Madrassa (Islamic religious schools) enrolment, which is now officially recognized. During the same period, the gross enrolment rate for girls increased from 89.1 per cent in 2010 to 116.5 per cent in 2018 and for boys from 87.5 per cent in 2010 to 108.9 per cent in 2018.

	<i>Gross enrolment rate LBE</i>		
	<i>M</i>	<i>F</i>	<i>T</i>
2015	99.0%	103.5%	101.2%
2016	101.4%	106.7%	104.0%
2017	105.4%	111.8%	108.6%
2018	108.9%	116.5%	112.7%

58. For upper basic education, the gross enrolment rate increased from 66 per cent in 2004, 66.2 per cent in 2010 to 68.1 per cent in 2013, 68.1 per cent in 2014 and 68.3 per cent in 2015. There has however been a 1.5 per cent decline in school enrolment rate between the year 2015 and 2016 and an increase from 67.4 per cent in 2017 and 68.1 per cent in 2018. It is worth noting that the period between 2010 and 2018 has witnessed a steady increase in the Upper Basic Gross Enrolment Rate of the girl-child, from 65.6 per cent in 2010 to 71.3 per cent in 2018. There has on the other hand been a fluctuation in enrolment of boys in upper basic education from a gross enrolment rate of 66.9 per cent in 2010 to 65.5 per cent in 2011 an increase between 2012 to 2015 to 66.8 per cent and a slow decline between with 55.9 per cent to 64.8 per cent.

	<i>Gross enrolment rate UBE</i>		
	<i>M</i>	<i>F</i>	<i>T</i>
2015	68.3%	68.2%	68.3%
2016	65.9%	67.6%	66.8%
2017	65.0%	69.7%	67.4%
2018	64.8%	71.3%	68.1%

	<i>Primary completion rate LBE</i>		
	<i>M</i>	<i>F</i>	<i>T</i>
2015	72.8%	74.4%	73.6%
2016	74.7%	76.0%	75.4%
2017	77.4%	80.0%	78.7%
2018	79.7%	84.3%	82.1%

59. Furthermore, Secondary School enrolment has improved from 33.9 per cent in 2010 to 47.8 per cent in 2018 with a steady increment in the enrolment of the girl child from 30.6 per cent in 2010, 39.1 per cent in 2013, and 41 per cent in 2014 and to 49.8 per cent in 2018.

	<i>Gross enrolment rate SSE</i>		
	<i>M</i>	<i>F</i>	<i>T</i>
2015	42.6%	40.5%	41.6%
2016	44.1%	43.9%	44.0%
2017	44.5%	47.1%	45.9%
2018	45.7%	49.8%	47.8%

60. It should be noted that the education system has improved since the last reporting period. A progressive increase in general enrolment at both the Primary and Secondary schools was registered between the years 2010 to 2018.

61. Government efforts to increase access to education for girl children and expose them to better opportunities in life are reflected in this increment. Through public awareness programs, the government encourages parents to prioritize educating their female children alongside their male children. Moreover, the Gender Training Manual and the Gender Action Pack were revised in 2015 to address emerging issues and improve teaching and learning in schools.

62. The Gambia has ratified the Convention on the Rights of Persons with Disabilities and domesticated same into a national law and has great strides in some areas. There are three recognized specialized schools for persons with disabilities: St. John's School for the Deaf, Methodist Special School for children with Learning Difficulties, and GOVI resource Centre providing an education service for the visually impaired. Several Government agencies have been addressing the rights of persons with disabilities. These include the Ministry of Basic and Secondary Education, the Social Welfare Department, the Ministry of Youth and Sports, etc.

Employment

63. Since the change of Government, several policy reforms have been undertaken to improve the country's economy. These reforms are geared towards improving fiscal management, which has led to a reduction in domestic borrowing, reduced interest rates, and more resources accessible to the private sector.

64. Several initiatives have also been launched to increase employment and generally improve the living standards of its people. Some of these initiatives are Youth Empowerment Project (YEP); the Make it in The Gambia Project (locally referred to "Tekki fi"); the Children on the Move Project; and She Trades Initiative. All these projects aim to improve economic development by promoting attractive employment and income opportunities, particularly for women, children, and youth. These initiatives seek to also control irregular immigration.

65. In 2017, with the funding support of the EU, the Government launched the Gambia Youth Empowerment Project (YEP) which seeks to address the economic root causes of irregular migration by supporting youth employment and entrepreneurship. The project takes a market-led approach to improve the skills and employability of potential and returning migrants according to the demands of the job market and simultaneously creating employment opportunities along Gambian value chains.

Health

66. Strategic intervention is taken to ensure quality health and address awareness on contraceptive and sexual and reproductive health and rights targeting women, and men. Girl and boys to ensure that modern contraceptive is available, accessible, and affordable to reduce unwanted pregnancy and unsafe abortion. MoH through the Reproductive, Maternal, Newborn, Child and Adolescent Health (RMNCAH) continues to raise awareness of the benefits of RHCS and contraceptive use through information, education, and communication. MoH through RMNCAH has the Reproductive, Maternal, Newborn, Child, and Adolescent Health Policy and Strategic plan to address the prevention of adolescent pregnancy.

67. The Ministry of Health (MoH) through RMNCAH, Kabilo Baama, and the male action strategy create awareness in communities on reproductive and sexual health problems for early reporting to the health facility.

68. MoH has trained Doctors, Nurses, and Midwives to offer SRH services across the country. MoH included reproductive health supplies in the national essential drug list and established a comprehensive approach to ensure sufficient supplies for the country. MoH through RMNCAH ensures the delivery system to ensure reliable supply and the management of logistics information. MoH through RMNCAH Procures contraceptives and other essential RMNCAH supplies and promotes their use through various mechanisms such as community-based distribution. MoH through RMNCAH Ensure availability and use of updated guidelines at all service delivery points.

69. Reproductive, Maternal, Newborn, Child, and Adolescent Health (RMNCAH) transformed all minor health facilities to provide Basic Emergency Neonatal and Obstetric Care (BEmNOC) services. MoH through RMNCAH transformed all major health centres to provide Comprehensive Emergency Neonatal and Obstetric Care (CEmNOC) services. Collaborate with respective sectors for the 24 hours continuous supply of water and electricity in all health facilities. MoH through Riders ensures Health all hospitals adequately provide referral services and MoH through RMNCAH

has designed appropriate age-tailored and context-specific Social Behavioural Change Communication (SBCC) interventions to increase access to information and reach every adolescent (in-school and out of school) and raise their knowledge on reproductive biology, SRH problems, service use, and responsible behaviours.

70. MoH through RMNCAH Promotes SRH information for adolescents in the age range of 10-14 years, SRH information and services for 15–19 years as per their needs. MoH through RMNCAH Enhance the use of mass media, social media, entertainment/edutainment, and recreational activities to disseminate SRH information in a bid to reduce the engagement of adolescents in risky sexual behaviours. MoH through RMNCAH Ensure that all adolescents have access to a comprehensive and full range of SRH services by redesigning the existing structures to make them more adolescent Friendly Centres. MoH through RMNCAH Improved access to the health information on risks for injuries (RTA) and violence (sexual violence/rape and physical fighting) among adolescents and how to minimize the risks.

71. In terms of improved access to the treatment of victims of injuries and violence including psycho-social supports. MoH through RMNCAH create awareness of reproductive age women, particularly adolescents and youth, on the consequences of abortion, how to prevent abortion, and when and where to seek services as per the country's law. MoH through RMNCAH ensures All women seeking treatment for incomplete unsafe abortion would be provided the appropriate care as per the country's law. MoH through RMNCAH equipped facilities with equipment, supplies, and trained human resources to give quality abortion care services as per the standard and country's law. MoH through RMNCAH developed guidelines on the management of post-abortion complications to provide comprehensive services including, counselling on family planning, unwanted pregnancies, and prevention and treatment of complications of abortions. MoH through RMNCAH Increases awareness of the importance of using contraceptives to prevent unwanted pregnancy that may lead to unsafe abortion.

72. The need to ensure women seeking abortion services should be provided with family planning counselling and services to help them prevent an unwanted pregnancy or practice birth spacing. MoH through RMNCAH ensured community and service provider partnerships as well as Public-Private Partnership (PPP) for family planning, prevention of unwanted pregnancies, and unsafe abortion MoH through RMNCAH designs and implements appropriate context-specific information provision (IEC/BCC) mechanisms to raise the awareness of the general community and pregnant women on pregnancy care, birth preparedness and complication readiness, skilled delivery and PNC, including facility-based, community-based, mass-media and printed materials. MoH through RMNCAH developed and provide up-to-date ANC guidelines and standard operating procedures for each level of service delivery points/facilities. MoH through RMNCAH equipped the facilities as per the standard by availing all the necessary laboratory facilities, reagents, equipment, and supplies to provide all components of the ANC minimum package.

73. In the area of strengthening the provision of quality antenatal care (ANC) as early as possible in the first trimester, at least eight times during pregnancy, including the provision of iron-folic acid, TT injection, HB, blood pressure, nutrition, fetal growth monitoring, testing and treatment for HIV to prevent mother to child transmission, management, referral and care of HIV exposed infants from birth to 18 months, syphilis, and Hepatitis B. MoH through RMNCAH promotes programs to educate mothers on self-care, birth, and emergency preparedness while emphasizing on gestational diabetes, obstetric haemorrhage, eclampsia, maternal infections, etc. MoH through RMNCAH Provides an adequate supply of iron, folic acid, and MgSO₄ to facilities providing antenatal care to be able to effectively manage women with

anaemia, preeclampsia, and eclampsia. MoH through RMNCAH Train service providers in other to offer quality ANC. MoH through RMNCAH improves referral linkages from the community to the higher levels of care for the management of pregnancy complications through the provision of community ambulances. MoH through RMNCAH Integrate nutrition information and counselling as well as screening and management of malnutrition during pregnancy, particularly iron deficiency anaemia and Body Mass Index (BMI).

Economic empowerment of women

74. As part of the COVID recovery response, work has started with the women fish processors at the beaches in Gunjur, Tanji, and Brufut around the coastal areas. The project seeks to improve the working conditions of women working in the fisheries value chain to supply fish (processors), to benefit from new fish smokehouses, solar dryers, resting huts, toilets, and stores. Boreholes were drilled in all three sites, and the main challenge such as limited access to water is now solved, while the rest of the work is in progress.

75. The Ministry of Gender Children and Welfare launched the Women Enterprise Fund in October 2019 as part of the NDP flagship projects to strengthen the capacities of 10,000 women and girls in micro, small and medium enterprises which is entirely funded by the government of the Gambia.

76. Women form 52 per cent of the population of the Gambia and are mainly engaged in small and micro-entrepreneurship while being challenged by access to finance and entrepreneurship skills. It is against this backdrop that The Women Enterprise Fund was created to address these challenges in the immediate time and in the long term to create a bank for women. The fund will create employment opportunities for women, reduce poverty and improve economic wellbeing. A legal framework was enacted on the 24th of September 2020 and ascended by the president on the 21 October 2020, to guide the operations of the fund (The Women Enterprise Fund Act). From December to date, the Women Enterprise Fund has *trained* 10,060 women and disbursed GMD 17 million to 435 women's groups across the country.

77. In addition, The United Nations Capital Development Fund (UNCDF) in collaboration with the Ministry of Gender, Children and Social Welfare is providing technical and financial support to the Ministry for enhancing its capacity to implement innovative financial solutions that empower women. Since its inception, a training of trainers (TOT) of 100 Staff was conducted on financial literacy, followed by a rollout campaign to 52 constituencies pending 1 constituency targeting 10,000 women.

78. The Gambia is a signatory to the ECOSOC resolution 11(II) of 21 June 1946 for the Commission on the Status of Women (CSW), the Ministry of Gender Children and Social Welfare together with other Government Departments, Civil Society Organizations and Development Partners represented the Government of the Gambia in New York in 2019 and 2022 where a discussion was centred on the progress and gaps in the implementation of the 1995 Beijing Declaration and Platform for Action, the key global policy document on gender equality, and the 23rd special session of the General Assembly held in 2000 (Beijing+5), as well as emerging issues that affect gender equality and the empowerment of women. The Member States agreed on further actions to accelerate progress and promote women's empowerment of their rights in political, economic, and social fields.

79. Over the years, the Ministry of Gender Children and Social Welfare spare headed the commemorations of many International events from 2019 to date among them are International Women's Day, Rural Women's Day, 16 Days of Activism

Against Gender-based Violence, and Zero-tolerance Day to FGM/C. The objective of this commemoration is to reflect on issues affecting the rights and welfare of women, creating awareness and platforms.

80. Currently, the Directorate of Gender Equality and Women Empowerment under the leadership of the Ministry of Gender is developing the successor National Gender Policy 2023 to 2032 with funding from the African Development Bank. It aims at ensuring a society that is characterized by peace and prosperity where women, men, boys, and girls are equal partners and gender equality and equity are incorporated in all spheres of development.

81. The Kabilo Baama is a UNFPA Government of The Gambia Funded initiative that was piloted in the Lower River Region in partnership with the Reproductive and Child Health Unit under the Ministry of Health. The initiative aimed to improve clinic attendance by women and children through the participation of the community as well as enhance the income of women and families through small business initiatives. During the pilot phase, 58 communities in Kiang East and West were reached and 174 women and men were trained in livelihood skills. This has minimized maternal deaths and also encouraged male participation in the care of mothers during pregnancy, childbirth, and blood donations. In addition, early booking, antenatal attendance, and institutional deliveries have improved resulting in positive pregnancy outcomes and limited complications due to pregnancy. Women are also provided with extra time to participate in income generation activities. The project has now been extended to CRR North with support from the West African Health Organization (WAHO) with 180 persons so far trained and similar outcomes are expected in the project intervention areas in the next 2 years.

UNESCO

82. UNESCO funded project on “Female Traditional Circumcisers through the promotion of alternative ways for self-actualization and self-sustenance” supported the Ministry of Gender, Children and Social Welfare in strengthening the capacities of 75 female traditional circumcisers to find alternative ways for self-actualization, self-esteem, and self-sustenance through business skills development and start up support. The Project developed research instruments for data collection, analysis, and report writing targeting 40 female traditional circumcisers. A seminar was conducted with 25 stakeholders to share findings of the research to better establish priority areas to articulate strategic support to the female traditional circumcisers. 75 traditional circumcisers were trained on specific income generation and business development skills and provided material support to 20 female traditional circumcisers as start -up capital (in-kind). The final component of the project monitored the procurement and distribution of the support provided to the 20 female traditional circumcisers.

Rural women

83. The Government of the Gambia is committed to providing rural women access and control to productive resources (land, credit, inputs, and implements), and 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.

84. Action Aid – The Gambia in partnership with the 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 a good amount of money for the registered members.

85. So far, over 1,500 women have been adequately informed on microfinance products and services, about 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 were 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.

86. 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. 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’s produce and products, the women have been supported to participate in trade fairs for the past 5 years.

87. In strengthening women’s economic initiatives and building their resilience, 53 women were supported with small ruminants, 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 to improve vegetable production and 60 in poultry management and feed preparation. A Series of interactive radio talk shows on issues relating to women’s empowerment, justice, girls’ education, women’s right to productive resources, and women’s participation in decision-making has been conducted.

88. 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 this training 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 microfinance institutions.

89. 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 training 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.

90. Currently, there are more than 200 literacy centres across the country being operated by different Adult Literacy providers such as The National women’s farmers Association, World Evangelisation Crusade, Association of Baptists for World Evangelisation, and TOSTAN. Family and Inter-generation learning approaches are

also piloted in 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.

91. Learners are provided with seed money to encourage them to practicalize 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.

Marriage and family relations

92. Section 27 of the Constitution states that “men and women of full age and capacity shall have the right to marry and found a family”. It further provides that “marriage shall be based on the free and full consent of the intended parties”. The Section, however, does not protect a woman’s right to equality with the man in the marriage or at its dissolution, or any other rights protected under the Protocol or CEDAW. Section 27 should therefore be amended to include a provision on matrimonial equality. This would serve as a resource for women whose rights to matrimonial equality are violated through reliance on personal law. This provision is also subject to the other relevant provisions of the Constitution permitting discrimination in matters of personal law relating to marriage, and the application of Sharia and Customary laws, which are mainly discriminatory as far as family relations between men and women are concerned.

93. Equality of men and women is also guaranteed under Section 28 of the Constitution. It gives women “the right to equal treatment with men, including equal opportunities in political, economic and social activities”. This is a fundamental right that conforms to the main provisions in CEDAW and the Protocol, such as Article 2 (1) (a) of the Protocol and Article 2(a) of CEDAW and which is equally in conformity with Section 28 of our Constitution.

94. Furthermore, the Government of The Gambia in 2016 amended the Children’s Act of 2005 criminalizing Child Marriage and child betrothal. Since the enactment of the law, government and civil society organisations have engaged in countrywide sensitization to popularize the law amongst the general public and law enforcement officials. However whilst the State recognizes that enforcement remains a challenge due to the deep-rooted nature of this practice, it will continue to conduct training of law enforcement officials, sensitizations through the media, and at the grass-root level to encourage reporting of such cases to the police.

95. The Ministry of Women Children and Social Welfare strongly Promote 18 years as the minimum age of marriage, equalizing the age of marriage between women and men and eliminating related exceptions as appropriate; *Ending gender discrimination in nationality laws*: Uphold women’s rights to equality in nationality and citizenship laws; *Addressing discriminatory rape laws*: Revise provisions that exempt perpetrators from rape charges if they marry the survivor; Repeal gender-discriminatory personal status laws (one or more of the following: marriage, divorce, parental rights, and inheritance).

96. Due to The Gambia’s plural legal system, matters of marriage, divorce, and inheritance are usually decided in accordance with Sharia or customary law for the majority of the population to whom it applies. Sharia or customary law courts decide about 90 per cent of such related cases in The Gambia.

97. This also means that over 90 per cent of women, (who are Muslim or subjected to customary law), in The Gambia are not protected from discrimination in matters of such nature unless recourse is sought through the common law courts. Even where women seek recourse through the common law courts, the relevant discrimination provisions of Sharia and customary law would still be applied, as a constitutionally guaranteed source of law, under section 7 of the Constitution.

Right to equitable distribution of matrimonial property upon divorce

98. Section 43 (4) of the Women’s Act provides that “in the cases of separation, divorce or annulment of marriage, a man and a woman have the right to an equitable sharing of the joint property derived from the marriage.” This is meant to protect women who are usually evicted from their marital homes by their husbands during a divorce. Under customary law practices in the Gambia, the marital home usually belongs to the husband who decides whether the wife stays in the house after separation, divorce, or annulment of the marriage. This means that in the distribution of property in cases of divorce under customary law, the woman’s contribution (monetary or equitable) to a marital property is not given due consideration. It is thus recommended that Section 43(4) be amended to take into consideration

- The equitable and matrimonial law principle of joint and common endeavour on the part of the parties to develop the property on the understanding that this is a matrimonial property for the benefit of the marriage, irrespective of the date of acquisition of the property;
- The fact that contributions made by the women should be quantified against the total value of the property, taking into consideration the time value of money;
- The fact that even if the woman did not contribute any money to the development and improvement of the property, where there is clear evidence that a man had not been engaged in any gainful employment for the best part of the marriage, and the woman is the sole breadwinner of the family, and the main caregiver for the entire family, her unpaid care work must be recognized in quantifying her equitable share of the matrimonial property.

Climate change and disaster risk reduction

99. The steps taken to integrate a gender perspective into national policies on climate change are the following:

- Gender issues have been recognized in the National Climate Change Policy and need to integrate it national climate change strategies;
- Internationally climate change discussions under the UNFCCC have established a topic called Gender and climate change, where issues of gender are discussed and adopted as a decision;
- Appointing a gender focal point under the UNFCCC at the Ministry of Environment, climate change, and natural resources;
- Inclusion of the Women Bureau in the Technical Working Group (TWG) to supervise the elaboration of the Gambia’s Climate Change Long-Term Strategy (LTS);
- 50 per cent of the beneficiaries of the Large Ecosystem-Based Adaptation Project should be women;

- Gender issues are prioritized in the West Africa Coastal Area Management Project (WACA);
- The UNCDF Local Project targets women and girls in its implementation at 8 local communities in the Gambia;
- The Climate Change Early Warning System included women in its pilot sites for accessing and dissemination of climate information;
- Selection of a representative from the Gender Ministry into the National Climate Change Policy Focal Point platform.

100. Measures are taken to ensure the effective participation of women in decision-making processes on climate change adaptation, disaster risk reduction, and land and environmental resource management are as follows:

- Inclusion of the Gender Ministry in the Steering Committee to oversee the Technical Working Group (TWG) to supervise the elaboration of the Gambia's Climate Change Long-Term Strategy (LTS) and in the National Climate Committee (NCC);
- 50 per cent of the beneficiaries of the Large Ecosystem-Based Adaptation are women thus empowering them in decision making;
- the UNCDF LOCAL Project targets women and girls in its implementation at 8 local communities in the Gambia to ensure their skills and finance;
- Conducting training and sensitization sessions that included women and gender groups on Climate Change and its impacts;
- The Climate Change Early Warning System project included women in its pilot sites for accessing and dissemination of climate information in the quest for their participation in decision making.