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Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of the Gambia

Addendum

Replies of the Gambia to the list of issues*

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* The present document is being issued without formal editing.

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Introduction

1. The Gambia is one of the smallest states in West Africa. It has a land size of 10,689 square kilometres, and a population of 1,856,417, of which 916,418 are children, equivalent to 49.4% (National Population and Housing Census, 2013). It is divided into two by the River Gambia and bounded on the North, South and East by Senegal and to the West by the Atlantic Ocean.

2. In 2013, The Gambia was ranked 172 out of 187 countries by the UNDP Human Development Index Report. The fiscal environment of The Gambia is volatile with high indebtedness and limited donor support. 48.4% of the population live below the World Bank absolute poverty line of \$1.25 per day. Also poverty disproportionately affects the young population as the International Household Survey (2010) shows higher poverty rates among children 0-5 years (55.6% headcount rate) and 6-14 years (55.8% headcount rate).

3. The Gambia ratified the Convention on the Rights of the Child (UN CRC) on 3rd August 1990 and in 1997 prepared an initial report on the implementation of the UN CRC. It submitted the report to the Committee on the Rights of the Child (hereafter referred to as the Committee) in November 1999. Also The Association of Non-Governmental Organizations (TANGO) in the country prepared a complementary report to the initial report and submitted it to the Committee in January 2001. The Gambia's initial report was considered and the Committee adopted its concluding observations on it at its 749th meeting in October 2001.

4. In 2008 The Gambia prepared her combined 2nd and 3rd periodic report on the UN CRC and later submitted it to the Committee. Subsequently, the Child Protection Alliance (CPA), a consortium of NGOs in The Gambia prepared a CSO complementary report to the combined periodic report and submitted it to the UN CRC in 2014.

5. In June 2014, the committee held its Pre-sessional Working Group session on The Gambia's report and issued the list of issues in which the Committee requested The Gambia to provide written additional, updated information to the combined periodic report. The purpose of this report is to provide a written response to the list of issues raised by the Committee in relation to The Gambia's combined 2nd and 3rd periodic report.

I. Reply to the issues raised in part I of the list of issues (CRC/C/GMB/Q/2-3)

Reply to the issues raised in part I, paragraph 1, of the list of issues

6. To align the laws of The Gambia with the principles and provisions of the Convention, the National Assembly of The Gambia enacted the Children's Act 2005 to domesticate the Convention. In accordance with the "Welfare Principle", Section 3 (1) of the Act makes the best interest of the child the paramount consideration by any court, institution, person or other body in determining any issue concerning a child.

7. Additionally, section 239 makes the provisions of the Children's Act supreme to all other laws of The Gambia other than the Constitution on any matter pertaining to children. In that respect, all the laws of The Gambia other than the Constitution are required to conform to the welfare principle and other provisions of the Children's Act.

Reply to the issues raised in part I, paragraph 2, of the list of issues

8. The Gambia is yet to have a comprehensive child policy. However, it intends to formulate a National Child Protection Strategy as part of the child protection systems strengthening process in partnership with the United Nations Children's Fund (UNICEF). Also a National Social Protection policy which is child sensitive has been developed with a strategic plan and an implementation plan. The formulation of a minimum social protection package is in progress.

Reply to the issues raised in part I, paragraph 3, of the list of issues

9. In 2010 a Presidential pronouncement was made regarding the establishment of the Ministry of Children's Affairs and it was included in 2011 and 2012 budget estimates. However the Ministry is yet to be operational.

Reply to the issues raised in part I, paragraph 4, of the list of issues

10. No action has been taken to expand the mandate of the Ombudsman in that respect. However the Department of Social Welfare has been mandated by the Children's Act in section 67 (1) and (2) to receive complaints of violations of child rights and take action in the best interest of the child.

Reply to the issues raised in part I, paragraph 5 (a), of the list of issues

11. The Children's Act 2005 under section 2 provides a standard definition of the child as, "a person under the age of 18 years". It also amended all other laws relating to children to ensure consistency in the definition of the child.

Reply to the issues raised in part I, paragraph 5 (b), of the list of issues

12. There is no minimum legal age for marriage in The Gambia because matters relating to marriage are subject to personal law under the Constitution. However, in an attempt to discourage child marriage, section 27 (1) and (2) of the 1997 Constitution state that: "Men and women of full age and capacity shall have the right to marry and found a family" and "Marriage shall be based on the free and full consent of the intended parties" respectively.

13. In addition, although it is also subject to personal law, section 24 of the Children's Act 2005 provides that since a child is incapable of contracting, any marriage so contracted is voidable. In addition, section 25 prohibits child betrothal.

14. Furthermore, section 28 of the Women's Act 2010 prohibits a child from being removed from school for the purpose of marriage.

15. With regard to the second part of paragraph 5 of the list of issues, section 33 (5) of the Constitution has not been amended, and the provisions of the Children's Act 2005 have not also been amended to cover issues relating to marriage, divorce and inheritance.

Reply to the issues raised in part I, paragraph 6, of the list of issues

16. To reform traditional attitudes and perceived gender roles that discriminate against girls in family and communities, since 2010, the Government through the Women's Bureau adopted the following measures:

(a) Conducted numerous public education and sensitization programmes to change traditional attitudes and gender roles that discriminate against women and girls;

(b) Conducted trainings and capacity building programmes for women and girls to enhance their knowledge and skills to participate in decision making and reject

traditional attitudes and perceived gender roles that discriminate against them in their communities.

17. To reform the existing laws and regulations that discriminate against women and girls, the Government established Gender Focal Points in Government institutions and many Non-Governmental Organizations to scrutinize public policies and institutional rules and regulations to ensure they are gender sensitive and non-discriminatory against women and girls; formulated the National Gender and Women Empowerment Policy 2010–2020; included in the Programme for Accelerated Growth and Employment (PAGE), 2012–2015 strategies to promote women’s empowerment and eliminate discrimination and violence against women and girls and enacted the Women’s Act 2010 to prohibit discrimination and violence against women including girls.

18. In order to prevent, investigate and punish violence against girls and to provide redress to victims the Government also enacted laws as mentioned in part II of this report; established 58 Community Child Protection Committees across the country and 5 Adolescent Neighbourhood Watch Groups in communities around the Tourism Development Area in partnership with UNICEF, Child Protection Alliance and Child Fund The Gambia; developed and institutionalized the Sex Tourism Training Manual into the Tourism Training School and the Tourism Code of Conduct into hotel, motel and restaurant regulations within the Tourism Development Area; collaborated with the Network against Gender Based Violence to initiate the “One Stop Centre” and developed two guidelines for Clinical Management and Psychosocial Support of victims of gender based violence; conducted several sensitization programmes using the print and electronic media as well as community structures to raise awareness on the effects of violence against children; established a Shelter for Children for victims of violence and developed Training Manuals on child protection and gender based violence for police and incorporated them into the Police Training School’s Curriculum.

Reply to the issues raised in part I, paragraph 7, of the list of issues

19. No further legal step has been taken to prohibit corporal punishment in schools and homes but it is prohibited in the child justice system. However, the Ministry of Basic and Secondary Education has taken the following actions to discourage the practice in schools:

- (a) Developed and introduced the Alternative Disciplinary Handbook to all schools and trained teachers on its use;
- (b) Translated the Alternative Disciplinary Handbook into Arabic for use in Madrasas (Arabic Schools).

20. To discourage corporal punishment in the community, Community Child Protection Committees and Adolescent Neighbourhood Watch Groups are used by the Department of Social Welfare to educate communities on the effects of physical abuse/corporal punishment and encourage reporting of cases to the Department and the Police.

21. In addition, the Department of Social Welfare and the Police Gender/Child Welfare Unit do receive reports of child abuse cases including corporal punishment. As such perpetrators are invited and counselled on the risk involved as well as the harm it can bring to the child. They are also provided with information on positive alternative disciplinary methods to prevent re-occurrence. However, if the child suffered serious bodily harm, the perpetrator would be charged with assault.

22. The Prison Act and the 1997 Constitution of The Gambia prohibit torture/punishment of any form in any of the Prison establishments in The Gambia. In that regard, no form of corporal punishment is allowed at the Juvenile Wing (the Rehabilitation Centre).

Instead positive disciplinary measures such as counselling are used to correct children in custody.

Reply to the issues raised in part I, paragraph 8, of the list of issues

23. To eliminate sexual exploitation of children, the National Assembly enacted several laws that prohibit and provide stiff punishment for perpetrators of child sexual exploitation. These laws include the Tourism Offences Act 2003, the Children's Act 2005 and recently the Sexual Offences Act 2013.

24. The Department of Social Welfare conducted a series of community sensitisation programmes on sexual abuse and sexual exploitation of children using the Community Child Protection Committees and Adolescent Neighbourhood Watch Groups, including communities in the Tourism Development Area.

25. A help line was established at the Shelter for Children where members of Community Child Protection Committees and Adolescent Neighbourhood Watch Groups, children and other community members can call to report child abuse cases including sexual violence against children.

26. Also the Department of Social Welfare through its outreach activities targets children living in poverty and in the streets around the Tourism Development Area, market places and car parks. These children are taken to the Child Drop-in Centre, counselled and provided with educational support. Their parents are also provided support through the family strengthening programme to take care of their basic needs.

27. At school level, the Ministry of Basic and Secondary Education conducted several sensitisation programmes and trainings for communities, teachers, other education staff and students especially girls on sexual harassment and abuse using its policy Guidelines and regulations on sexual misconduct and harassment and the user friendly sexual harassment Guidelines for Children.

28. In partnership with Government, non-governmental organisations such as The Gambia Committee on Traditional Practices affecting the health of women and children (GAMCOTRAP), Child Protection Alliance (CPA), Network against Gender Based Violence (NGBV), ActionAid International The Gambia (AAITG), Federation of African Women Educationists Gambia (FAWEGAM) and Child Fund The Gambia amongst others have conducted several trainings and sensitisation programmes using community structures and the media to educate people on violence against children and the laws.

Reply to the issues raised in part I, paragraph 9 (a), of the list of issues

29. No legislative measure has been taken to prohibit female genital mutilation and cutting (FGM/C). Because it is a deeply rooted cultural and traditional practice in The Gambia, criminalising the practice has been deemed an inappropriate remedy as it only drives it underground. Instead the Government has taken the decision to sensitise the public in collaboration with civil society organisations before considering legislation.

Reply to the issues raised in part I, paragraph 9 (b), of the list of issues

30. Since FGM/C is not prohibited in The Gambia, no criminal sanction can be taken against practitioners or those promoting it.

Reply to the issues raised in part I, paragraph 9 (c), of the list of issues

31. The women's Bureau has developed a National Plan of Action to combat FGM/C which is yet to be approved. However, it is envisaged that when approved, the Bureau will

mobilize funds from government and its development partners like UNICEF and The United Nations Population Fund (UNFPA) to finance its implementation.

Reply to the issues raised in part I, paragraph 9 (d), of the list of issues

32. In partnership with UNICEF, the Government is working with Tostan, an NGO, to implement a community-led project in Upper River Region since 2006. The programme started with 80 communities and in the past 4 years 9 mini-declarations and 3 public declarations for the abandonment of FGM/C took place in over 145 villages.

33. In addition, the Bureau organized two policy dialogues with religious leaders for the abandonment of FGM/C in The Gambia.

34. To complement Government efforts in this area GAMCOTRAP has engaged in advocacy and awareness campaigns in communities which resulted in 4 “Dropping of the Knife” celebrations in 4 regions of The Gambia by 128 ex-circumcisers who were working in 900 communities.

35. Also other NGOs such as FAWEGAM, WassuKafo, the Foundation for Research on Women’s Health, Productivity, and the Environment (BAFROW) and others conducted several community sensitisation programmes to educate communities on the consequences of FGM/C in order to stop the practice.

Reply to the issues raised in part I, paragraph 10, of the list of issues

36. The Government through the Department of Social Welfare in collaboration with The Gambia Federation of the Disabled (GFD) and Voluntary Service Overseas (VSO) has developed a draft Disability Integrated Policy and a Disability Bill for the domestication of the Convention on the Rights of Persons with Disabilities which are awaiting approval. The policy and bill when approved and enacted respectively, will ensure the proper inclusion of persons with disabilities into socio-economic programmes and services.

37. Notwithstanding, in a bid to eliminate discrimination and social stigma against children with disabilities and facilitate their full inclusion into society, the Department of Social Welfare in collaboration with The Gambia Federation of the Disabled conducted sensitization programmes on disability issues; provides wheelchairs, crutches, walking sticks and other mobility aids 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 children; 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.

38. In addition, the Ministry of Basic and Secondary Education adopted a policy to mainstream mildly disabled children into normal schools while those with severe disabilities are enrolled into special needs schools supported by the Ministry. The values outlined in the National Education Policy, 2004–2015 are grounded on a non-discriminatory and all-inclusive provision of education. In that respect, to make children with disabilities inclusive and access education facilities the ministry trained 35 Itinerant Teachers across the country to identify, assess and provide support to all children with disabilities; provided a Giant Braille Printing Press, Braille machines and papers for the visually impaired; procured audiology machine for the deaf and hard of hearing and audiometers which the Itinerant Teachers use to test a student’s hearing ability; procured learning materials for the mentally challenged for manipulation; procured school buses for the specialised schools; conducted community sensitisation programmes on the importance of enrolling children with disabilities in school; ensure the availability of ramps in schools for wheelchair users to access schools and class rooms.

39. Moreover, it introduced the Child Friendly School Initiative in partnership with UNICEF to promote inclusion and continues to respond to diversity.

40. In 2013, a survey on children with disabilities was commissioned by the Government in partnership with UNICEF to assess the prevalence, nature and needs of children with disabilities. The result of the survey will help government and its partners plan and implement realistic programmes for the inclusion, support and access of children with disabilities to basic social services such as health care and education.

Reply to the issues raised in part I, paragraph 11, of the list of issues

41. Numerous developments have taken place to improve quality health service provision at all level of the health delivery system, including training of nurses and doctors to the highest level (Diploma, BSc, Masters and PhD); upgrading of basic health facilities to Comprehensive Emergency Obstetric and Newborn Care (CEmONC) centres that can perform basic operations including caesarean section; increases in the number of health facilities; conducting of regular in-service training to update knowledge and skills; strengthened referral system with ambulances; training of community health workers to recognize, manage and refer emergencies early to health facilities; provision of essential commodities.

42. The measures taken by Government to combat diseases include:

- (a) Effective diagnosis and treatment of TB using DOTS;
- (b) The use of the National Malaria Sentinel Surveillance System to provide data and monitor the changes in the epidemiological profile of malaria in The Gambia and their implications for decisions about malaria prevention and control;
- (c) Free provision of insecticide-treated nets to children under-5 and pregnant women to prevent malaria;
- (d) Provision of HIV Voluntary Counselling and Testing services in 45 sites through static health facilities and community outreach;
- (e) Provision of prevention of mother-to-child transmission (PMTCT) services in 32 sites attaining a cumulative coverage of 85% of 2012 target for counselling and testing of pregnant women; and also recorded 149% coverage for the administration of antiretroviral (ARV) prophylaxis for positive women and their babies;
- (f) Regular immunization of children under 5 years to prevent diseases such as polio and measles;
- (g) Conduct community sensitisation programmes on disease prevention and control mechanisms; and
- (h) Initiatives to encourage community people to adopt hand washing with water and soap after visiting the toilet or cleaning a child, before eating or handling food and before feeding a child to prevent diseases.

43. To combat malnutrition, the Government through the National Nutrition Agency (NaNA) introduced the Baby Friendly Community Initiative (BFCI), a comprehensive nutrition and health education package comprising maternal nutrition, infants and young child nutrition (breastfeeding and complementary feeding), Personal Hygiene and Environmental Sanitation, Growth Monitoring and Promotion. The programme is being implemented in 741 communities across the country.

44. In addition, the Government through the National Nutrition Agency and the Ministry of Health and Social Welfare has developed and adopted a protocol on the Integrated Management of Acute Malnutrition as a guideline for the management of children with

acute malnutrition. Health facilities have been strengthened with the provision of equipment and materials, Ready-to-Use Therapeutic Feeds for the Management of both Moderate and Severe acute Malnutrition. Community Health Nurses have also been trained and equipped to manage both Moderate and Severe Acute Malnutrition at community level.

45. The promotion of Optimal Infant and Young Child Feeding Practice has been strengthened with increased information, education and communication efforts including production and dissemination of educational materials, airing of radio and television programmes and the celebration of World Breastfeeding Week extended to cover the month of August.

46. Furthermore, the fight towards the reduction and elimination of micronutrient deficiencies especially vitamin A deficiency, iron deficiency (anaemia) and iodine deficiency disorders has been strengthened. Vitamin A supplementation of children 6 to 9 months is now incorporated into Expanded Programme on Immunization (EPI) and children are routinely supplemented twice a year. Information, Education and Communication (IEC) on the prevention and control of micronutrient deficiencies are strengthened.

47. In order to ensure effectiveness of the programmes, the monitoring and surveillance system has been ongoing to determine the prevalence of malnutrition and the most affected areas in the country. NaNA carries out a nutrition surveillance of children under 5 once every 6 months (dry and rainy seasons) to identify malnourished children and refer them to treatment centres. The surveillance is also used to determine the prevalence of malnutrition across the country.

48. With regard to provision of clean drinking water, overall, 85.8% of the population is using an improved source of drinking water – 94.8% in urban areas and 78.0% in rural areas. However, the 2010 Multiple Indicator Cluster Survey (MICS) report shows that only 32% of households have improved drinking water source on their premises, thus 68% of the households collect water from other places.

Reply to the issues raised in part I, paragraph 12, of the list of issues

49. In order to make primary education completely free, curb school dropout and increase retention, the Ministry of Basic and Secondary Education introduced the school improvement grant which caters for every Gambian child in public Lower Basic Schools (primary schools) by providing grant aid to schools per child which was extended to Upper Basic Schools in 2014; introduced the Scholarship Trust Fund for Girls in the most deprived regions; introduced the President's Empowerment for Girls' Education Programme (PEGEP) to promote girls' education and retention in schools; introduced the Re-entry of School Dropouts Scheme particularly targeting girls who dropped out of school due to teenage pregnancy or early/forced marriage, orphans and acutely poor students.

50. Financially in 2011, the approved Government budget for the Ministry of Basic and Secondary Education was 724.6 million dalasi and its actual expenditure was 736.9 million dalasi. In 2012 the approved budget was increased to 790.3 million dalasi while the actual expenditure also increased to 772.6 million dalasi and in 2013 the approved budget was further increased to 861.0 million dalasi while the actual expenditure also increased to 890.8 million dalasi. This shows continuous increase in both budgetary allocation and actual expenditure of the Ministry of Basic and Secondary Education for the past three years.

51. The Female Teacher Recruitment Drive was introduced, which is annually conducted to encourage young women who completed secondary school to enrol into Gambia College either for the Primary Teachers Certificate (PTC) or Higher Teacher Certificate (HTC).

52. In partnership with the Ministry of Basic and Secondary Education the Promoting Rights in Schools initiative is being implemented as a collaborative approach between Action Aid The Gambia and a consortium of NGOs working in the area of education. The project aims at improving the quality of public education and retention of girls in schools by actively engaging parents, children, teachers, unions, communities and local civil society organisations to collectively monitor and assist in improving the quality of public education.

53. Also the Ministry of Basic and Secondary Education in partnership with FAWEGAM and with support from UNICEF has set up 275 Mothers Clubs in all six regions in The Gambia with seed money of D6000 per club. The women are empowered to monitor the schools, support the school feeding programs and advocate for girls education. They also provide guidance and counselling services to students and work closely with the schools to make sure the girls are retained and not removed from school for marriage. Where this happens they intervene to stop the marriage for the retention of the girl in school.

54. Furthermore, FAWEGAM in collaboration with the Ministry of Basic and Secondary Education formed eight Tuseme (“Let’s speak out”) clubs in different schools. The student members of the clubs are empowered to identify their social and academic problems and how to deal with them. They use drama and theatre to express themselves. The initiative has proven to be a great asset in supporting children especially girls to stay in school and to reduce teenage pregnancy.

55. Also the Department of Social Welfare in collaboration with FAWEGAM and in partnership with ActionAid International The Gambia is conducting a rapid assessment on early/forced marriage in four regions of the country (Central River Region (CRR), Upper River Region (URR), West Coast Region (WCR) and Kanifing Municipality (KMC)). The study is meant to determine the situation of early/forced marriage in The Gambia and inform policy makers on the way forward to mitigate the situation in order to prevent early marriage and ensure girls’ retention in school.

Reply to the issues raised in part I, paragraph 13, of the list of issues

56. In implementing the National Early Childhood Development Policy, the Ministry of Basic and Secondary Education developed the Early Childhood Development (ECD) Curriculum and training programme which is incorporated into the Teacher Training College’s Curriculum. Moreover, it adopted the following measures:

- (a) In partnership with private sector, missions and madrassa (Arabic Schools) operators established 1,015 ECD centres across the country and recruited 2,563 ECD facilitators working at the centres;
- (b) Institutional strengthening programmes for Early Childhood Development (ECD);
- (c) Improvement of existing/contextual services for ECD;
- (d) Supply of resources to ECD centres;
- (e) Building and strengthening partnership with NGOs operating ECD centres;
- (f) Strengthen monitoring and evaluation of ECD programmes and services;
- (g) Increase access to comprehensive early childhood development by at least 50% in 2015;
- (h) Increase funding to support the implementation of the community based project according to the National Integrated ECD Policy Framework 2009-2015; and

- (i) Adoption of an experimental design for the project.

57. Through the implementation of the National ECD Policy the Government has realized the following progress:

- (a) Increased access to ECD Centres;
- (b) Reduction in number of dropouts and repetition in early grades of lower basic schools;
- (c) Improved teacher quality due to training of ECD facilitators;
- (d) Private sector involvement in ECD facilitators training;
- (e) Improved toilet facilities in ECD centres;
- (f) Provision of teaching learning materials and play mats to ECD centres;
- (g) Inclusion of ECD data in the Education Management Information System (EMIS).

Reply to the issues raised in part I, paragraph 14, of the list of issues

58. In Part XVII – Child Justice Administration of the Children’s Act 2005, section 204 states:

“A child shall not be subjected to the criminal justice process or to criminal sanctions for adults, but a child alleged to have committed an act which would constitute a criminal offence if he or she were an adult shall be subjected only to the child justice system and processes set out in this Act.”

59. This provision prohibits the use of the traditional criminal justice system when dealing with children and establishes the promotion of restorative justice for children in The Gambia.

60. To promote restorative justice and alternatives to detention, section 207 (1) and (2) of the Children’s Act mandates a Police Prosecutor or any other person dealing with a case involving a child offender to encourage the disposal of the case without resorting to formal trial by using other means of settlement and encouraged the parties involved in the case to settle the case amicably especially if the offence involved is a misdemeanour. The party involved is likely to react in a constructive manner and it is appropriate in the interest of the child and the parties involved. Effectively the Act promotes restorative justice.

61. Additionally, section 207 (3) states that, “police investigation and adjudication before the court shall be used only as measures of last resort”. Also section 210 (4) allows a police officer facing a case of a child offender before him to release the child on bond on his or her own recognizance or on a recognizance entered into by his or her parents unless the charge is a serious one or it is necessary in the child’s interest to keep him/her away or if the release will defeat the ends of justice. Effectively the Act promotes alternatives to detention during pretrial.

62. To promote restorative justice and alternatives to detention at court level, section 211 (1) of the Act states where a child is brought to court charged with an offence, the Magistrate or person presiding over the court shall inquire into the matter and unless there is a serious danger to the child, release the child on bail. The Act goes further to provide in section 212 (2) (a) that detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time; and (b) wherever possible be replaced by alternative measures.

63. Moreover, section 215 (1) makes it mandatory for the court to ensure that where a child offender is brought before it:

(a) the proceeding is conducive to the best interest of the child and is conducted in an atmosphere of understanding which allows the child to participate and express himself or herself freely;

(b) the reaction taken is always in proportion not only to the circumstances and the gravity of the offence but also to the circumstances and needs of the child and the society;

(c) the well-being of the child is the guiding factor in the consideration of the child's case.

64. Furthermore, section 216 (1) allows the parents or guardian of a child offender who is charged before the court not only to attend the court proceedings but also to participate in the proceedings.

65. In addition, section 220 (1) sets a range of alternatives to detention for the Children's Court to consider when dealing with a child who is found to have committed an offence he/she is charged with. Thus the Act promotes restorative justice and alternatives to detention to be used by the court in dealing with child offenders.

66. The mandate of the National Rehabilitation Centre as set out in the Children's Act 2005 is to be a place for detention, rehabilitation and retraining of children committed there. The centre is to have a separate wing for female children, which it does not have as of now. In that regard, it is yet to be operational as envisioned by the Act.

67. However, as there is no rehabilitation centre for female children, the Shelter for Children is currently being used for that purpose.

68. The measures taken by the Government to ensure full implementation of the Child Justice provisions of the Children's Act 2005 are as follows:

(a) Established the Child Welfare Unit of the Police in accordance with section 206 of the Children's Act as a specialized unit to prevent and control child offending, apprehend child offenders and investigate child offences;

(b) Established 3 Children's Courts in three regions of the country for the implementation of section 213 of the Children's Act;

(c) Enacted the Children's Court Procedures for the implementation of the Children's Court procedure enshrined in the Children's Act section 217 (1) to (10);

(d) Established a Rehabilitation Centre for boys in accordance with section 223 as a place for the detention, rehabilitation and retraining of children committed there;

(e) Set up the Prison Visiting Committee to provide technical advice for the improvement of the welfare of the child detainees and the detention centre as provided for in section 224 amongst others;

(f) Created the Department of Social Welfare's Child Support and Child Justice Sub-Unit to fulfil legal mandates of the Department as indicated in section 210 (1), (2) and (3) to support the Police in dealing with child offenders and the Children's Court for the implementation of section 217 (6) in providing information as to the general conduct, home surroundings, school record, including the social inquiry reports referred to in section 222 and medical history, as may enable it to deal with the case in the best interest of the child as well as section 222 (1), (2), (3) and (4) and section 225;

(g) Developed and introduced the "After Arrest Procedures" into the police and social welfare services to provide guidelines to Police Child Welfare Officers and Social Workers in dealing with child offenders in a collaborative manner in the best interest of children in accordance with the Children's Act 2005;

(h) Created the Ministry of Justice's Child Rights Unit to ensure that child justice related cases are prosecuted without unnecessary delay as implied in section 226 (1);

(i) Established the National Agency for Legal Aid (NALA) to provide legal assistance to the poor and under privileged people who cannot afford legal representation for themselves including children. The agency provides legal assistance to children in both criminal and civil cases in order to guarantee the protection of the legal status and fundamental rights of the child, set out in Part II of the Children's Act and section 208 (e) on the right to legal representation;

(j) Created the Child Justice Technical Committee, a multi-sectoral committee, to advocate for the strengthening of the child justice system as envisaged by the Children's Act by providing technical advice to institutions within the child justice system.

69. To guarantee the right of children to free legal assistance in both civil and criminal cases, the Government made it a right under section 72 (1) (f) of the Children's Act. To enforce the provision among others the National Agency for Legal Aid was established.

Reply to the issues raised in part I, paragraph 15, of the list of issues

70. The best interests of children are always taken into account in criminal proceedings concerning their parents especially where the death penalty or life sentence is mandatory or desirable. The Children Act under section 218 (2) to (5) sets out ways a court should deal with a mother who is expecting or a nursing mother and in such instances the court when sentencing can consider the imposition of a non-custodial sentence as an alternative measure to imprisonment.

71. The Children's Act also provides that where a custodial sentence is mandatory or desirable, an expectant or a nursing mother shall be committed to and be held or detained at an appropriate centre or place designated by the Secretary of State (Minister) responsible for children for that purpose.

72. Moreover, the Act states that no mother and child shall be held or detained at an appropriate centre for a period longer than the time the child would have attained the age of six years.

73. Finally, it stipulates that where a mother who has completed her nursing period is further given a sentence of imprisonment, the child shall be treated as a child in need of care and protection and may be committed to the care of the person who would ordinarily have custody or by a committal order to his or her father or a fit and proper person which can include an appropriate authority.

II. Reply to the issues raised in part II of the list of issues

A. New bills or laws, and their respective regulations

74. The Domestic Violence Act 2013 provides regulation to combat domestic violence; provide protection for the victims of domestic violence; particularly women and children and for other related matters.

75. The Sexual Offences Act 2013 consolidates the offences of a sexual nature under one code. The Act addresses some of the barriers that had in the past impeded the trial of rape and other sexual offences and widens the definition of Sexual Act.

76. The Women's Act 2010 was enacted to implement legal provisions of the national policy for the advancement of Gambian women and girls, and to domesticate and enforce

the Convention on the Elimination of All Forms of Discrimination against Women and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. It provides regulations for the protection of women from all forms of violence whether occurring in public or private life and all forms of discrimination.

77. The National Legal Aid Act is an Act to provide for the establishment of a National Agency for Legal Aid which is responsible for the administration of the provisions of legal aid in certain proceedings and for matters connected therewith.

B. New institutions (and their mandates) or institutional reforms

78. The National Agency against Trafficking in Persons (NAATIP) is established to ensure the implementation of the Trafficking in Persons Act 2007.

79. The National Agency for Legal Aid (NALA) is established to provide legal assistance to poor and under-privileged people who cannot afford legal representation for themselves including children.

C. Recently introduced policies, programmes and action plans and their scope and financing;

80. The National Nutrition Policy 2010-2020 has been adopted and is aimed at providing a holistic approach to mainstreaming nutrition through a life-long nutrition programme cycle, beginning from the pre-natal stage and takes cognizance of emerging nutrition-related non-communicable diseases. The National Nutrition Agency (NaNA) is responsible for the implementation of the policy. Thus, it developed a Strategic Plan 2011–2015 for the implementation of the policy and the required financial resources needed for the implementation of the strategic plan is US\$26.3 million. The combined available resources (government and development partners contributions) are estimated at US\$5.2 million leaving a total resource gap of US\$21.1 million.

81. The National HIV and AIDS Strategic Plan (NSP) 2015–2019 has been adopted to guide the national response to HIV and AIDS for the next five years. It aims to reduce new HIV infections by 50% in the general population and among key affected populations by 2019. To reduce mother to child transmission of HIV at 6 weeks from 10% to 3% by 2019. To increase the coverage of anti-retroviral therapy from 21% to 90% of all persons living with HIV by 2019. To double the percentage of people showing acceptable attitudes toward people living with HIV by 2019. The estimated cost of the strategy is 846 million dalasi, of which the Government will contribute 5% of the funds and the rest will be provided by the Global Fund.

82. National Gender Policy and Women Empowerment (NGPWE) 2010-2020. The new policy framework serves as a comprehensive guide to the attainment of gender equity and equality through its Implementation Plan. It sets indicators to assist in gender mainstreaming from a human rights-based approach in planning, programming and implementation processes by sectoral departments, partners and other stakeholders. Its goal is to mainstream gender in all national and sectoral policies, programmes, plans and budgets to achieve gender equity and equality and women's empowerment in the development process.

83. National Plan of Action for Accelerated Abandonment of FGM/C 2013–2017. The Ministry of Women's Affairs and Women's Bureau, with support from the UNFPA/UNICEF joint programme and trust fund developed a National Plan of Action for Accelerated Abandonment of Female Genital Mutilation/Cutting in The Gambia. The

purpose of the National Plan of Action is to serve as a tool in addressing gender inequality, reproductive rights and protecting the rights of women and the girl child, so as to promote an enabling socio-cultural environment that is conducive to male participation and the elimination of harmful practices.

84. The National Social Protection Policy 2015–2025 aims to create a harmonised, integrated and sustainable social protection system that would address the gaps in coverage and align programmes to meet the varied needs of the most poor and vulnerable people, including children, the elderly, persons with disabilities among others, introduce new cash transfer and livelihood promotion schemes and ensure that programmes put in place provide long-term support and a safety net for the poor and vulnerable people.

85. The Maternal and Child Nutrition and Health Results Project 2014–2018 supported by the World Bank is being implemented by National Nutrition Agency and Ministry of Health and Social Welfare to support efforts towards improving health and nutritional status of women and children using the results based financing mechanism. The project is worth US\$8.68 million to be implemented over a five year period (2014–2018).

86. The Special Needs Education and Inclusive Policy Framework 2009–2015 intends to increase opportunities for children with special needs to access quality education and improve the quality of life of persons with disabilities. Its objectives include: increase government participation in the provision of special needs education as a major duty bearer; provision of appropriate learning environment that promotes inclusion; and ensure adequate funding for the provision of special needs education. The policy priorities are early identification, assessment and placement. The needed funds for the implementation of the Policy Framework will be derived from Government funds and donor support.

87. The National ECD Policy Framework 2009–2015 aims to promote the holistic development of all children 0-6 years regardless of their creed, ethnicity, special needs and gender through the provision of all the support children, families and communities need to promote children’s development. The ECD Policy will be financed through Government funds and support from development partners.

D. Recent ratifications of human rights instruments

88. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography ratified in April 2010.

89. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa ratified in March 2011.

90. Convention on the Rights of the Child in Islam ratified in January 2013.

91. Cooperation on Immigration Affairs and Human Trafficking Prevention ratified in April 2013.

92. Convention on the Rights of Persons with Disabilities and its Optional Protocol ratified in July 2013.

93. Convention relating to the Status of Stateless Persons ratified in July 2014.

III. Reply to the issues raised in part III of the list of issues

Reply to the issues raised in part III, paragraph 1, of the list of issues

94. During the formation of the state budget for the past three years, budget allocations aimed at children were defined within the frame of basic and secondary education, health

and social welfare and other program expenditures making it impossible to calculate the total resources allocated to children.

95. However, the table below presents the resources allocated to the two main social sectors relating to children, indicating the percentage of each budget line in terms of the total national budget and gross domestic product of The Gambia in the past three years.

Table 1
Budget allocations, expenditures and percentages of the Ministries of Basic and Secondary Education and Health and Social Welfare for the past three years

		2011	2012	2013
Education	Actual expenditure	736.9	772.6	890.8
	% of total expenditure	10.8	8.8	10.3
	Approved amount	724.6	790.3	861.0
Health	Actual expenditure	431.8	481.7	561.2
	% of total expenditure	6.3	5.5	6.5
	Approved amount	427.6	445.0	450.6
GDP		26,641	29,322	32,430
Expenditure		6,807	8,769	8,678

Source: Ministry of Finance and Economic Affairs.

Reply to the issues raised in part III, paragraph 2 (a), of the list of issues

96. Table 2 below provides data on reported cases of abuse and violence.

Table 2
Data on cases of abuse and violence against children reported to Department of Social Welfare in the past three years

Year/Case Type	Child Marriage	Domestic Violence	Sexual violence	Physical violence	Child Neglect
2011	6	18	8	11	15
2012	11	31	19	16	20
2013	2	43	13	18	25
Total	19	92	40	45	60

Source: Department of Social Welfare Records.

97. The assistance given to child victims of abuse and violence includes provision of temporal shelter and psychosocial counselling, medical care, and re-integration to their family. Unfortunately information on prosecution of perpetrators and the sentences handed down to them is not available.

Reply to the issues raised in part III, paragraph 2 (b), of the list of issues

98. According to administrative data from the Gender/Child Welfare Unit of the Police 38 cases of sexual crimes against children were reported and investigated over the past three years (2011–2013) of whom 13 were between the ages of 12 to 14 years while 25 were between 15 to 17 years. Most child victims are from poor social background and 22 of the cases happened in urban places while 16 occurred in rural areas. Unfortunately, data on the outcomes of the cases is not available.

Reply to the issues raised in part III, paragraph 2 (c), of the list of issues

99. Given that FGM/C is widely being practiced and there is no law banning it, FGM/C is not routinely reported despite some NGOs such as GAMCOTRAP and BAFROW having carried out lots of sensitisation programmes on it. For instance, according to GAMCOTRAP records between 2012 and 2014 only 10 cases of FGM/C were reported. This demonstrates that there is huge under-reporting of the practice because it is culturally accepted and there is no law prohibiting it. Thus, such disaggregated data on FGM/C does not exist in The Gambia.

Reply to the issues raised in part III, paragraph 2 (d), of the list of issues

100. Though, there is no national disaggregated data on child marriage as requested for the past three years. The Department of Social Welfare recorded 13 cases during the period.

Reply to the issues raised in part III, paragraph 2 (e), of the list of issues

101. According to the National Nutrition Survey 2012, nationally wasting rate is 9.9, stunting rate is 21.2 and underweight rate is 18.0. The wasting rate for males is 11.0 and females is 8.5; stunting rate for males is 23.7 and females is 18.6 and underweight rate for males is 19.8 and females is 16.1. At regional level, Central River Region recorded the highest malnutrition rates with Kuntaur Local Government Area having the highest wasting rate 13.1, highest stunting rate 30.7 and highest underweight rate 26.1, followed by Janjanbureh 11.1, 29.0 and 24.5 respectively. On the other hand, West Coast Region registered the lowest wasting rate 7.5 followed by Kanifing Municipality 9.5 and Banjul 9.6. However, Kanifing Municipality has the lowest stunting and underweight rates: 13.9 and 12.1 respectively.

102. As far as early childhood mortality rates are concerned, no published national data is available for the past three years. However, both the 2013 National Census and the Demographic Health Survey 2013 which are likely to be published in 2015 will have data on early childhood mortality rates.

Reply to the issues raised in part III, paragraph 2 (f), of the list of issues

103. At the moment no such disaggregated data is available on children infected or affected by HIV/AIDS for the past three years. However, table 5 below shows the HIV population estimates 0-14 years in the past three years.

Table 3
HIV population estimates 0-14 years

<i>No.</i>	<i>Year</i>	<i>Sex</i>	<i>Sub-total</i>	<i>Total</i>
1	2011	Male	1238	2449
		Female	1211	
2	2012	Male	1267	2507
		Female	1240	
3	2013	Male	1307	2586
		Female	1279	

Source: UNAIDS Spectrum Projection.

Reply to the issues raised in part III, paragraph 3, of the list of issues

104. From 2011 to 2013 the Department of Social Welfare recorded 70 cases of baby abandonment as follows; 19 cases in 2011, 21 cases in 2012 and 30 cases in 2013.

105. No case of infanticide was reported to the police from 2011 to 2013.

Reply to the issues raised in part III, paragraph 4 (a), of the list of issues

106. The table below shows the number of children placed in institutions or with foster or adoptive parents.

Table 4
Children living separately from their biological parents

<i>Alternative Environment</i>	<i>Number</i>	<i>Sex</i>	
		<i>Male</i>	<i>Female</i>
Placed in Institutions	46	24	22
Placed with Foster Families	47	22	25
Adopted Domestically	23	10	13
Inter-Country Adoption	13	4	9

Reply to the issues raised in part III, paragraph 4 (b), of the list of issues

107. Disaggregated national data on children living in street situations is not available in The Gambia at the moment.

Reply to the issues raised in part III, paragraph 4 (c), of the list of issues

108. Data collected from Department of Social Welfare indicates that the total number of children placed in care institutions from 2011 to 2013 is 39 children (i.e. 22 males and 17 girls) of whom 16 were between 0-5 years old while the remaining 23 were between 6-11 years of age. They were all from poor family background. Also 16 of them were from urban areas while 23 were from rural places.

Reply to the issues raised in part III, paragraph 4 (d), of the list of issues

109. The number of children placed under domestic foster care from 2011 to 2013 amounts to 39 children.

110. The following tables provide data on number of children placed under foster care from 2011 to 2013. All the children were from poor social background.

Table 5
Disaggregated data on children placed under domestic foster care from 2011 to 2013

<i>Region</i>	<i>Total number</i>	<i>Domestic fostering</i>	<i>Inter-country fostering</i>	<i>Age bracket</i>		<i>Sex</i>	
				<i>0-7yrs</i>	<i>8-17yrs</i>	<i>M</i>	<i>F</i>
Banjul	0	0	0	0	0	0	0
Kanifing Municipality	31	26	5	25	6	14	17
West Coast Region	15	12	3	12	3	7	8
Lower River Region	0	0	0	0	0	0	0
North Bank Region	1	0	1	1	0	1	0

Region	Total number	Domestic fostering	Inter-country fostering	Age bracket		Sex	
				0-7yrs	8-17yrs	M	F
Central River Region	0	0	0	0	0	0	0
Upper River Region	0	0	0	0	0	0	0
Total	47	38	9	38	9	22	25

Source: Department of Social Welfare records.

Reply to the issues raised in part III, paragraph 4 (e), of the list of issues

111. Data is not available in The Gambia.

Reply to the issues raised in part III, paragraph 4 (f), of the list of issues

112. Recorded data on children adopted yearly from 2011–2013 is shown by the tables below.

Table 6
Number of children adopted yearly from 2011 to 2013

Year	2011	2012	2013	Total
Domestic adopted	1	6	16	23
Inter-country adoption	5	2	6	13

Source: Department of Social Welfare records.

Table 7
Disaggregated data on children placed under adoption from 2011 to 2013

Region	Total number	Domestic adoption	Inter-country adoption	Age bracket		Sex	
				0-7yrs	8-17yrs	M	F
Banjul	2	1	1	1	1	0	2
Kanifing Municipality	24	16	8	8	16	8	16
West Coast Region	7	4	3	2	5	4	3
Lower River Region	1	0	1	0	1	1	0
North Bank Region	2	2	0	1	1	1	1
Central River Region	0	0	0	0	0	0	0
Upper River Region	0	0	0	0	0	0	0
Total	36	23	13	12	24	14	22

Source: Department of Social Welfare records.

Reply to the issues raised in part III, paragraph 5 (a), of the list of issues

113. Such data is not available.

Reply to the issues raised in part III, paragraph 5 (b), of the list of issues

114. Data on children with disabilities placed in institutions from 2011–2013 is shown by the table 8 below.

115. According to the Department of Social Welfare's records, 18 children with disabilities were placed under institutional care from 2011–2013; 14 of them were from West Coast Region and 4 from Kanifing Municipality, 11 were males and 7 females and all of them have multiple disabilities including learning difficulty.

Table 8

Number of children with disabilities placed in institutions yearly from 2011 to 2013

<i>Year</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>Total</i>
Children with disabilities placed in institution	6	8	4	18

Source: Department of Social Welfare records.

Reply to the issues raised in part III, paragraph 5 (c), of the list of issues

116. Data showing children with disabilities attending regular primary school is shown in the table below.

Table 9

Attending regular primary schools

<i>Type</i>	<i>M</i>	<i>F</i>										
<i>Region one</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	23	34	23	34	27	28	20	25	43	48	29	43
Hearing	7	6	4	13	6	8	6	4	8	6	3	7
Speaking	5	3	9	7	6	4	8	6	5	1	8	4
Physical	6	2	4	5	4	1	5	5	9	4	13	9
Mental	8	2	4	3	1	4	4	0	3	2	0	7
Other	8	2	0	1	4	0	3	3	1	3	5	11
Multiple impair	4	2	4	2	0	0	1	7	1	1	0	1
Total	61	51	48	65	48	45	47	50	70	65	58	82
<i>Region two</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	50	35	45	36	53	40	44	31	52	37	82	78
Hearing	33	20	46	28	28	35	23	25	41	25	48	12
Speaking	30	25	19	12	39	22	32	10	32	13	28	15
Physical	20	14	24	12	23	10	16	16	14	15	20	10
Mental	15	11	11	9	12	6	9	10	6	10	5	1
Other	5	9	8	3	4	4	18	10	8	4	6	5
Multiple impair	6	1	2	1	0	1	2	3	1	0	3	2
Total	159	115	155	101	159	118	144	105	154	104	192	123
<i>Region three</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	12	13	16	19	13	14	21	15	17	14	15	10
Hearing	7	3	7	6	7	6	11	9	11	4	11	4
Speaking	11	12	17	6	9	5	9	8	9	3	5	1
Physical	14	9	11	8	10	10	7	5	10	6	6	5
Mental	6	2	0	5	2	0	2	2	5	1	1	1

<i>Type</i>	<i>M</i>	<i>F</i>										
Other	2	2	2	1	3	1	7	2	8	5	2	0
Multiple impair	3	2	2	2	1	0	3	3	0	0	1	0
Total	55	43	55	47	45	36	60	44	60	33	41	21
<i>Region four</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	10	10	9	8	13	16	10	14	20	19	16	12
Hearing	6	3	8	5	11	5	6	4	10	9	8	5
Speaking	13	5	2	3	7	5	6	1	7	0	3	1
Physical	4	0	4	4	1	2	3	0	2	2	4	1
Mental	7	7	4	2	3	3	2	2	2	3	2	2
Other	2	0	1	1	0	3	0	0	1	2	0	0
Multiple impair	2	1	0	1	1	1	1	6	1	0	1	1
Total	44	26	28	24	36	35	28	27	43	35	34	22
<i>Region five</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	8	13	7	7	14	16	11	12	12	14	9	23
Hearing	8	12	4	8	10	6	5	3	7	0	7	12
Speaking	10	4	6	3	3	5	3	6	1	3	1	5
Physical	12	18	9	6	8	5	7	5	8	14	4	6
Mental	5	7	6	4	3	3	1	1	0	1	1	1
Other	0	1	0	1	1	1	2	1	1	6	1	6
Multiple impair	3	5	3	3	0	2	1	0	1	1	1	1
Total	46	60	35	32	39	38	30	28	30	39	24	54
<i>Region six</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
Vision	17	32	21	10	21	20	18	8	11	14	10	12
Hearing	11	8	8	3	10	6	12	5	5	5	3	2
Speaking	13	4	16	7	10	3	12	3	6	0	10	0
Physical	10	9	7	8	15	19	11	6	4	2	8	8
Mental	15	7	7	3	2	1	2	5	1	1	0	2
Other	1	0	4	0	1	3	0	2	2	0	0	0
Multiple impair	16	8	9	7	4	3	0	3	2	1	2	0
Total	83	68	72	38	63	55	55	32	31	23	33	24

Source: Education Statistics Book 2013/2014.

Reply to the issues raised in part III, paragraph 5 (d), of the list of issues

117. Table 10 shows the data on children with disabilities attending junior secondary schools.

Table 10
Children with disabilities attending regular Junior Secondary School by Region

<i>Type</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
<i>Region one</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	8	13	2	9	13	14
Hearing	16	15	13	8	22	9
Speaking	4	2	1	0	2	2
Physical	1	0	3	0	1	1
Mental	0	0	0	0	0	0
Other	0	0	3	0	0	1
Multiple impair	0	0	0	0	0	2
Total	29	30	22	17	38	29
<i>Region two</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	64	54	61	41	51	45
Hearing	30	23	25	30	16	12
Speaking	24	9	36	26	11	4
Physical	11	7	10	8	11	6
Mental	0	3	2	3	3	5
Other	17	7	0	2	6	5
Multiple impair	3	1	3	1	5	1
Total	149	104	137	111	103	78
<i>Region three</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	31	26	21	15	15	30
Hearing	12	8	5	3	6	4
Speaking	16	5	7	4	14	8
Physical	5	5	7	0	9	7
Mental	1	2	1	1	0	1
Other	5	8	3	1	8	7
Multiple impair	2	1	0	1	0	0
Total	72	55	44	25	52	57
<i>Region four</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	10	6	5	8	13	9
Hearing	2	1	1	1	4	0
Speaking	1	2	2	2	0	0
Physical	4	2	3	1	2	1
Mental	1	0	0	0	0	0
Other	0	1	0	1	0	0
Multiple impair	2	0	0	4	0	0
Total	20	12	11	17	19	10

<i>Type</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
<i>Region five</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	17	22	12	13	7	8
Hearing	10	12	1	5	4	4
Speaking	1	2	2	0	2	0
Physical	6	4	2	2	2	2
Mental	1	0	1	0	2	0
Other	1	2	3	3	4	2
Multiple impair	0	0	0	1	1	0
Total	36	42	21	24	22	16
<i>Region six</i>	<i>Grade 7</i>		<i>Grade 8</i>		<i>Grade 9</i>	
Vision	10	6	12	6	3	3
Hearing	1	2	1	2	3	3
Speaking	1	0	1	0	1	0
Physical	2	2	3	0	0	1
Mental	0	0	0	0	0	0
Other	1	0	1	0	0	1
Multiple impair	0	0	0	0	1	0
Multiple impair	0	0	0	0	1	0
Total	15	10	18	8	8	8

Source: Education Statistics Book 2013/2014.

Reply to the issues raised in part III, paragraph 5 (e), of the list of issues

118. The following table shows data on children with disabilities attending special needs schools.

Table 11
Special needs students attending regular schools (primary to senior secondary)
from 2011 to 2013

<i>Region</i>	<i>Gender</i>	<i>Type</i>				
		<i>Physical</i>	<i>Vision</i>	<i>Speaking</i>	<i>Hearing</i>	<i>Mental</i>
One	M	31	104	10	146	11
	F	11	122	7	122	7
Two	M	79	318	83	122	48
	F	71	245	48	62	34
Three	M	21	42	6	30	17
	F	14	46	5	22	4
Four	M	27	99	47	50	23
	F	20	94	29	30	20
Five	M	43	46	33	35	15
	F	42	70	27	43	22

Region	Gender	Type				
		Physical	Vision	Speaking	Hearing	Mental
Six	M	28	82	25	29	21
	F	21	52	9	15	15

Source: Education Statistics Book 2013/2014.

Reply to the issues raised in part III, paragraph 5 (f), of the list of issues

119. Such data does not exist in the country at the moment.

Reply to the issues raised in part III, paragraph 5 (g), of the list of issues

120. Disaggregated data as requested is not available. However, according to Department of Social Welfare's records 3 children with disabilities were abandoned by their families in the past three years.

Reply to the issues raised in part III, paragraph 6 (a), of the list of issues

121. The tables below provide the enrolment rates and completion rates at different levels of education from early childhood development to senior secondary.

Table 12

ECD Gross Enrolment Rate

	2013	2014
Boys	35.4	40.1
Girls	37.5	42.1
Total	36.5	41.1

Source: Education Statistics Book 2013/2014.

Table 13

Gross Enrolment Rate Primary Education

Gender	2011	2012	2013
M	85.6	89.1	91.4
F	87.3	91.4	93.7
Total	86.5	90.2	92.5

Source: Education Statistics Book 2013/2014.

Table 14

Completion Rate Primary Education

Gender	2011	2012	2013
M	71.2	73.8	73.0
F	70.5	71.1	73.1
Total	70.8	72.4	73.4

Source: Education Statistics Book 2013/2014.

Table 15
Enrolment Rate – Junior Secondary Education

<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
M	65.5	66.8	68.9
F	66.2	66.7	67.3
Total	65.8	66.7	68.10

Source: Education Statistics Book 2013/2014.

Table 16
Completion Rate – Junior Secondary Education

<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
M	64.7	65.1	66.3
F	62.0	64.2	63.2
Total	63.3	64.7	64.8

Source: Education Statistics Book 2013/2014.

Table 17
Gross Enrolment Rate – Senior Secondary Education

<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
M	37.7	39.1	41.3
F	32.2	33.5	36.9
Total	34.9	36.2	39.1

Source: Education Statistics Book 2013/2014.

Table 18
Completion Rate- Senior Secondary Education

<i>Gender</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
M	32.1	34.1	33.9
F	26.6	26.7	27.9
Total	29.3	30.3	30.8

Source: Education Statistics Book 2013/2014.

Reply to the issues raised in part III, paragraph 6 (b), of the list of issues

122. The table below provides information on the dropout rates from primary to senior secondary education calculated from the gross enrolment and completion rates shown by the tables above.

Table 19
Dropout rates from primary to senior secondary education

<i>Year</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>
Primary School	15.7	17.8	19.1
Junior Secondary School	2.5	2.0	3.3
Senior Secondary School	5.6	5.9	8.3

Source: Education Statistics Book 2013/2014.

123. Below is the number of repetition in primary school by grade.

Table 20
Repetition by grade and gender (primary school)

<i>Local management</i>	<i>Grade 1</i>		<i>Grade 2</i>		<i>Grade 3</i>		<i>Grade 4</i>		<i>Grade 5</i>		<i>Grade 6</i>	
	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>
Public												
Government	1162	1202	732	758	740	465	353	382	263	272	387	367
Grant Aided	58	68	60	52	41	37	34	31	24	24	30	25
Public Total	1220	1270	792	810	511	502	387	413	287	296	417	392
Private												
Private Conv	28	26	33	18	27	19	25	25	27	23	18	13
Madrassa	378	354	292	293	257	245	228	188	155	106	75	53
Private Total	406	380	325	311	284	264	253	213	182	129	93	66
National total	1626	1650	1117	1121	795	766	640	626	469	425	510	458

Reply to the issues raised in part III, paragraph 6 (c), of the list of issues

124. Unfortunately we could not get disaggregated data as requested on pupil teacher ratio for the past three years.

Reply to the issues raised in part III, paragraph 7 (a), of the list of issues

125. Disaggregated data as requested on child labour for the past three years is not available in the country.

Reply to the issues raised in part III, paragraph 7 (b), of the list of issues

126. Disaggregated data as requested on the number of children performing domestic work, working in the street and agriculture sectors for the past three years is not available in The Gambia.

Reply to the issues raised in part III, paragraph 7 (c), of the list of issues

127. No such data is available.

Reply to the issues raised in part III, paragraph 8 (a), of the list of issues

128. Data received from the police on reported child offending cases.

Table 21

Disaggregated data on children who are alleged to have committed crimes and been reported to police:

<i>Offence</i>	<i>2011-13</i>	<i>Age 12-14</i>	<i>Age 14-17</i>	<i>Location/ Region</i>	<i>Socio-economic background</i>	<i>Ethnic origin</i>	<i>Total</i>
Stealing	6	2	4	KMC: 4 BJL: 2	Poor	Mandinka: 1, Fula: 3, Wollof: 2	6
Wilful damage	1	1		BJL	Poor	Wollof	1
Assault	2		2	BJL	Middle income	Wollof: 1, Fula: 1	
Murder	1	1		URR	Middle income	Serahule	1
Rash & negligent act causing death	1		1	WCR	Middle income	Mandinka	1

Source: Police Gender and Child Welfare Unit's records.

Reply to the issues raised in part III, paragraph 8 (b), of the list of issues

129. According to the records of the Juvenile Wing 10 male child offenders were ordered to serve custodial terms in 2011. Among them 3 were found guilty of stealing, 4 of rape, 1 of assault and attempted rape and 2 of conduct that breached the peace. All of them were between the ages of 16 and 18 years.

130. Also according to the Juvenile Wing records in 2012, 20 male child offenders aged 15 to 18 years were ordered to serve custodial terms ranging from 6 weeks to 3 years at the Juvenile Wing. Among them 10 were guilty of stealing, 4 of conspiracy to commit felony, 2 of rape, and another 2 of obstruction, 1 of assault and 1 of murder.

131. In addition in 2013, 12 male child offenders were ordered to serve custodial terms ranging from 2 weeks to 1 year 8 months. Among them 10 were guilty of committing crimes related to stealing and breaking, 1 murder and 1 assault.

Reply to the issues raised in part III, paragraph 8 (c), of the list of issues

132. There is only one Rehabilitation Centre (The Juvenile Wing) which also serves as detention facility for alleged child offenders awaiting trial. It has capacity to take 24 boys (12 for detention and 12 for custodial terms). The girls are taken to the Shelter for Children for detention after admission at the Juvenile Wing.

Reply to the issues raised in part III, paragraph 8 (d), of the list of issues

133. The number of children currently detained at the Juvenile wing is 16 boys (10 serving custodial order and 6 under detention pending trial) and 1 girl currently under detention at the Shelter for Children awaiting trial. No child is detained in adult prisons.

Reply to the issues raised in part III, paragraph 8 (e), of the list of issues

134. From information received from the Juvenile Wing, 30 alleged male child offenders were detained there awaiting trial in 2011 and 3 alleged female child offenders were admitted and taken to the Shelter for Children for detention pending trial in 2011. Their ages ranged from 11 to 18 years and 15 of them were alleged to have committed crimes relating to robbery, breaking and stealing, 6 of rape related crimes, 3 of conspiracy to

commit felony, 2 of assault, 2 of threatening with violence, 1 murder, 1 attempt to commit felony, 1 rash negligent act causing death, 1 wilful damage to property and 1 contempt of court order.

135. Likewise in 2012, 44 male alleged child offenders were detained at the Juvenile Wing pending their trial. They were within the age bracket 12–18 years and 28 of them were alleged to have committed breaking and stealing related crimes, 5 conspiracy to commit felony, 2 in possession of prohibited drugs, 3 sexual violence related crimes, 2 assault, 1 reckless driving, 1 trespass, 1 rash and negligent causing death and 1 rogue and vagabond.

136. Also in 2013, 27 male alleged child offenders were remanded at the Juvenile Wing. All of them were between the ages of 13–18 years. Eighteen (18) of them were accused of committing theft and stealing related crimes, 2 murder and 1 manslaughter, 3 conspiracy to commit felony, 2 assault and 1 in possession of prohibited drugs.

Reply to the issues raised in part III, paragraph 8 (f), of the list of issues

137. As at the time of writing this response no such report has been recorded.

Reply to the issues raised in part III, paragraph 9, of the list of issues

138. All the available and necessary updated data are provided in this part.

Reply to the issues raised in part III, paragraph 10, of the list of issues

139. The priority issues for effective implementation of the Convention are as follows:

(a) Mainstreaming of children with special needs (mildly disabled children) in normal schools;

(b) Provision of special schools for children with severe disabilities in rural areas;

(c) Research on violence against children and situation of children living and working in the streets, situational analysis of orphans and vulnerable children, abandoned children, children deprived of family environment and children in care institutions;

(d) Initiate innovative programmes for prevention, rehabilitation and reintegration of child offenders and child victims of violence, abuse and exploitation including sexual abuse and exploitation;

(e) Fundraising to finance programmes, building human capacities, strengthen institutional mechanisms and community structures to respond to child protection issues;

(f) Adoption and implementation of a child protection system approach which includes prevention, protection, recovery, rehabilitation and reintegration services;

(g) Review and update the Children's Act 2005;

(h) Develop a comprehensive national child protect information system;

(i) Strengthen coordination, monitoring and reporting mechanisms;

(j) Improve the primary health care systems to enhance access to health services by children, improve nutritional status of children and disease prevention and control measures such as immunization, addressing sexually transmitted diseases and reproductive health issues and improve monitoring and surveillance;

(k) Work on violence prevention and response programmes;

- (l) Operationalization of the Ministry of Children's Affairs;
 - (m) Review and update the Birth and Death Registration Act and other laws;
 - (n) Increase Government budget to Birth Registration to roll-out the implementation of the Birth Registration Strategic Plan and ensure that birth registration is effectively integrated into child immunization services.
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