



# General Assembly

Distr.: Limited  
30 October 2014

Original: English

## UNEDITED VERSION

**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twentieth session**  
Geneva, 27 October – 7 November 2014

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **Gambia**

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\* The annex to the present report is circulated as received

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twentieth session from 27 October to 7 November 2014. The review of The Gambia was held at the 3<sup>rd</sup> meeting on 28 October 2014. The delegation of The Gambia was headed by H.E. Mr Basiru V.P. Mahoney, Attorney General and Minister of Justice. At its 10<sup>th</sup> meeting held on 31 October 2014, the Working Group adopted the report on the Gambia
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of The Gambia: France, Kenya and Maldives.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of The Gambia:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/20/GMB/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/20/GMB/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/20/GMB/3).
4. A list of questions prepared in advance by the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Spain, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to The Gambia through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation of The Gambia started by stating that the country had made great efforts in strengthening human rights from education and health, to rights of women, children and the disabled and to fundamental freedoms, while maintaining a balance with security to ensure a stable environment for socio-economic development.
6. The delegation reiterated the peculiar circumstances of the Republic of The Gambia that must be borne in mind when considering human rights, notably its size which was barely 11,500 square kilometres with a population of less than 1.8 million people. It added that The Gambia was a secular State with different religions living together side by side in peace and harmony; the same applying to the several ethnic tribes throughout the country.
7. Regarding the access to the justice, the delegation noted that the Government recognised that it was a fundamental right necessary for the maintenance of a stable environment for socio-economic development. To this end, several mechanisms have been introduced to improve access to justice such as the National Agency for Legal Aid (NALA) and the Alternative Dispute Resolution Secretariat (ADRS). The delegation added that the Judiciary had continued its decentralisation programme with the establishment of Magistrates' Courts in all regions and that it was in the process of establishing Cadi Courts and Children's Courts all over the country as well as more High Courts in addition to the ones in Banjul, Basse and Brikama.

8. On the right to education, the delegation stated that The Gambia was one of the leading African countries that have met the Millennium Development Goals with respect to primary school enrolment free of charge as well as gender parity. The Government plans to expand the free education from primary schools to secondary schools by 2015 for both boys and girls. The delegation added that more schools with a proximity range of three kilometres had been built to provide access to education to every Gambian child. Moreover, according to the delegation, the University of The Gambia continues to register annual increases in the number of students and has started a new program of undergraduate degree in journalism.

9. With regard to the right to health, the delegation noted that The Gambia offered health services to the public at a very affordable flat fee for consultation and prescription medicine. There are several health centres with qualified nurses in every region with referral hospitals manned by qualified doctors. The delegation added that maternal and antenatal health care was offered free of charge in all public health facilities. With the advent of the Ebola virus epidemic, the delegation stated that The Gambia had taken strong preventative steps by sensitisation of the public, increased surveillance at border points and provided protective clothing to all the exposed personnel as well as test kits for Ebola.

10. In the domain of the rights of women, children and persons with disabilities, the delegation noted that The Gambia had taken great strides to reinforce their rights. In order to combat gender-based violence, two pieces of legislation were enacted in December 2013. The Domestic Violence Act addresses domestic violence and provides protection for the victims of domestic violence particularly women and children and the Sexual Offences Act criminalises every form of sexual assault, exploitation and harassment.

11. The delegation mentioned that The Gambia had ratified the Convention on the Rights of the Child and the provisions of this Convention had been domesticated in the Children's Act 2005. It also noted that law enforcement officers had been trained on the laws, that police stations countrywide had Child Welfare Units manned by officers trained on issues relating to children and that shelters for children had been established.

12. The delegation also noted that campaigns to create awareness of the danger of child sexual abuse and exploitation had been launched and sensitisation of stakeholders had been undertaken in the tourism industry to ensure greater protection of children from sexual exploitation.

13. In terms of juvenile justice, the delegation said that two additional children's courts had been established; that child offenders were provided with free legal representation and that children were always separated from adults from the pre-trial to trial stage.

14. On the rights of persons with disabilities, the delegation mentioned that The Gambia had ratified the United Nations Convention on the Rights of Persons with Disabilities as well as its Optional Protocol and that a draft Disability Bill was under consultation.

15. Regarding the fight against trafficking in persons, the delegation noted the establishment of the National Agency Against Trafficking in Persons which had started its operations in December 2011 and had engaged in a country wide sensitisation programme, enlightening the public on the dangers and legal consequences of human trafficking.

16. With regard to asylum, the delegation recalled that in 2013, the Government had signed and ratified the United Nations Convention on the Status of Stateless Persons and the United Nations Convention on the Reduction of Statelessness. Moreover, the Gambia Commission for Refugees, which is responsible for the security and protection of refugees, issues visitors passes to refugees which enable them to travel freely within the ECOWAS member States.

17. Concerning the Judiciary, the delegation stated that the Judges (Remuneration Allowances and Other Benefits) Bill, which was currently under consultation, would enhance the security of tenure of judicial officers in the long run and contribute to justice delivery services. It added that a second commercial court and a pre-trial court had been established.

18. On fundamental freedoms, the delegation stated that the Constitution, Criminal Procedure Code, Police Act, among others, provided safeguards for persons under investigation and detention. It also noted that persons suspected of having committed offences may be detained for up to 72 hours and thereafter must be brought before a court. According to the delegation, the Government has taken many measures to decongest prisons and to improve prison conditions as well as the social welfare of prisoners. It added that in 2013, special hearing dates had been organised for Mile 2 Prison remand wing inmates, that trials had been conducted expeditiously and that persons who had no sufficient evidence supporting their charges had been acquitted and discharged.

19. Regarding the conditions of detention, the delegation mentioned that the Ministry of Interior in collaboration with the Prison Services Department had made efforts in the renovation of the security wing and increase in size of cells and cells allocation. Practical steps to promote rehabilitation of prisoners through education and vocational training have also been taken. Furthermore, according to the delegation, a doctor visits the prisons on a daily basis to provide medical services to sick inmates and trained nurses are also present to attend to inmates.

20. On the freedom of speech, expression and assembly, the delegation stated that The Gambia was committed to create a conducive environment for the media to operate freely and to ensure a free flow of information as provided for in the Constitution. Consequently, the Information and Communications Act 2009 was passed into law to provide for the restructuring, development and regulation of the information and communications sectors. Underlying that the right to freedom of expression was not absolute, the delegation mentioned that the Criminal Code created the offences of criminal libel and sedition. It added that since 1994, there had been a steady increase in the number of radio stations and newspapers.

21. With regard to the issue of the female genital mutilation (FGM), the delegation explained that a National Plan of Action to Accelerate the Abandonment of FGM had been formulated. Acknowledging that FGM was still being practiced in the country, the delegation stated that this harmful practice was addressed by the Government and civil society organisations through Community Empowerment Programmes.

22. On the establishment of a National Human Rights Institution, the delegation said that the draft National Human Rights Commission Bill was currently being revised to ensure that it complies with international standards before being presented to the legislature for consideration. It added that while the Commission was in the process of being established, the office of the Ombudsman had a wide mandate such as investigating allegations of maladministration, mismanagement or discrimination in any government department, authority, or other public body.

23. Regarding the death penalty, the delegation recalled that it had been abolished in 1993 but reinstated in 1995 by a Decree which had been accepted as the law when the Constitution was adopted by referendum in 1997. The delegation stated that the application of the death penalty was limited to murder and treasonable offences, meaning only to “most serious crimes”. Furthermore, Gambian law prescribes that the procedural guarantees, including the right to a fair hearing by an independent tribunal, the presumption of innocence, the minimum guarantees for the defence, and the right to review by a higher

tribunal prescribed must be observed before the death penalty can be applied. These rights are applicable in addition to the particular right to seek pardon.

24. The delegation stated that the issue of elections had caused some controversial decisions to be made by international organisations usually on the basis of boycotts by political parties. It noted, however, that all Gambians eligible to vote had access to registration centres and campaign periods regulated by the Independent Electoral Commission gave each party equal airtime over the national television.

25. Regarding the reduction of poverty, the delegation noted that the Government had formulated a number of policies and strategies such as Vision 2020, the Development Strategy and Investment Programme for 2012 to 2015, called the Programme for Accelerated Growth and Employment (PAGE), which was the successor to the Poverty Reduction Strategy Programme II (PSRP II). A recent programme for food self-sufficiency, called Vision 2016, which seeks to encourage farmers to move from small scale farming to larger scale farming and to produce the necessary volume for consumption by the population has been launched. The delegation explained that PAGE's main objective was to accelerate growth and employment, thereby reducing poverty and improving the well-being of the population. In terms of food security and agriculture, the delegation noted that the Government's priority was to transform the country into a major supplier of agricultural products to the local and international markets.

26. On treaty obligations, the delegation stated that The Gambia had made strides in fulfilment of its treaty reporting obligations since the last reporting period. In 2012, the United Nations Development Programme organized a workshop to train government officials on treaty reporting to the United Nations and in 2013, a National Treaty Reporting Task Force was established. The delegation added that The Gambia had submitted a number of reports, such as in 2011, the initial report on the International Covenant on Economic, Social and Cultural Rights.

27. The delegation mentioned that in a bid to implement the UPR recommendations of the first cycle, The Gambia had constituted a multi-sectorial National Task Force composed of various government ministries and agencies as well as members of the civil society organizations in order to formulate a National Action Plan for the implementation of the recommendations.

28. On UN Special Procedures, the delegation noted that The Gambia had no objection to any visits by Special Rapporteurs from the United Nations Human Rights Council. It added that, in fact, Special Rapporteurs were preparing to visit the country in the first week of November 2014.

## **B. Interactive dialogue and responses by the State under review**

29. During the interactive dialogue, 62 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

30. India encouraged cooperation with inter alia the United Nations to strengthen national laws and hoped for an early enactment of the Judicial Officers Bill 2014. India expressed appreciation for the emphasis on women empowerment and measures taken to address gender based violence.

31. Indonesia noted with appreciation that The Gambia has met the MDG on free primary school enrolment, and the adoption of the Domestic Violence Act and the Sexual Offences Act. It also welcomed the steps being taken to establish a national human rights institution based on the Paris Principles.

32. Ireland encouraged The Gambia to issue a standing invitation to all special procedures and to ensure that the NHRI, once established will be in full compliance with the Paris Principles. It urged The Gambia to reinstate a moratorium on the death penalty. Ireland expressed concern regarding reports of arrests, arbitrary detention, intimidation and harassment of human rights defenders; and noted that child mortality rate remained high.
33. Italy noted minor progress in the areas concerning women's rights, legislation on sexual orientation and respect for freedom of expression, since the first review. It also expressed concern about reports of threats against and arrests of journalists. It regretted the resumption of executions in 2012.
34. Kuwait noted the progress achieved in school enrolment, health sector, gender equality and children's rights. It commended the adoption of the National Health Policy (2012-2020) and of the Domestic Violence Act. It welcomed the ratification of the CRPD and the OP-CRPD.
35. Libya noted the progress in implementing recommendations and ratification of treaties. It noted progress achieved in education, particularly the building of schools and early childhood development centres, which had led to a marked increase in enrolment at different levels of education.
36. Malaysia welcomed the enactment of the Women's Act, the Domestic Violence Act and the Sexual Offences Act, and the adoption of the National Gender and Women Empowerment Policy. It noted that significant progress had been made in education, health, poverty eradication and children's rights.
37. Maldives noted the challenges of The Gambia and the key priority areas. It welcomed the enactment of the Gender Violence Act and encouraged further legal reforms aimed at eliminating all forms of discrimination against women, girls and persons with disabilities. Equality of opportunity in the social and economic spheres should be guaranteed for all, regardless of gender or disabilities.
38. Mali welcomed the creation of the National Agency against Trafficking in Persons, the adoption of the National Action Plan against Gender-Based Violence, free maternal and antenatal health care, and the adoption of the Programme for Accelerated Growth and Employment.
39. Mauritania welcomed the adoption of the Domestic Violence Act and the Sexual Offences Act, and the significant progress made in free primary school enrolment and in gender parity. It firmly believed that the authorities were determined to create an environment conducive to press freedom and freedom of information. It encouraged Office of the High Commissioner for Human Rights (OHCHR) to provide technical support to The Gambia.
40. Mexico welcomed the adoption of the Programme for Accelerated Growth and Employment. It noted the adoption of the Domestic Violence Act and the Sexual Offences Act and hoped that priority would be given to their implementation. It regretted that the moratorium on the death penalty had been breached in recent years.
41. Montenegro enquired about the main obstacles impeding the submission of overdue periodic reports and encouraged The Gambia to improve its cooperation with OHCHR and its human rights mechanisms. It regretted that the Domestic Violence Act and the Sexual Offences Act did not prohibit female genital mutilation (FGM).
42. Morocco noted the steps taken to promote gender parity and the empowerment of women and to eradicate gender-based violence. It welcomed the establishment of child rights and protection units in the police force and the armed forces. It also welcomed the steps taken to reform judicial institutions.

43. The Netherlands remained concerned with the human rights situation and lack of progress and noted that persecution and intimidation of human rights defenders and journalists continued to be widespread. It urged guaranteeing their safety and freedom to carry out their work. Amended section 144a of the Criminal Code severely restricted the rights and freedoms of LGBT persons is of concern.
44. Nicaragua commended the action taken to provide the education system with the resources it required to ensure that the right to education was enjoyed by all. It trusted that the Vision 2020 strategy would serve as a key tool for overcoming the lack of resources and eradicating poverty.
45. The Niger commended the achievement of the MDGs on free primary school enrolment, the adoption of the National Health Policy, the creation of the National Agency for Legal Aid to facilitate the access to justice for vulnerable persons, and the adoption of the Domestic Violence Act and the Sexual Offences Act.
46. The Philippines noted that available human and material resources were insufficient to implement anti-trafficking programmes. With a view to eradicating poverty, it encouraged The Gambia to examine opportunities for accessing modern agricultural technology and to seek the support of all sectors of society in ensuring food security.
47. Portugal welcomed the steps towards the creation of National Human Rights Institution (NHRI). It expressed deep concern regarding the number of executions that had taken place in 2012 and noted that a *de facto* moratorium on the death penalty had been reinstated in 2013. It requested further information on measures envisaged to address school drop-out rates, especially for girls.
48. Rwanda commended The Gambia for progress in poverty reduction, in ensuring equitable access to education and in improving maternal health and reducing infant mortality. It also commended action to reform the judiciary, to improve access to justice, to prevent FGM, and to combat sexual and gender-based violence.
49. Senegal encouraged The Gambia to pursue its efforts to reform the justice system and to enhance its independence. Greater attention should be paid to the right to life and security of persons. Persons in conflict with the law, especially those sentenced to death, should have access to all avenues of appeal.
50. Sierra Leone commended The Gambia for progress made in the social and economic spheres, for the legislation on sexual and gender based violence and for the reinforcement of the National Plan of Action against the Sexual Abuse and Exploitation of Children. It urged The Gambia to intensify its efforts to establish a national human rights institution and a protective mechanism for refugees; and to promote freedom of expression, association and peaceful assembly.
51. Singapore took positive note of efforts to improve access to education and the achievement of the MDGs on gender parity in primary and lower secondary schools, with upper secondary figures on track. It noted efforts by the National AIDS Council and Secretariat to combat HIV/AIDS and the relatively low prevalence among adults.
52. Slovakia noted that the conditions in prisons remained unsatisfactory and requested more information on the situation. It shared the concerns of the Special Rapporteurs regarding freedom of expression and the treatment of human rights defenders.
53. Slovenia commended ratification of OP-CRC-SC. It requested to know about measures taken to prohibit violence against children in all settings. It requested to know about steps taken to implement legislative and other measures to combat violence against women. It expressed concern regarding reported violations of freedoms of expression, association and peaceful assembly.

54. South Africa commended The Gambia for the marked improvements registered in all spheres of national development, particularly in the achievement of the MDGs on universal primary education and gender parity. It welcomed the declaration regarding free education at upper basic school level, and for leading the way on sustainable energy.

55. South Sudan welcomed improved enrolment and the achievement of the MDGs on free primary education and gender parity. Noting the challenges faced, it urged The Gambia to continue efforts regarding FGM. It welcomed the ratification of CRPD and OP-CRPD and measures in favour of persons with disabilities.

56. Spain recognized efforts to improve human rights, especially ratification of CRPD. It expressed concern over regressive action regarding the death penalty moratorium, the criminalization of consensual same-sex relations, torture allegations and national legislation restricting freedom of expression. It welcomed national legislation to protect women's rights.

57. The Sudan commended The Gambia's positive engagement with the UPR process and was encouraged by the information provided since the first cycle. It welcomed the ratification of CRC, CRPD and OP-CRPD, as well as the adoption of the National Gender and Women Advancement Policy 2010-2020.

58. Sweden expressed concern regarding reports of violence against journalists, human rights defenders and others exercising their right to freedom of expression, and regarding the proposed amendment to the Criminal Code Act 2014, as it would result in discrimination against persons based on their real or perceived sexual orientation.

59. Thailand commended the achievement of the MDGs on primary school enrolment, child nutrition and the fight against malaria. It expressed support for efforts to improve legislation on women's and children's rights and noted efforts to establish a National Human Rights Institution in cooperation with OHCHR, offering assistance in that respect.

60. Togo recognized efforts made under the National Education Policy 2004-2014 to improve enrolment at all levels, gender parity, free primary education provision, infrastructure and capacity-building. It welcomed increased financing for social protection programmes, including provision for children, women, the elderly and persons with disabilities.

61. Tunisia noted progress made regarding violence against women and children, and education. It noted the creation of a national treaty body reporting group and encouraged issuing of a standing invitation to special procedures. It acknowledged requests for technical assistance and called on the OHCHR and the international community to respond.

62. The United Kingdom of Great Britain and Northern Ireland recognized progress regarding women's and children's rights, education, and the National Human Rights Institution, which should comply with the Paris Principles. It encouraged action on FGM and expressed concern regarding freedom of expression and discrimination against LGBTI persons.

63. The United States of America expressed dismay about the human rights situation. It was concerned with interference with electoral processes and the treatment of critics, including restrictions on freedom of speech, and reports of torture, arrest, detention and enforced disappearances. It expressed concern about discrimination against LGBTI persons, human trafficking, forced child marriage, child prostitution and child labour.

64. Uruguay welcomed achievements of the MDGs on free primary education and gender parity; ratification of CRPD and OP-CRPD; and progress in national legislation regarding gender-based violence, urging implementation of the latter. It called for further

measures to improve detention conditions and prison overcrowding in line with international standards.

65. Venezuela (Bolivarian Republic of) commended achievement of the MDGs on free primary education and gender parity; provision of free maternal and family planning services; and increased primary and secondary health-care provision, noting the reduced mortality rate due to immunization programmes. It welcomed ratification of CRPD and OP-CRPD.

66. Algeria noted commitment to improving human rights, as demonstrated by achievement of the MDGs on free primary education and gender parity, and adoption of a national development strategy. It encouraged The Gambia to continue efforts regarding maternal health, infant mortality, children's rights, justice, human trafficking and FGM.

67. Angola welcomed efforts to ensure human rights and fundamental freedoms were respected. It commended increased enrolment in upper secondary education, particularly among girls, and legal reforms to provide two additional Children's Courts. It welcomed progress made in women's rights, including legislation to combat sexual violence.

68. Argentina recognized efforts to establish a national human rights institution and encouraged The Gambia to ensure that the Institution was fully operational and compliant with the Paris Principles. It stated that greater cooperation with treaty bodies would help The Gambia make progress regarding human rights.

69. Australia welcomed national legislation to combat gender-based violence and looked forward to the rigorous enforcement of this legislation. It expressed concern over widespread discrimination and violence based on sexual orientation and gender identity; restrictions on media freedom, and reports of torture and arbitrary detention.

70. Azerbaijan welcomed the adoption of national policies to promote health, the advancement of women and advocacy for persons with disabilities, and prevent domestic violence. It commended ratification of CRPD and OP-CRPD, and the establishment of national bodies to improve social protection and combat human trafficking.

71. Bangladesh commended The Gambia for the legislative measures to combat violence against women and children. It noted capacity-building efforts among educators and nurses, and the establishment of educational institutions. It commended clarifications by The Gambia concerning its justice system, particularly in relation to serious crimes.

72. Botswana commended the attainment of the MDGs on primary school enrolment and gender parity in education. The Domestic Violence Act and National Health Policy demonstrated the commitment to human rights. Child marriage and the practice of FGM were causes of concern.

73. Brazil appreciated progress in school enrolment, including the Education for All initiative, and legislation on domestic violence and sexual offences. Legislation punishing "aggravated homosexuality" with life imprisonment, however, was a cause of concern; as well as the number of executions carried out following a 27-year moratorium on capital punishment.

74. Burkina Faso noted the attainment of the MDGs on primary school enrolment and progress in combating gender-based violence, and welcomed the National Gender and Women Advancement Policy. Action to eliminate FGM should continue and the international community should offer adequate support to improve the human rights situation.

75. Canada asked how its recommendation to allow independent organizations access to detention centres, and diplomatic access to arrested foreigners had been implemented. It urged the Gambian President not to make discriminatory remarks about LGBTI, welcomed

action on gender-based violence and expressed concern about the independence of the judiciary.

76. The Central African Republic welcomed efforts to promote human rights, notably free primary school education, legislation addressing domestic violence and sexual offences and the National Plan of Action to Accelerate the Abandonment of FGM. The international community should provide the Gambian Government with financial and technical assistance.

77. Chad noted the need for support mentioned in the national report, and asked whether the financial and technical assistance required had been assessed and whether steps had been taken to obtain such assistance from development partners. The international community was requested to provide the necessary assistance.

78. Chile noted the Education for All initiative, the Domestic Violence Act and the National Health Policy for 2012-2020, and hoped that it would continue to advance in that manner. It encouraged The Gambia to accelerate the ratification of international instruments, including CAT, OP-CAT and ICCPR-OP 2.

79. China highlighted universal education and increased school enrolment rates, particularly for girls. Legislative and other measures had strengthened the protection of vulnerable groups, including women, children and persons with disabilities. However, as a developing country, many challenges remained. The international community should provide technical and financial assistance.

80. The Congo welcomed free primary education, improved school enrolment rates, particularly for girls, and gender parity in education. It noted action to address maternal and infant health, the rights of children, vulnerable persons and persons with a disability, the criminal justice system and trafficking in persons.

81. Costa Rica encouraged effective implementation of the strengthened institutional framework and sufficient resources for the National Agency against Trafficking in Persons. The Information and Communication Act was a cause of concern and international cooperation and technical assistance should be employed to ensure that norms complied with international obligations.

82. Cuba noted the attainment of the MDGs on education. It highlighted efforts to tackle the rights of persons with disabilities, prison conditions and trafficking in persons. It urged developed countries in particular to boost cooperation and financial assistance with regard to the areas mentioned in the national report.

83. The Democratic Republic of the Congo welcomed policies for women and children, notably on children's education and the citizenship and social status of women through work on social protection. The justice policy had seen improvements to the geographic spread of tribunals and action on access to justice.

84. Denmark noted that, despite acceding to CAT in 1985, The Gambia had not taken steps towards ratifying that Convention. It highlighted the CAT Initiative, launched in 2014 and targeting the universal ratification and implementation of the Convention, which might be useful in taking the matter forward.

85. Djibouti welcomed the delegation of The Gambia and congratulated it on its national report. It noted with satisfaction efforts to strengthen human rights protection, particularly in the sphere of national education, and wished The Gambia success in its objective of the full realization of human rights.

86. Egypt appreciated steps to empower women through The National Gender and Women Advancement Policy and legislation to protect the rights of children. It commended

measures to reduce poverty and took note of action to combat trafficking in persons, ensure access to justice and protect persons in vulnerable situations.

87. Ethiopia commended the identification of priority areas, including access to justice, gender-based violence, maternal and infant mortality, the rights of children and FGM. It noted programmes to reduce poverty and address the root causes of unemployment. Efforts to protect children from sexual exploitation in tourism were encouraging.

88. France asked how decisions by ECOWAS concerning torture, extrajudicial executions and disappearances, and human rights resolutions adopted by the African Commission on Human and Peoples' Rights were being heeded. What stage had the bill to establish a National Human Rights Institution reached, and what were its planned arrangements?

89. Gabon welcomed cooperation with international human rights mechanisms and efforts to implement first cycle recommendations. It appreciated measures to build schools in order to promote and protect the right of all Gambians to education. It called on the international community to offer its assistance to The Gambia.

90. Germany urged improved cooperation with international and regional human rights systems and the implementation of outstanding first cycle recommendations. It expressed concern at amendments to the Information and Communication Act restricting freedom of expression and access to information. It called on the Government to protect those rights.

91. Ghana acknowledged gains in access to education, notably building more schools and increasing enrolment levels, particularly for girls. It noted the Domestic Violence Act and the Sexual Offences Act, which provided protection for victims of domestic violence and criminalized all forms of sexual assault, exploitation and harassment.

92. Referring to the ratification of conventions, the delegation of The Gambia stated that the National Assembly had accepted the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and its Optional Protocol, and they were in the process of ratification.

93. Responding to the refugee issue, the delegation stated that a Refugee Commission had been established and was fully funded by the Government. Moreover, as the delegation mentioned, not only refugee children in The Gambia were given access to education, but also through a memorandum of understanding signed between the UNHCR and the Ministry of Health, refugees, asylum seekers, persons of concern and their families were provided medical care in all health facilities.

94. Turning to the detention issue, the delegation confirmed that it was both allowed and encouraged for diplomatic missions to access their citizens in detention. Moreover, the delegation explained that, according to the Constitution, any person should not be detained beyond 72 hours without being brought before a court.

95. On the concern of two American citizens who had allegedly disappeared in The Gambia, the delegation stressed that essentially they were also Gambians and underlined its full commitment and serious consideration of the progress of the investigation, which is being carried out by a Task Force comprising of officers from different security forces, who have visited all the border points and gone to Guinea-Bissau for further information.

96. Regarding the conditions of detention, the delegation stated that the Mile Two Central Prison had been rehabilitated recently. Improvements have been made such as the installation of a new female wing in the New Jeshwang prison; the establishment of a visiting committee aimed at checking the rights of prisoners; the 24-hour availability of a medical doctor and the introduction of a balanced diet.

97. On the investigation on Chief Ebrima Manneh and Deyda Hydara, the delegation noted that the ECOWAS Court had not made any pronouncement on extra-judicial killings, torture or forced disappearances. The delegation stated that there was a decision on the Deyda Hydara case, where the investigation by The Gambia was questioned. The delegation stated that The Gambia had invited the United Nations to open investigations into the alleged disappearances of Chief Manneh and Deyda Hydara and welcomed the UN to send the investigation team.

98. The delegation noted the calls for legislation to eliminate female genital mutilation. It highlighted that, given the strong cultural backgrounds and traditional practices, the authorities decided to carry out public awareness campaigns to educate people on the effects of FGM/C.

99. On the National Human Rights Institution, the delegation stated that the legislation had been drafted and was in the process of consultation with stakeholders. It added that the Institution would be financially independent and that The Gambia was working with the Office of United Nations High Commissioner for Human Rights to ensure that it was in compliance with the Paris Principles.

100. On Trafficking in Persons, the delegation stated that the National Agency for Trafficking in Persons had been undertaking several sensitisation workshops throughout the country and that several investigations, yet no actual prosecutions, had been carried out so far.

101. Regarding the death penalty, the delegation recalled the moratorium had been lifted in 2012 due to a high rise of heinous crimes being committed. Since then, the moratorium has been reinstated. The delegation added that the Constitution provided for the death penalty in the most exceptional cases.

102. The delegation stated that the Gambia legislation ensured the freedom of expression, but also safeguarded the country with criminal punishment on excessive publication of false information, usually meant to destabilise the country or bring threats to national security.

103. With regard to child mortality, the delegation stated that The Gambia was advanced in terms of access to health facilities and sanitation to combat child mortality. It added that every district had a health centre, with referral hospitals.

104. Regarding education, the delegation emphasised the increase of schools infrastructure which had resulted in the increasing enrolment as well as the continuous policy to provide free education to both boys and girls at the primary level which is being extended to secondary level noting that most students at university are sponsored by the Government.

105. The delegation welcomed the Special Rapporteurs of the United Nations Human Rights Council who would visit The Gambia the first week of November. On the ratification of conventions and domestication of ratified conventions, the delegation stated that the Government would look at all the recommendations that had been formulated during the Working Group and see which can be presented to the National Assembly.

106. Concerning access to justice, the delegation stated that the system in The Gambia recognised the Sharia Law in marriage, divorce and inheritance, customary laws, common law and the statute laws of The Gambia. Moreover, mechanisms are in place such as children's courts, industrial tribunals, trafficking in persons' agency, legal aid secretariat, and alternative dispute resolution. The delegation added that the authorities were in the process of establishing the anti-corruption commission and the national human rights commission.

107. On the rights of women and children, the delegation mentioned that a series of laws, such as the Women's Act, Children's Act, Domestic Violence Act and Sexual Offences Act, had been passed to empower women and protect children and other vulnerable groups.

108. In conclusion, the delegation noted with appreciation the positive contributions and constructive criticisms of the delegations. It reiterated The Gambia's commitment to the UPR process and stated that The Gambia will take into consideration all the recommendations made and report back on its positions to the next session of the Human Rights Council.

## **II. Conclusions and/or recommendations\*\***

109. **The following recommendations will be examined by The Gambia which will provide responses in due time, but no later than the 28<sup>th</sup> session of the Human Rights Council in March 2015.**

109.1. **Ratify the conventions to which it is not yet party in keeping with the recommendations accepted during the first Review (Niger);**

109.2. **Ratify the conventions on human rights not yet ratified and proceed to the harmonization of those already ratified with domestic legislation (Chad);**

109.3. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at ensuring the abolition of the death penalty (Montenegro);**

109.4. **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, and abolish the death penalty (Portugal);**

109.5. **Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (Rwanda);**

109.6. **Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Angola);**

109.7. **Sign and ratify the second Optional Protocol to the International Covenant on Civil and Political Rights (Germany);**

109.8. **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

109.9. **Consider the ratification of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);**

109.10. **Consider the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Gabon);**

109.11. **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Portugal);**

109.12. **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Tunisia);**

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Conclusions and recommendations will not be edited

- 109.13. Consider the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ghana);
- 109.14. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Mali);
- 109.15. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sierra Leone);
- 109.16. Ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);
- 109.17. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Togo);
- 109.18. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and harmonize this convention with the national legislation (France);
- 109.19. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment recalling the commitment undertaken by the Government of The Gambia during the first UPR (Uruguay);
- 109.20. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure that allegations of ill-treatment are investigated thoroughly and independently and that the individuals responsible are held to account (Australia);
- 109.21. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure its full implementation in law and practice (Botswana);
- 109.22. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Mali);
- 109.23. Consider acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Thailand);
- 109.24. Ratify the Optional Protocol to Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Uruguay);
- 109.25. Consider acceding to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Thailand);
- 109.26. Ratify the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (Portugal);
- 109.27. Consider acceding to the Optional Protocol to the Convention on the Rights of the Child on Communications Procedure (Thailand);
- 109.28. Ratify the Optional Protocol to the Convention on the Rights of the Child on Communications Procedure (Portugal);
- 109.29. Consider the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Indonesia);
- 109.30. Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);

- 109.31. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**
- 109.32. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal);**
- 109.33. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Tunisia);**
- 109.34. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and harmonize this convention with the national legislation (France);**
- 109.35. **Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**
- 109.36. **Consider the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Ghana);**
- 109.37. **Ratify the Convention on the Rights of Persons with Disabilities and ensure that persons with disabilities are free from all forms of discrimination and social exclusion (Maldives);**
- 109.38. **Ratify the Rome Statute (Tunisia);**
- 109.39. **Ratify or accede to the Agreement on Privileges and Immunities of the ICC and to implement it fully at national level (Slovakia);**
- 109.40. **Ratify the UNESCO Convention on the Elimination of Discrimination in Education (Portugal);**
- 109.41. **Incorporate into its national legislation most of the international legal human rights instruments that The Gambia acceded to (Mauritania);**
- 109.42. **Comply with its existing international and regional human rights obligations (Germany);**
- 109.43. **Enact legislation prohibiting female genital mutilation (Slovenia);**
- 109.44. **Enact and enforce effective legislation prohibiting the practice of female genital mutilation (Germany);**
- 109.45. **Take urgent steps to incorporate the prohibition of female genital mutilation in its law and enforce it (Ghana);**
- 109.46. **Consider enacting a comprehensive law prohibiting the practice of female genital mutilation (India);**
- 109.47. **Introduce legislation to criminalize the practice of female genital mutilation (Canada);**
- 109.48. **Enact domestic violence legislation with the aim of eliminating domestic violence, and enact specific legislation criminalizing acts such as female genital mutilation (Maldives);**
- 109.49. **That the President of The Gambia will use his executive power by refraining from signing the Bill amending section 144a of the Criminal Code into law and that the Government of The Gambia eliminates all existing legislation penalizing sexual orientation or gender identity (Netherlands);**
- 109.50. **That the President of The Gambia rejects provisions in the proposed Criminal Code on aggravated homosexuality and absconding state officials (Sweden);**

- 109.51. That the President of The Gambia repeal provisions in the Criminal Code which criminalize consensual same-sex sexual conduct (Sweden);
- 109.52. Repeal all provisions of law criminalizing same sex relations between consenting adults and ensure the rights of these persons are protected (Australia);
- 109.53. Repeal laws that provide for the criminalization of LGBT people, in accordance of the principle of non-discrimination (France);
- 109.54. Ensure that the Criminal Code is applied in a non-discriminatory manner, in full compliance with Articles 2, 17 and 26 of the International Covenant on Civil and Political Rights as interpreted by the Human Rights Committee (United Kingdom of Great Britain and Northern Ireland);
- 109.55. Immediately decriminalize homosexuality, amending legislation to promote and protect human rights for all individuals, regardless of race, ethnic origin, religion, personal beliefs and opinions, disability, age, gender, and sexual orientation in accordance with The Gambia's obligations including as signatories to the African Charter on Human and Peoples' rights (Canada);
- 109.56. Refrain from introducing and/or repeal any legislation that criminalizes sexual activities between consenting adults and take all necessary measures to prevent discrimination on the basis of sexual orientation and/or gender identity or expression (Germany);
- 109.57. Review the amendments to the Criminal Code in the area of "false information" in order to guarantee respect for freedom of the media and freedom of expression (Portugal);
- 109.58. Repeal legislation that does not comply with international human rights law, in particular the amendment to the Information and Communication Act enacted in 2013 and the amendment to the Criminal Code enacted in 2013 (Slovakia);
- 109.59. Amend the legislation to remove restriction on freedom of expression which has a major impact on human rights defenders, journalists and members of the political opposition (Spain);
- 109.60. Amend legislation infringing on freedom of expression and decriminalise press-related offences such as defamation (Australia);
- 109.61. Amend the Criminal Code to ensure the respect of the right to freedom of expression and establish guidelines for criminal defamation prosecutions to ensure the exercise of the right to freedom of expression without fear of intimidation or harassment (Canada);
- 109.62. Abolish all legal provisions limiting the freedom of expression and freedom of the press, and to take all necessary measures to facilitate the work of human rights defenders, journalists and civil society (Germany);
- 109.63. Take all necessary measures to guarantee, in all circumstances, the full respect of freedom of expression and freedom of the press; reform in this regard the provisions of the "Information and Communication Act" in order to bring the national legislation in line with international standards (France);
- 109.64. Adopt measures, compatible with international norms, to guarantee the freedom of information (Chile);

- 109.65. Enact laws prohibiting forced and early marriage of girls (Central African Republic);
- 109.66. Incorporate into national legislation the provisions to ensure the effective implementation of the rights of men and women to equal pay for equal work (Congo);
- 109.67. Conclude the ongoing consultations concerning the draft Disability Bill to be adopted at the nearest time possible (Kuwait);
- 109.68. Promptly adopt the law in the area of the protection and promotion of the rights of persons with disabilities enabling the requisite legal framework to apply the Convention on the Rights of Persons with Disabilities (Venezuela (Bolivarian Republic of));
- 109.69. Accelerate the progress of consultations and ensure that the National Human Rights Institution functions in accordance with the Paris Principles (India);
- 109.70. Accelerate the process of the establishment of a National Human Rights Commission in accordance with the Paris Principles (Tunisia);
- 109.71. Accelerate the establishment of the National Commission for Human Rights in respect with the Paris Principles (Niger);
- 109.72. Accelerate the establishment of the National Human Rights Institution in accordance with the Paris Principles (Gabon);
- 109.73. Accelerate efforts for the establishment of a National Human Rights Institution in conformity with the Paris Principles (Chile);
- 109.74. Consider establishing the National Human Rights Institution in accordance with the Paris Principles (Nicaragua);
- 109.75. Finalize the creation of a National Human Rights Institution and the establishment of a NHRI in full compliance with the Paris Principles (A status) (Portugal);
- 109.76. Intensify its efforts to establish a National Human Rights Institution fully in accordance with the Paris Principles (Rwanda);
- 109.77. Work towards the effective establishment of the National Human Rights Institution (Burkina Faso);
- 109.78. Seek to expedite the current process of establishing a National Human Rights Institution, with a view to further improving the general situation of human rights in The Gambia (Egypt);
- 109.79. Continue its efforts in establishing National Human Rights Institutions (Sudan);
- 109.80. Continue to promote and protect the rights of women and children (Djibouti);
- 109.81. Provide the necessary financial and human resources to strengthen the implementation of policies and programmes for the empowerment of women in social and public life (Malaysia);
- 109.82. Adopt a National Action Plan on Security Council Resolution on Women Peace and Security (1325) (Portugal);

- 109.83. Follow up effectively the national plan of action to accelerate the eradication of female genital mutilation and the implementation of preventative measures (Spain);
- 109.84. Pursue efforts carried out by the Gambian Government in the framework of the national policy for gender equality and promotion of women for the period 2010 to 2020 (Algeria);
- 109.85. Continue further improvement of the protection and promotion of human rights in the country (Azerbaijan);
- 109.86. Continue its national efforts with the support and assistance of the international community, in the promotion and protection of human rights, particularly in the realization of economic, social and cultural rights of the people of The Gambia (Bangladesh);
- 109.87. Continue efforts aimed at promoting awareness of the culture of human rights in the Gambian society (Egypt);
- 109.88. Improve its cooperation with treaty bodies (Niger);
- 109.89. Submit the long outstanding reports to the Human Rights Committee and to the Committee on the Elimination of Racial Discrimination (Sierra Leone);
- 109.90. Take all necessary measures to address the backlog in the submission of reports to treaty bodies (Burkina Faso);
- 109.91. Consider issuing a standing invitation to the United Nations Human Rights Special Procedures (Rwanda);
- 109.92. Accept the visit of the Special Procedures of the Human Rights Council and allow them access without restrictions (Uruguay);
- 109.93. Extend a standing invitation to all United Nations human rights mechanisms (Costa Rica);
- 109.94. Facilitate without further due the visit of the Special Rapporteur on summary executions and the Special Rapporteur on torture (Mexico);
- 109.95. Respond favourably to the request of the Special Rapporteur on torture to visit the country (Denmark);
- 109.96. Take all necessary measures, both legislative and educational, to eradicate negative stereotypes and attitudes towards women (Italy);
- 109.97. Withdraw the criminal laws sanctioning homosexuality and take action to combat violence based on sexual orientation and gender identity (Italy);
- 109.98. Take on board policies to promote human rights regardless of the sexual orientation of persons (Spain);
- 109.99. Ensure that the human rights of all Gambian citizens are respected, regardless of sexual orientation or gender identity, by repealing discriminatory laws that are inconsistent with international human rights principles (United States of America);
- 109.100. Guarantee to LGBTI persons the full and equal enjoyment of their human rights, and protection from criminalization and stigmatization (Argentina);

- 109.101. **Maintain the moratorium on executions with a view to abolishing the death penalty (Italy)**
- 109.102. **Reinstate and respect the moratorium on the death penalty with a view to prepare a referendum on its possible abolition in accordance with the stipulations of the national Constitution (Mexico);**
- 109.103. **Consider establishing a new moratorium on executions, with a view to abolishing the death penalty in the future (Brazil);**
- 109.104. **Adopt a permanent moratorium on the death penalty with the view of its future abolition (Costa Rica);**
- 109.105. **Abolish the death penalty for all crimes (France);**
- 109.106. **Establish a moratorium on the death penalty with a view to its abolition (Togo);**
- 109.107. **Establish a standing moratorium on executions with a view to the abolition of the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);**
- 109.108. **Abolish de jure the death penalty and proceed to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);**
- 109.109. **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**
- 109.110. **Investigate all complaints of torture and adopt necessary preventative measures to eliminate this practice (Spain);**
- 109.111. **Continue to improve the conditions of prisoners (Djibouti);**
- 109.112. **Improve the conditions of detention in all places of detention and ensure that prisoners and detainees have access to medical care, adequate and appropriate food, hygiene and exercise (Slovakia);**
- 109.113. **Adopt and implement effective legislation aimed at banning female genital mutilation and punishing the perpetrators (Italy);**
- 109.114. **Pursue efforts aimed at eradicating the practice of female genital mutilation (Montenegro);**
- 109.115. **Strengthen and accelerate mechanisms aiming at eradicating the harmful practice of female genital mutilation (Angola);**
- 109.116. **Take all necessary measures to prohibit and eliminate the practice of female genital mutilation (Australia);**
- 109.117. **Enhance its initiatives designed to halt female genital mutilation and related harmful practices (Brazil);**
- 109.118. **Further progress in the eradication of the female genital mutilation and reaffirm its prohibition (Chile);**
- 109.119. **Intensify efforts to strengthen the fight against female genital mutilation (Ethiopia);**
- 109.120. **Continue efforts to eliminate harmful tradition practices and female genital mutilation (Rwanda);**

- 109.121. **Intensify efforts to ensure gender equality and eliminate sexual and gender based violence (Rwanda);**
- 109.122. **Ensure the full implementation of the adopted law on sexual and gender-based offences against women (Montenegro);**
- 109.123. **Ensure the full implementation of the recently adopted law on sexual and gender-based violence against women and pursue efforts aimed at eradicating these vices (Botswana);**
- 109.124. **Continue to expand plans and measures to eliminate all forms of physical, sexual and gender-based violence in the country (Chile);**
- 109.125. **Enforce laws relating to child labour (Central African Republic);**
- 109.126. **Explore and maximize the benefits from international cooperation and partnerships to support initiatives to combat trafficking in persons, especially women and children (Philippines);**
- 109.127. **Seek technical assistance to improve the Judiciary, in order to more adequately execute its functions (Sierra Leone);**
- 109.128. **Ensure the independence of the Judiciary (Central African Republic);**
- 109.129. **Actively pursue further reforms to ensure judicial independence (India);**
- 109.130. **Continue working to ensure the independence and transparency of its judicial system as well as to improve the conditions of its penitentiaries (Thailand);**
- 109.131. **Work towards strengthening the independence of Judiciary through the adoption of the draft Judges Bill of 2014 (Kuwait);**
- 109.132. **Take measure to ensure the independence of the Judiciary including by means of eradicating the system of presidential decisions on appointment of judges (Mexico);**
- 109.133. **Ensure independent, effective and speedy investigation to violations of the right to freedom of expression committed by officials engaged in law enforcement duties, to hold these responsible to account; and provide redress to victims (Sweden);**
- 109.134. **Implement swiftly and without preconditions the verdict of the ECOWAS Court of 10 June 2014 on the need of a thorough investigation to the disappearances of journalists Manneh and Hydara (Netherlands);**
- 109.135. **Investigate the disappearance of U.S. Citizens Alhaji Ceesay and Ebrima Jobe (United States of America);**
- 109.136. **Promote national efforts aimed at enhancing judicial reform, so as to cater for expanding recourse to courts of law, partly as a result of the growth of the Gambian economy (Egypt);**
- 109.137. **Consider drawing up a legislation to raise the legal age of marriage to 18 years (Sierra Leone);**
- 109.138. **Set 18 years as the minimum legal age of marriage (Togo);**
- 109.139. **Take steps to prevent child, early and forced marriage, including through education and awareness campaigns (Canada);**

- 109.140. Promote and guarantee freedom of expression in compliance with international standards as recommended previously (Italy);
- 109.141. Cooperate with international and regional human rights bodies to improve the situation of freedom of expression and human rights generally in The Gambia (Sweden);
- 109.142. Intensify efforts to ensure a favourable environment for the activities of journalists, human rights defenders and other civil society actors (Tunisia);
- 109.143. Ensure human rights defenders the free exercise of their activities and refrain from harassment and intimidation against them (France);
- 109.144. Create and maintain , in law and in practice, a safe and enabling environment, in which human rights defenders can operate free from hindrance and insecurity, in accordance with Human Rights Council Resolution 22/6 (Ireland);
- 109.145. Fully protect and promote freedom of expression, association and peaceful assembly for all, without fear of arbitrary detention, intimidation or harassment, and to investigate all allegations of torture or ill-treatment and hold the perpetrators to account (United Kingdom of Great Britain and Northern Ireland);
- 109.146. Decriminalize offences related to freedom of expression and guarantee that human rights defenders and journalists can carry out their work in an atmosphere of freedom and security (Mexico);
- 109.147. Take all the necessary measures to ensure that all persons, including journalists, opposition leaders and political opponents and human rights defenders can freely exercise their rights to freedom of expression, association and peaceful assembly without fear of arrest, detention, intimidation or harassment (Slovenia)
- 109.148. Demonstrate its commitment to freedom of expression, including by members of the press, by allowing the UN unfettered access to complete its investigation of the death of journalist Deyda Hydera in 2004 and the disappearance of journalist Ebrima Manneh in 2006 (United States of America);
- 109.149. Continue its positive approach in combating poverty by providing the necessary support in rural infrastructure and its national employment policy to reduce unemployment (Malaysia);
- 109.150. Continue making efforts to seek necessary resources to lead The Gambia towards development (Nicaragua);
- 109.151. Give more focus on building the capacity of institutions responsible for poverty eradication programmes of the Government (Philippines);
- 109.152. Continue to focus on developing its economy, escalating employment, increasing efforts on poverty reduction, and improving the living standards of its people (China);
- 109.153. Strengthen efforts on the eradication of extreme poverty and hunger through the full implementation of the Programme on Accelerated Growth and Employment (South Africa);
- 109.154. Continue its efforts in increasing the financial resources allocated to provide welfare services to vulnerable members of the society (Sudan);

- 109.155. Continue strengthening its social protection programme that is already implementing, in order to provide for even greater well-being quality for its people (Venezuela (Bolivarian Republic of));
- 109.156. Further strengthen driven policies in the area of health, in order to achieve the objective of universal access to health (Venezuela (Bolivarian Republic of));
- 109.157. Pursue the implementation of the national health policy for the period 2012 to 2020 (Algeria);
- 109.158. Take further steps, with the support of the international community, to continue ameliorating access of the population to health (Cuba);
- 109.159. Enhance the existing effort in health service delivery system particularly to vulnerable groups (Ethiopia);
- 109.160. Step-up further efforts to strengthen health care facilities and improve health care services provided to women and children and equipping health facilities with the necessary equipment and medicine (Libya);
- 109.161. Take action at all levels to address the interlinked root causes of preventable mortality and morbidity of children under 5 and consider applying the “Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age”, A/HRC/27/31 (Ireland);
- 109.162. Continue to implement its HIV/AIDS prevention, care and treatment programmes to further reduce the prevalence (Singapore);
- 109.163. Continue to invest in education and training (Djibouti);
- 109.164. Continue with the positive approach in the field of education, especially the construction of more schools and educational centres, which contributed to an increase in student enrolment rates in the various stages of education (Libya);
- 109.165. Continue to place emphasis on promoting access to education and improving the quality of its education system (Singapore);
- 109.166. Further strengthen its sound educational policies, in particular in the secondary school (Venezuela (Bolivarian Republic of));
- 109.167. Continue education reforms in order to reduce the illiteracy rate in the country (Cuba);
- 109.168. Intensify the policy of social reintegration of abandoned children and school dropouts (Democratic Republic of the Congo);
- 109.169. Continue efforts to provide more education to persons with disabilities (South Sudan);
- 109.170. In the context of global partnerships for development, to seek assistance from the United Nations system, including the United Nations High Commissioner for Refugees and development partners to mobilize requisite resources with respect to financial assistance to aid the establishment of transit centres for refugees and capacity building in the administration and management of refugees and stateless persons (South Africa);

109.171. **Provide additional resources to the National Commission for Refugees in order to facilitate their reintegration and better organize their legal protection (Democratic Republic of the Congo).**

110. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## **Annex**

### **Composition of the delegation**

The delegation of The Gambia was headed by H.E. Mr Basiru V.P. Mahoney, Attorney General and Minister of Justice and composed of the following member:

- S.E. Mr Ousman Sonko, Minister of Interior.
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