




**NHRC**

Let Justice Guide Our Actions  
THE GAMBIA

**NATIONAL HUMAN RIGHTS COMMISSION**



**ANNUAL REPORT**

 National Secretariat, P. O. Box 2858,  
Serrekunda, Kotu, The Gambia

 (+220) 446 1717 / (+220) 446 1713

 [info@gm-nhrc.org](mailto:info@gm-nhrc.org)

 [www.gm-nhrc.org](http://www.gm-nhrc.org)

 [facebook.com/NHRCGambia](https://facebook.com/NHRCGambia)

 [@NHRCGambia](https://twitter.com/NHRCGambia)

Copyright © NHRC

NHRC reserves all rights of ownership of the original material in this document.

# Contents

Foreword	6
Statement by the Executive Secretary	8
Acknowledgement	10
Acronyms	11
Executive Summary	14
<b>CHAPTER 1: OVERVIEW OF THE NATIONAL HUMAN RIGHTS COMMISSION</b>	<b>16</b>
Introduction	16
<b>CHAPTER 2: OVERVIEW OF THE NHRC STRATEGIC PLAN 2021-2025</b>	<b>18</b>
Introduction	18
Strategic Objectives	20
Implementation Arrangements	21
<b>CHAPTER 3: ACTIVITY REPORT</b>	<b>22</b>
Highlights of Activities and Achievements in 2021	22
STRATEGIC OBJECTIVE 1: TO PROMOTE AND DEEPEN A CULTURE OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS	29
STRATEGIC OBJECTIVE 2: TO ENABLE PEOPLE WHOSE RIGHTS HAVE BEEN VIOLATED TO HAVE ACCESS TO APPROPRIATE REDRESS	39

STRATEGIC OBJECTIVE 3: TO ENSURE IMPROVED COMPLIANCE FROM THE STATE ON MATTERS OF HUMAN RIGHTS AND ACCESS TO JUSTICE	42
STRATEGIC OBJECTIVE 4: TO DEVELOP NHRC’S CAPACITY TO BE A CREDIBLE, TRUSTWORTHY, AND KNOWLEDGEABLE “AGENT” TO ADVANCE HUMAN RIGHTS AND EQUALITY	44
STRATEGIC OBJECTIVE 5: ENFORCE HUMAN RIGHTS WITHIN THE JUSTICE SYSTEM	45
STRATEGIC OBJECTIVE 6: TO ADVANCE HUMAN RIGHTS BY ADDRESSING POVERTY	47
<b>CHAPTER 4: STRENGTHENING INSTITUTIONAL CAPACITY</b>	<b>48</b>
1. Affiliate status with African Commission on Human and People’s Rights (ACHPR)	48
2. Access to the NHRC Services	49
3. The Secretariat	49
4. Staff Capacity Development	49
<b>CHAPTER 5: ASSESSMENT OF NHRC ACTIVITIES</b>	<b>51</b>
Main Findings	52
a. Gender of Respondents	52
Types of Activities Participated in	53
Assessment of Relevance, Effectiveness, and Impact	54

<b>CHAPTER 6: FINANCIAL OVERVIEW</b>	<b>58</b>
Introduction	58
Government Allocation	58
Expenditure	59
Grants (External Funding)	60
Lessons Learned	61
Challenges	63



## Foreword

This Report highlights the major activities implemented by the Commission in 2021, stakeholders' assessment of the impact of the activities and/or programmes, partnerships and collaborations forged in furtherance of the Commission's mandate to build a culture of human rights in The Gambia, the lessons learned, challenges encountered and the plans and aspirations for the future.

2021 is momentous in the history of the Commission as it marked the commencement of the implementation of our maiden Strategic Plan 2021-2025 which outlines six (6) Strategic Objectives to guide the Commission in its human rights promotion and protection work. Thus, with the Strategic Plan, which is accompanied by both an Implementation Plan and a Resource Mobilisation Plan, the Commission is ready, with the support of partners, to realise its Vision 'A Gambia where everyone enjoys their fundamental human rights and freedoms'.

Significant progress has been registered in 2021, made possible by the strong partnership and collaboration with the Government of The Gambia, CSOs and development partners, and tremendous support and encouragement of the public. Efforts were geared towards the creation of a culture of human rights, strengthening of good governance and the rule of law, and enhancing compliance with domestic and international human rights standards and obligations. In this regard, we investigated alleged cases of human rights violations, published Advisory Notes on pertinent human rights issues, held consultations with relevant State and Non-State Actors to advance the cause of human rights, held community outreaches and awareness programmes, conducted monitoring visits to detention centres, organised trainings for stakeholders and monitored all the phases of the Presidential election.

We are particularly encouraged by the Government’s commitment to fully and effectively implement the recommendations contained in the TRRC Report. We would only make the ‘Never Again’ slogan a reality when we end impunity, hold human rights violators accountable and support victims and survivors. As a State organ, the Commission would continue to play both its watchdog and advisory roles, safeguarding human rights while supporting the Government in its endeavours to create an enabling, enlarged human rights environment. As we march into 2022, we renew our commitment to making The Gambia a bastion of human rights and a strict upholder of the rule of law and due process. As a ‘Public Benefit Entity’, the Commission would remain true to its motto ‘Let Justice Guide Our Actions’ and stands ready to be held accountable by the public for its work.

A handwritten signature in black ink, appearing to read 'Emmanuel D. Joof', is centered within a light gray rectangular box.

**Emmanuel D. Joof**

Chairperson



## Statement by the Executive Secretary

The NHRC is growing gradually with its broad mandate of promoting and protecting human rights in the country. Like building blocks, the Commission has been strengthening its policies, frameworks, programmes and activities in line with the Paris Principles. The growth of the Commission is manifested by its evidence-based monitoring and reporting, which guides our way of work.

Despite the continued challenges posed by the COVID-19 pandemic in its resource mobilisation drive, the NHRC registered significant progress in the implementation of its 2021 work plan.

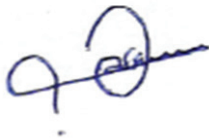
The Commission created a Resource Mobilisation Committee to support resource mobilisation to cover the funding-gap of the NHRC Strategic Plan (2021-25) to ensure smooth implementation. Similarly, it also established a Monitoring and Evaluation Unit whilst the Programmes Coordinating Committee (PCC) was revitalised to keep track of progress and challenges in programme implementation with a view to addressing them on time.

The Commission consolidated its flagship community outreach and citizen's engagement programmes through equitable access to justice by organising legal aid clinics in the regions, fighting caste-based and descent-based discrimination, investigating human rights violations, and enhancing respect for human rights across the country.



Furthermore, the NHRC conducted its first ever election monitoring for the 2021 Presidential electoral cycle to assess compliance with human rights standards and norms , from voter registration to voting, and subsequently produced various reports and a compendium. In addition, the Commission issued its advisory note on environmental rights and organized Roundtable Conference on Business and Human Rights to advocate for and engage the State to take concrete steps to address the challenges posed by environmental degradation and climate change.

A key highlight of 2021 is the attainment of Affiliate Status with the African Commission on Human and Peoples’ Rights (ACHPR), which confers not only recognition of the work of the institution but also provides opportunity for greater participation in ACHPR’s activities. As we consolidate our work, the Commission would continue to strengthen its partnership with CSOs and the public and private sectors, to promote and protect human rights across the county in line with our Vision of “a Gambia where everyone enjoys their fundamental human rights and freedoms.”



**Dr Saikou Kawsu Gassama**

Executive Secretary

## Acknowledgement

Our achievements in 2021 would not have been possible without the support, partnership and encouragement of partners whose commitment towards building a culture of human rights in the country was remarkable.

We wish to commend the Government for its financial support and recognition of the work of the NHRC in promoting and protecting human rights in The Gambia.

We are grateful to the National Assembly, through the Honourable Speaker, and members of the Standing Committee on Human Rights and Constitutional Matters in particular, for their encouragement and continuous commitment to our partnership.

The successes registered in our programme implementation could not have been possible without the technical and financial support of development partners, including the diplomatic community, UN agencies and other international organisations. Their support has contributed immensely to strengthening the capacity of the NHRC. Through the partnership with TANGO and the Civil Society Dialogue Platform, the Commission has been able to continue its interface with Civil Society actors.

We appreciate the commitment of the former Inspector General of Police, the late Alhaji Mamour Jobe, and his high command to the work of the Commission. We also acknowledge the cooperation and partnership with the Office of the Inspector General of Police during the year.

We recognise the efforts of the former Executive Secretary, Dr. Cherno Omar Barry, for his leadership and immense contribution while at the Secretariat, and Ms. Judy Oder, the African Union expert, for her invaluable technical contribution and support to the NHRC.

# Acronyms

<b>ADRS</b>	Alternative Dispute Resolution Secretariat
<b>ACHPR</b>	African Commission on Human and Peoples’ Rights
<b>AU</b>	African Union
<b>ACHPR</b>	African Commission on Human and Peoples’ Rights
<b>CRR</b>	Central River Region
<b>CSOs</b>	Civil Society Organisations
<b>DoL</b>	Department of Labour
<b>DP</b>	Development Partners
<b>DPA/AUC</b>	Department of Political Affairs of the African Union Commission
<b>ECD</b>	Early Childhood Education
<b>EIA</b>	Environmental Impact Assessment
<b>ICESCR</b>	International Convention on Economic, Social and Cultural Rights
<b>HRE</b>	Human Rights Education
<b>GBA</b>	Gambia Bar Association
<b>GANHRI</b>	Global Alliance of National Human Rights Institutions
<b>GID</b>	Gambia Immigration Department
<b>GAF</b>	Gambia Armed Forces
<b>GFRS</b>	Gambia Fire and Rescue Service
<b>GMD</b>	Gambian Dalasi
<b>GPF</b>	Gambia Police Force
<b>GPS</b>	Gambia Prison Services

<b>GRTS</b>	Gambia Radio and Television Services
<b>IEC</b>	Independent Electoral Commission
<b>IFMIS</b>	Integrated Financial Management and Information System
<b>ITTOG</b>	Institute of Travels and Tourism-The Gambia
<b>KMC</b>	Kanifing Municipal Council
<b>LRR</b>	Lower River Region
<b>MoBSE</b>	Ministry of Basic and Secondary Education
<b>MOFEA</b>	Ministry of Finance and Economic Affairs
<b>MoI</b>	Ministry of Interior
<b>MoJ</b>	Ministry of Justice
<b>MoU</b>	Memorandum of Understanding
<b>NALA</b>	National Agency for Legal Aid
<b>NANHRI</b>	Network of African National Human Rights Institutions
<b>NAOSU</b>	National Authorising Officer Support Unit
<b>NBR</b>	North Bank Region
<b>NCCE</b>	National Council for Civic Education
<b>NDLEA-G</b>	National Drug Law Enforcement Agency-Gambia
<b>NEA</b>	National Environment Agency
<b>NGOs</b>	Non-Governmental Organisations
<b>NHRC</b>	National Human Rights Commission
<b>NHRI</b>	National Human Rights Institution
<b>OHCHR</b>	Office of the High Commission for Human Rights
<b>OHCHR-WARO</b>	Office of the High Commission for Human Rights-West Africa Regional
<b>OIF</b>	Organisation Internationale de al Francophonie

<b>PBB</b>	Programme Based Budgeting
<b>PCC</b>	Programmes Coordinating Committee
<b>PBF</b>	Peace Building Fund
<b>PBSO</b>	Peace Building Support Office
<b>PCC</b>	Programme Coordinating Committee
<b>PRM</b>	Programme and Resource Mobilisation
<b>RMC</b>	Resource Mobilisation Committee
<b>PMF</b>	Performance Measurement Framework
<b>SO</b>	Strategic Objective
<b>SWOT</b>	Strength, Weakness, Opportunity and Threat
<b>TANGO</b>	The Association of Non-Governmental Organisations
<b>TRRC</b>	Truth, Reconciliation and Reparation Commission
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNHR PMU</b>	United Nations Human Rights Project Monitoring Unit
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNTJ</b>	United Nations Transitional Justice
<b>UTG</b>	University of The Gambia
<b>UPR</b>	Universal Periodic Review
<b>URR</b>	Upper River Region

## Executive Summary

Human rights protection is a core pillar in the work of the NHRC. In 2021, the Commission received a total of forty-one (41) complaints of alleged human rights violations, of which fourteen (14) were against law enforcement agencies namely the Gambia Police Force, National Drug Law Enforcement Agency, and the Gambia Immigration Department. Out of this total number, twenty-four (24) complaints were resolved. An additional two hundred and fifty-nine (259) complaints, of which two hundred and sixteen (216) were from female complainants, were received from a Legal Mobile Aid Clinic organised in rural communities.

On human rights monitoring, the NHRC monitored the entire phases of the 2021 Presidential elections, namely the voter registration, nominations, the campaigns, and the voting exercise. Sixty-seven (67) voter registration centres and sixty-nine (69) polling stations were monitored. The election monitoring activities were guided by standard checklists developed in accordance with international human rights standards. The NHRC also visited Tanji Immigration Post and the Jiboro Border Post to monitor and assess the protection of migrants' rights at these centres and the conditions of the detention facilities.

Training workshops were conducted to enhance the capacity of both State and Non-State actors on various aspects of human rights. Specific training workshops were also facilitated by OHCHR for Commissioners and Staff to enhance their knowledge and skills in monitoring and reporting in the context of elections and migration.

The NHRC recognises that building a culture of respect for human rights and fundamental freedoms depends, to a large extent, on promotional activities aimed at creating awareness on human rights and advocacy to enhance human rights compliance. To this end, the NHRC implemented a series of promotional activities including radio talk shows, community outreach and awareness raising activities, and Public Service Announcements (adverts and jingles using the media). Our website, social media platforms and quarterly newsletters were used to disseminate information on the work of the Commission.

This Annual Report is divided into Chapters which focus on various thematic areas. Chapters 1 and 2 provide overviews of the Commission and the Strategic Plan 2021-2025 respectively. Chapter 3 focuses on the six Strategic Objectives and what have been achieved under each in the year. Chapter 4 looks at institutional capacity strengthening while Chapter 5 summaries stakeholders' assessment of the activities implemented. Chapter 6 provides a breakdown of the funds received from the State and other development partners. Chapter 7 showcases the partnerships and collaboration entered into and cemented and Chapter 8 assesses the lessons learned and the challenged faced and surmounted.

## CHAPTER 1:

# OVERVIEW OF THE NATIONAL HUMAN RIGHTS COMMISSION

## Introduction

The 1997 Constitution of The Gambia provides for the protection of the fundamental rights and freedoms of all persons in The Gambia. Chapter IV – “Fundamental Rights and Freedoms” highlights the State’s obligation to safeguard the rights of every individual. In essence, section 17(2) dictates that *every person living in The Gambia, whatever his or her race, colour, gender, language, religion, political or other opinion, national or social origin, property, birth, or other status, shall be entitled to the fundamental human rights and freedoms of the individuals, subject to respect for the rights and freedoms of others and for the public interest.*

Other rights contained in Chapter IV include *the right to life, right to personal liberty, protection from slavery and forced labour, protection from inhuman or degrading treatment, protection from deprivation of liberty, right to privacy, freedom of speech, conscience, assembly, association and movement, political rights, rights of women, rights of children, right to education and protection from discrimination.*

Established by the NHRC Act 2017 (amended in 2020), the NHRC is a permanent, independent body whose functions include the promotion and protection of human rights; monitoring, receiving, investigating, and considering complaints of human rights violations; recommending appropriate remedial action to the Government; seeking appropriate redress on behalf of victims; increasing public awareness and education programs to promote a culture of human rights in The Gambia and assisting the Government in the formulation of appropriate policies to guarantee human rights.



Section 2 of the NHRC Act defines human rights to include the fundamental human rights and freedoms enshrined in Chapter IV of the 1997 Constitution and other laws of The Gambia, and other international human rights treaties and agreements The Gambia is a party to. The Commission's jurisdiction extends to all parts of the country, and all public and private entities, including private individuals. It reports annually to the National Assembly about its work and operations.

In the year under review, the Commission developed and implemented a range of initiatives in relation to the promotion and protection of human rights in The Gambia. It undertook a series of promotional activities such as community engagements, media programmes, human rights training for Law Enforcement and Civil Society Organisations, and held the second Sir Dawda Kairaba Jawara Human Rights Moot Court Competition in collaboration with the Faculty of Law of the University of The Gambia.

The NHRC Act requires that the Commission shall consist of five (5) Commissioners, at least two of whom shall be women. However, currently the Commission comprises of 4 members, including one female Commissioner who is the Vice Chairperson. This deficit in the number of female representation on the Commission was due to the resignation on health grounds of one of the female Commissioners. Her replacement, whose appointment has now been approved by the National Assembly, is expected to be sworn in by the President in the first quarter of 2022.

The Secretariat, headed by the Executive Secretary, has the main responsibility of running the day-to-day affairs of the Commission. It currently comprises five (5) Directorates, namely: Programmes and Resource Mobilisation, Legal and Investigation, Finance, Communications and Media, and Human Resources. All Directorates are headed by Directors who oversee the technical and programmatic operations of their respective Directorates.

The NHRC was setup in compliance with the Paris Principles which calls for NHRIs to have: (i) a broad mandate, based on universal human rights norms and standards; (ii) autonomy from Government; (iii) independence guaranteed by statute or Constitution (iv) pluralism; (v) adequate resources; and (vi) adequate powers of investigation.

## CHAPTER 2:

# OVERVIEW OF THE NHRC STRATEGIC PLAN 2021-2025

## Introduction

In 2021, the NHRC started implementation of its 5-year Strategic Plan (2021-2025) whose development in 2020 followed comprehensive consultations with Commissioners, Staff, and Stakeholders. The strategic consultation process helped the NHRC to tailor and focus its actions for maximum impact, relevance, and strength.

The Strategic Plan provides the NHRC with a roadmap for the attainment of its human rights targets and goals. It outlines six (6) Strategic Objectives, each forming a programme area, and key activities that the NHRC intends to implement in the medium term to attain its national targets on human rights. Annual work plans (with identified priority activities, indicators, and targets) and budgets, consistent with Programme-Based Budgeting (PBB), were prepared to operationalise the Strategic Plan.

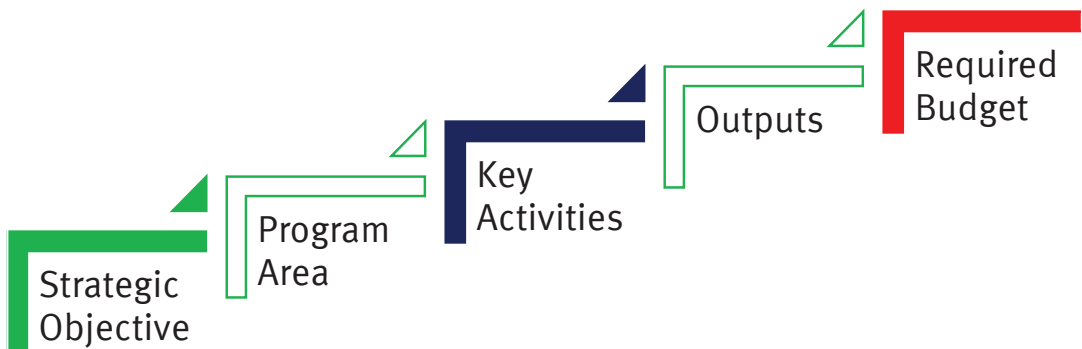


Figure 1: Implementation Plan logic

Successful implementation of the Strategic Plan hinges, to a large extent, on the availability of adequate resources. Recognizing this, the Strategic Plan includes a five-year Resource Mobilisation Plan to support the fundraising initiatives of the Commission and to ensure the availability of adequate, predictable, and flexible funding to deliver its desired outcomes. The Plan focuses on ensuring a diversified and coherent resource-base for the longer term which would enable the Commission to carry out its activities with efficiency and independence.

It is projected that to implement the Strategic Plan, the Commission would need to raise nearly GMD 396 million (equivalent to US\$7.9 million). This budget includes all activities under the six (6) programme areas of the Strategic Plan. The distribution of funds needed for the full implementation of the Strategic Plan as provided in figure 3 below, suggests that the Commission needs to raise at least 40% of the total estimated budget from development partners and private citizens or philanthropists. This excludes funding from the Government, which accounts for 50% of the total budget, through annual budget estimates allocated to the Commission.

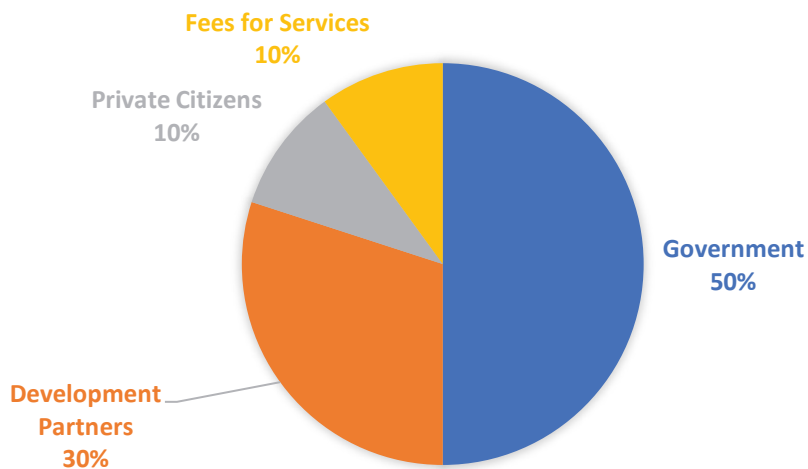


Figure 2: Desired Allocation of Funds

To enhance coordination and implementation of the Strategic Plan, the NHRC has constituted a Programmes Coordinating Committee (PCC) that meets monthly to review the implementation of work plans and budgets. A Resource Mobilisation Committee (RMC) has also been constituted to oversee all resource mobilisation initiatives. These two Committees, with technical support from the Programmes and Resource Mobilisation (PRM) Directorate, enable the Commission to keep track of progress in the implementation of the Strategic Plan, as well as help the Commission to swiftly identify implementation challenges with a view to addressing them in a timely manner.

Additionally, the Commission has established a Monitoring and Evaluation Unit under the Programmes and Resource Mobilisation Directorate to support monitoring and evaluation of the programmes and activities of the Commission, as per the Strategic Plan. Similarly, the Strategic Plan has a Performance Measurement Framework (PMF) which provides the logic model that describes the strategic objectives, key activities, expected results of those activities, as well as the underlying assumptions used to justify its actions.

## Strategic Objectives

For the period of the Strategic Plan, the NHRC pursues six (6) Strategic Objectives with a view to realising its vision of achieving human rights and freedoms for all persons in The Gambia.

Strategic Objective N°	Description
1	To promote and deepen a culture of human rights and fundamental freedoms
2	To enable people whose rights have been violated to have access to appropriate redress
3	To ensure improved compliance from the State on matters of human rights and access to Justice
4	To develop NHRC's capacity to be a credible, trustworthy, and knowledgeable "agent" to advance human rights and equality
5	To enforce human rights within the justice system
6	To advance human rights by addressing poverty

TABLE 1: LIST OF STRATEGIC OBJECTIVES

## Implementation Arrangements



### Strategic Plan

Figure 3: Framework to Operationalise the NHRC Strategic Plan

## CHAPTER 3:

### Highlights of Activities and Achievements in 2021

Despite the continued financial and other challenges posed by COVID-19 in our resource mobilisation drive, the Commission registered significant progress in the implementation of its 2021 work plan. A summary of the key achievements of 2021 is provided below, as well as detailed reports of major activities implemented under each strategic objective.

- 1. Affiliate Status with the African Commission on Human and Peoples' Rights:** At its 69th Ordinary Session held in November 2021, the African Commission on Human and Peoples' Rights granted Affiliate Status to the NHRC. This recognition gives the NHRC the right to be invited to sessions of the African Commission; participate, without voting rights, in deliberations on issues of interest; and submit proposals which may be put to a vote at the request of any Member of the Commission. It also places responsibilities on the Commission: popularising the African Charter on Human and Peoples' Rights and submitting biennial activity report to the ACHPR.
- 2. Ensuring Equitable Access to Justice through Legal Aid Clinics:** In our efforts to diversify the Commission's service to reach every community, especially rural Gambia, free mobile legal aid clinics were conducted in five (5) communities in URR to enhance equitable access to justice. 259 concerns of human rights violations were received and assessed from these communities visited and appropriate actions were taken, which included referrals to other relevant institutions more suitable to handle the complaints.

3. **Investigation into Human Rights Violations:** A total of forty-one (41) human rights complaints were received, of which twenty-four (24) were found to be admissible, investigated and resolved. It is worth noting that fourteen (14) of the 41 complaints received, representing 34% of the total number of complaints for 2021, were brought against law enforcement, namely the Police, National Drug Law Enforcement Agency, and The Gambia Immigration Department. Other cases received are at one of the following stages of the complaint handling process: Legal Opinion, Preliminary Assessment, Review of Preliminary Assessment, or Investigation. More detail on the statistics is provided under Strategic Objective 2.
  
4. **Fighting Caste-Based and Descent-Based Discrimination:** As part of a comprehensive initiative on advocacy against caste-based discrimination in The Gambia, three (3) sensitization events, attended by Islamic religious leaders and scholars, community and traditional leaders and Local Government Officials, were held in Basse, Janjanbureh, and Kerewan. Additionally, research on caste and descent-based discrimination was also conducted to understand the magnitude of caste and descent-based discrimination in The Gambia, the factors driving it, communities and tribes amongst which they occur, challenges faced by persons and/or groups subjected to such discrimination, as well as the interventions and strategies the State and other stakeholders could take to end the practice in the country. This research has laid the basis for legal reform and public engagement in communities where the phenomenon of caste and descent-based discrimination exists.

5. **Enhancing Respect for Human Rights:** Building a culture of respect for Human Rights in The Gambia involves continuous engagement and capacity building of law enforcement agencies, including The Gambia Police Force. In this respect a Code of Conduct was developed for the Police, and a Training of Trainers was conducted for senior Police Officers and tutors at the Police Training Academy on the Code of Conduct and the Guidelines on Policing Public Assemblies in The Gambia.



*Courtesy call on the Inspector General of Police*

6. **Partnerships:** Realising a Gambia where everyone enjoys their fundamental human rights and freedoms requires the forging of partnerships with other human rights and rule of law institutions. In pursuance of this objective, the Commission signed MoUs with six (6) institutions, namely: the Gambia Centre for Victims of Human Rights Violations (Victims Centre), the Department of Labour (DoL), the National Council for Civic Education (NCCE), the National Agency for Legal Aid (NALA), the Institute of Travel and Tourism of the Gambia (ITTOG) and the Office of the Ombudsman. These MoUs form the basis for continued partnership and collaboration to enhance human rights promotion and protection.



7. **Monitoring of the Presidential Elections:** In fulfillment of its protection mandate, the Commission, with financial support from the Organisation Internationale de la Francophonie (OIF), embarked on election monitoring to assess compliance with human rights standards and norms during the 2021 Presidential electoral cycle, from voter registration to voting. Voter registration was monitored in 67 centers while voting was observed in 63 polling stations. The campaigns of all the six (6) presidential aspirants were also monitored throughout the country. The reports of these exercises, with recommendations, were shared with the IEC, and relevant stakeholders.



*Chairperson Emmanuel Joof, Fatou Gaye & Sainey Bah, Members NHRC Voter Registration Monitoring Team*

8. **Monitoring of Detention Facilities:** The Tanji Immigration Post and the Jiboro Border Post were visited to assess the conditions of the detention facilities and also have firsthand information on how the rights of migrants are respected and fulfilled. At Tanji, the NHRC found migrants from different West African countries who were reportedly intercepted as they were about to embark on their migration journey via the sea. During the visit, the NHRC held discussions with authorities on the ground on immigration and detention procedures for the migrants.

*These visits highlighted the existing gaps in the laws and procedures that regulate irregular migration which resulted in the immigration officials at these border posts requesting further trainings and sensitization.* This resulted in Immigration Officials participating in a one (1) week Training of Trainers (TOT) on human rights for enforcement officials conducted by the NHRC. This has enhanced dialogue with the Commission.



At Tanji Immigration Post, monitoring mission by NHRC and partners finds young migrants intercepted.

**Resource Mobilisation Drive:** Through our resource mobilisation initiatives, the Commission secured funds from the British High Commission in The Gambia amounting to One Million and Two Hundred Thousand Dalasis (GMD1.2m) to implement a project entitled 'Strengthening human rights in The Gambia'. Through the project the Commission successfully implemented the following activities: research into caste-based discrimination in The Gambia, a review of the curricula of both the basic cycle and senior secondary to integrate human rights into them and the development of a Human Rights Compatibility Framework for schools

the National Assembly Standing Committee on Human Rights and Constitutional Matters. The reports of the research and curricula review provide the Commission tools for advocacy in 2022.



*Signing ceremony with the British High Commissioner to The Gambia*

The Commission has also, in the implementation of its 5 year Strategic Plan 2021-2025, secured activity-based funding from other development partners such as the UNDP, OHCHR, National Authorising Officer Support Unit (NAOSU), and Organisation Internationale de la Francophonie (OIF). All these funding support contributed immensely to the strengthening of our human rights promotion and protection mandate.

9. **Nurturing Human Rights Culture at UTG:** The 2nd edition of the Sir Dawda K. Jawara Moot Court Competition was organized for students of the Faculty of Law of the University of The Gambia (The UTG). The theme of the Moot focused on the rights of migrants and sharpened students' research and advocacy skills on national and international legal instruments that protect the rights of migrants. The Moot Court Competition was organized in partnership with the UTG, with support from the PROMIS Project, jointly implemented by UNODC and OHCHR.



*Participants at the opening ceremony*

## STRATEGIC OBJECTIVE 1: TO PROMOTE AND DEEPEN A CULTURE OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Consistent with the Paris Principles, the NHRC's mandate includes the promotion of human rights, through education, outreach, the media, publications, training, capacity building, as well as advising and assisting the Government on matters of human rights.

Some of the major activities implemented under this Strategic Objective were as follows:

### **1. *Training of Trainers (ToT) on the Police Code of Conduct and Guidelines on Policing Public Assemblies in The Gambia: 8-12 March, 2021***

Following the development of a Code of Conduct and Guidelines on Policing Public Assemblies for the Gambia Police Force, the NHRC conducted a Training of Trainers for 20 law enforcement officers drawn from the Gambia Police Force (GPF), National Drug Law Enforcement Agency (NDLEA), Gambia Prison Services (GPS), Gambia Fire and Rescue Services (GFRS) and the Gambia Armed Forces (GAF). The training enhanced the knowledge and skills of these law enforcement officers on how to effectively deal with suspects under their custody in accordance with domestic, regional, and international human rights instruments and how to manage and control assemblies and demonstrations.

The training strengthened the understanding of the tutors at the various training schools on human rights protection and aided the integration of the Code and the Guidelines into the training curriculum.

As a result of the training, there have been less complaints to the Commission on detention beyond the 72 hours requirement by law and a significant drop in reported cases of police brutality at assemblies such as rallies or campaigns. There was no reported case of Police brutality during the Presidential elections.

**2. *Regional Training for Police Officers on the Code of Conduct for Police and the Guidelines on Policing Public Assemblies: 3 – 18 May, 2021***

To further entrenched respect for human rights in police officers , a 10-day training on the Code of Conduct for Police Officers and the Guidelines for Policing Public Assemblies in The Gambia was organised for 150 Police Officers countrywide. Thirty officers were drawn from each region namely: URR, CRR, NBR, LRR and KMC. These trainings enabled the Police Officers to further understand their human rights roles, how to protect rights during assemblies and demonstrations and the obligations they have towards persons in conflict with the law.

**3. *Review of the curricula of Basic and Secondary Education Levels to intergrate human rights***

Through a consultancy, the curricula of Early Childhood Development (ECD), the basic cycle and senior secondary education were reviewed and entry points for the integration of human rights in them identified. The rationale for this exercise is for the incorporation of Human Rights Education (HRE) in the education system and nurture a culture of human rights in children at an early age.

The next stages would be the development of the human rights modules, training on human rights for teachers, school administrators and Committees, and piloting them in selected regions and schools across the country. Partnership in this regard has been established with Gambia College School of Education and the Curriculum Research and Evaluation Directorate of MoBSE.

#### **4. Consultation with the National Assembly Standing Committee on Human Rights and Constitutional Matters: 15 – 16 October, 2021**

With support from the British High Commission of The Gambia, a 2-day consultative meeting was held with members of the National Assembly Standing Committee on Human Rights and Constitutional Matters and staff of its Secretariat. A key outcome of the workshop was the adoption of a Human Rights Compatibility Framework to support the Standing Committee in their assessment of the human rights compatibility of Bills and subsidiary legislation submitted for its consideration. The Standing Committee and the NHRC also agreed to be meeting quarterly to enhance collaboration and mutual support.



*Member of the Standing Committee on Human Rights and Constitutional Matters*

## **5. *Establishing MoUs with key institutions for better coordination and management of referral cases***

In a bid to institute a system for better coordination and management of referrals of alleged cases of human rights violation, six (6) MoUs were signed with the following institutions: Gambia Centre for Victims of Human Rights Violations (Victims Centre), Department of Labour (DoL), National Council for Civic Education (NCCE), National Agency for Legal Aid (NALA), Institute of Travel and Tourism of the Gambia (ITTOG) and Office of the Ombudsman. These partnerships have enhanced cooperation between the Commission and other rule of law institutions and effectively facilitated the referral and timely disposition of human rights complaints which other State institutions are well suited to address.

## **6. *Consultative meetings with Stakeholders***

### **i. Meetings with the NEA and Department of Geology**

The NHRC held consultative meetings with the Department of Geology and the National Environment Agency (NEA) to discuss issues relating to environmental rights. The findings of an investigation carried out by the Commission following the eruption of violence in Komba South as a result of sand mining and the activities of fish meal factories were shared and discussed with the two institutions.

To avoid future violence, the NHRC recommended that the NEA must ensure that a robust environmental impact study is conducted and that companies provide the right documentation in terms of land use, conduct holistic and effective consultation with communities and stakeholders, validate all these necessary documents before the issuance of a license is considered and rehabilitate and restore the land mined.

The Commission further recommended an environmental audit is carried out before the renewal of any license, and that the NEA and the Department of Geology familiarise themselves with the United Nations Guiding Principles (UNGPs) on Business and Human Rights (BHRs) to ensure that businesses are human rights compliant.



**ii. Consultative meeting with the Ministry of Gender, Children and Social Welfare**

The NHRC held a consultative meeting with the Ministry of Gender, Children and Social Welfare as a primary duty bearer and a critical stakeholder on the rights of women and children. Discussions centered on the Children's Act of 2003 (as amended) and the Women's Act of 2010 (as amended), sexual abuse and exploitation of children and Minimum Standards of Care for child care institutions, including Quranic memorisation schools. Discussions were also held on issues dealing with sexual harassment in the workplace which is a prevalent issue. The Commission informed the Ministry that it has created and adopted a Sexual Harassment Policy and suggested that this policy be adapted across ministries as it is unacceptable for the workplace to be uninhabitable for female workers.

The NHRC also raised concern on the reporting obligation of the State to treaty bodies such as the CEDAW Committee and the African Committee of Experts on the Rights and Welfare of the Child and urged the expeditious submission of the pending reports to these treaty bodies. The Commission also urged the Ministry to ensure the State signs and ratifies the Protocol to the CRC on communication procedures.

The NHRC noted the enactment of the Persons with Disabilities Act of 2021 and urged the Ministry to ensure its effective implementation. The Commission encouraged the Ministry to forward to it cases of rape and other Gender Based Violence issues and to request for a public inquiry to be conducted to ensure greater understanding of these issues.

**iii. Engage with various actors including the IEC and political parties to commit to upholding human rights and promote violent free elections**

Concerned about the level of political bigotry, hate speeches, discrimination and promotion of violence preceding the Presidential elections, the Commission had series of engagements with the Independent Electoral Commission (IEC), political parties and the Office of the Inspector General of Police (IGP). The main objective was to appeal to the Executive Committees of political parties to publicly speak against and distance themselves from

the bigotry and hate speeches of their supporters, and the IEC and the Police to ensure transparent and a violence free election and protection of human rights, especially freedom of assembly, expression and the right to information. They were also urged to political party manifestoes and code of conduct.

Through these engagements, the Commission got the assurance of party leaders to maintain a peaceful electoral environment, it enhanced partnership with stakeholders engaged in the electoral process and strengthened its role as a key institution in the governance landscape of The Gambia.

### ***7. Monitoring of the Presidential Elections (Voter Registration, Nominations, Campaigns and Voting)***

In preparation for the elections, the Commission published an Advisory Note on Elections, which advised the Government to swiftly consider prioritising the electoral reform process. Technical input was also made on the draft Elections Bill 2021 following an invitation from the National Assembly to support the review of the draft Bill. The review highlighted gaps and provided recommendations to enhance human rights compliance in the Bill.

Following accreditation from the IEC, all the activities before, during and after the 4th December Presidential election were monitored. The election monitoring exercises enabled the Commission to assess compliance with human rights standards and norms and IEC rules and procedures governing the conduct of the following: voter registration, submission of nomination papers by presidential aspirants, campaigns, and the voting and counting of votes. A standard checklist guided the monitoring of each of these stages of the election. A compendium of these monitoring exercises, with key findings and recommendations, have been published and disseminated to all key stakeholders, including CSOs, the IEC and the Government.

### **8. *Training on Human Rights Monitoring: 21 – 23 September, 2021***

A 3-day step down training was organised for seventeen (17) members of the CSO Dialogue Platform on Human Rights Monitoring. The training exposed them to the principles and tools of human rights monitoring as well as tools and frameworks to employ in monitoring human rights in a migration context. The participants have used the skills gained to identify, monitor and document human rights violations in the country. They have also reported cases of violations and refer victims to the Commission as complainants.

### **9. *Training on Human Rights in the context of Elections: 15 – 16 October, 2021***

A 2-day stepdown training on Human Rights Monitoring in the Context of Election was organised for twenty-one (21) members of the CSO Coalition on Election, of which ten (10) were female. The training exposed participants to the principles of human rights monitoring, local and international human rights frameworks on elections, as well as tools to monitor human rights during the election. During the 2021 Presidential elections, the participants trained used the knowledge gained in monitoring the elections.

### **10. *Sensitisation for Imams, Religious Scholars, Opinion Leaders and Local Authorities in caste affected communities in URR, CRR and NBR on Human Rights***

In collaboration with the Supreme Islamic Council, 150 Imams, religious scholars, opinion leaders and Local Authorities in caste- discrimination affected communities in URR, CRR and NBR were sensitised on human rights issues as well as on the theme 'Islam and Caste System'. These workshops are part of a comprehensive initiative to eliminate caste-based discrimination in The Gambia. The sensitisation led to Imams and religious scholars using their pulpits and platforms to encourage their followers to abandon caste-based discrimination which Islam prohibits.



*Religious leaders and participants of the caste-based sensitization*

### **11. Sensitization of community associations, youth groups, and women groups on laws related to the caste system: 23 – 24 February 2021**

21 Traditional Communicators, 2 women leaders, 6 youth leaders, and 6 representatives of CSOs from URR, CRR and NBR were trained on human rights and social cohesion and what roles they can play in ending caste-based discrimination in their various regions. As part of the workshop, the participants were trained on message development which helped them to develop messages on human rights and discrimination. The traditional communicators are using these messages to raise awareness on the adverse effects of caste-based discrimination in their communities. The women and youth leaders, as well as representatives from CSOs have conducted step down awareness raising in their various groups as well.

## **12. *Research on Sexual Harassment in the Workplace and Development of Sexual Harassment in the Workplace Policy***

With support from UNDP and OHCHR through the Transitional Justice and Human Rights Project, a study on sexual harassment in the workplace was conducted in The Gambia. This Study, the first of its kind in the country, focused on the forms, prevalence, effects and factors driving sexual harassment in both public and private workplaces, including in NGO settings. It presented key findings and recommendations on how to effectively eliminate the phenomena in workplaces. Subsequently, a Sexual Harassment in the Workplace Policy was also developed to provide an instrument for the elimination of sexual harassment in workplaces. Awareness raising workshops have been conducted on the Study and institutions have promised to adapt the Sexual Harassment in the Workplace Policy.

The Bankers Association of The Gambia intends to adopt this policy in 2022 and two other Banks are presently reviewing the policy with a view to adopting it.

## **13. *Media Talk Shows and Dissemination of educational materials on the Role, Functions, Services of the NHRC***

Thirteen (13) radio talk shows were conducted on GRTS radio, West Coast Radio, Afri-Radio, and Q-Radio to sensitise the general public on the mandate, functions, and activities of the Commission . Issues discussed touched on human rights in the context of elections, including the right to vote and participate in periodic elections, expected conduct from voters and politicians, hate speech and ethnic politics. Adverts and jingles on human rights were also broadcast in various media outlets, and brochures, newsletters and other information and education materials were also developed and disseminated to enhance its visibility and share information on the work of the Commission.

**14. *Sir Dawda Kairaba Jawara Moot Court Competition for Students of the Law Faculty, University of The Gambia: 28 October – 10 December 2021***

The second edition of the Sir Dawda Kairaba Jawara Moot Court Competition was organised in partnership with the Faculty of Law of the University of The Gambia and with support from the OHCHR and UNDOC PROMIS Project. The participating students, paired into eight teams, competed in four (4) sessions or stages and the winners of the semi-finals proceeded to the final stage which took place on 10 December 2021. The theme of the Moot Competition focused on the human rights of migrants. The participants were exposed to and trained on human rights instruments and mechanisms that promote and protect human rights of migrants. The two winners were both awarded cash prizes and a 6-month paid internship at the Commission.



*Muhammed Lamin Ceesay and Ebenezer Brown Okoko (winners of the 2021 mootcourt competition)*

## STRATEGIC OBJECTIVE 2: **TO ENABLE PEOPLE WHOSE RIGHTS HAVE BEEN VIOLATED TO HAVE ACCESS TO APPROPRIATE REDRESS**

Ensuring access to justice and redress, particularly for youth, women, and other marginalised groups, is critical to accountability and the enjoyment of fundamental human rights and freedoms. Thus, every individual who perceives that his or her right has been violated by State or private individuals and institutions should have unhindered access to justice and appropriate redress.

Systems for reporting complaints on human rights violations should be effective, transparent, and trusted. Victims will lose faith in the system and may not report future cases if their complaints are not handled properly, confidentiality breached, not independently investigated, or the outcome considered unfair or inappropriate. This will only embolden those who abuse their power, authority or trust to continue to perpetrate human rights violations. An inclusive, democratic Gambia requires institutions that will protect against human rights abuses and violence.

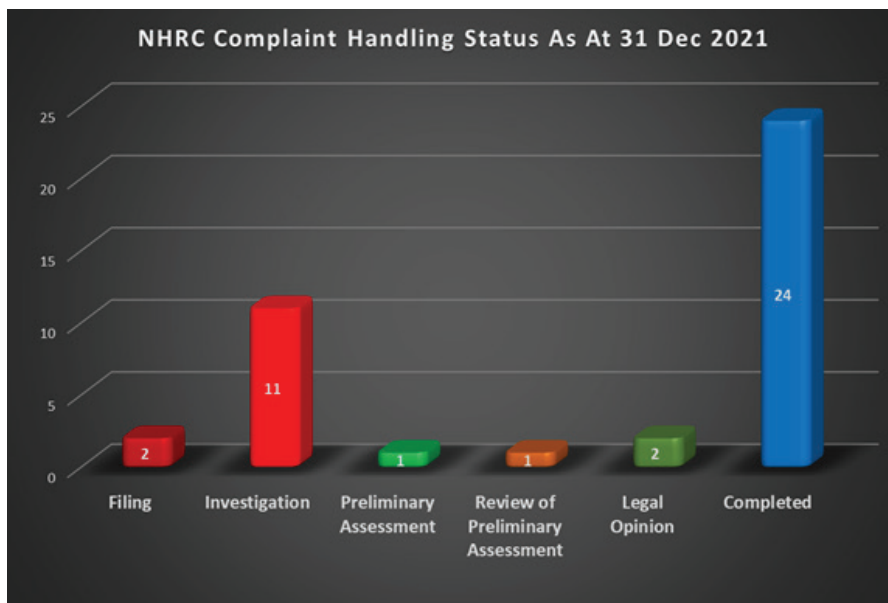
The Commission, as per its Act, receives complaints from victims of human rights abuses. Accordingly, it provides fair and impartial investigations and resolutions to human rights cases, in accordance with the principles of human rights monitoring.

In 2021 the NHRC implemented numerous activities and engaged several partners to advocate for equal access to justice and appropriate redress. The Commission also investigated a total of forty-one (41) cases of alleged human rights violations submitted to the NHRC by individuals in person or through social media publications.

Details of some of the major activities implemented towards the attainment of SO2 are provided below.

### 1. *Investigations on alleged human rights violations complaints*

A total of forty-one (41) complaints were received. Of this number, twenty-four (24) cases were resolved, eleven (11) cases are still under investigation, two (2) cases await legal opinions on them, one (1) case is at the Preliminary Assessment stage, and the assessment report of one (1) case under review. Additionally, two (2) of the cases received were from persons suspected to be in India, which falls outside the jurisdiction of the Commission. It is worth noting that up to fourteen (14) of these cases received were brought against officers of the Gambia Police, National Drug Law Enforcement Agency-Gambia and Gambia Immigration Department.





## **2. Legal aid clinics on human rights laws in URR: 21-25 June, 2021**

A mobile legal aid clinic was organised in five (5) communities in URR, to raise awareness of the population on human rights and the work and mandate of the Commission and other institutions that deal with human rights issues. The participants were provided legal advice or clarifications on various issues, including economic, social, cultural and legal rights. A total of 259 complaints, out of which 216 were from female complainants, were received and the complainants were provided the necessary legal advice or, where appropriate, referred to various institutions mandated to handle those issues.



*Communities embrace NHRC Legal Aid clinics*

## **3. Publication of Advisory Note on Environmental Rights in The Gambia**

In response to the communal tensions between law enforcement, corporations, and local communities over the issue of natural resource explorations and environmental degradation in some coastal communities such as Kartong, Sanyang, and Gunjur, an advisory note was prepared on environmental rights in The Gambia. The purpose of the advisory note is to advocate for and engage the State to take concrete steps to address the challenges posed by the continuous interaction between business and human rights, particularly in coastal towns.

## STRATEGIC OBJECTIVE 3: **TO ENSURE IMPROVED COMPLIANCE FROM THE STATE ON MATTERS OF HUMAN RIGHTS AND ACCESS TO JUSTICE**

To achieve this Strategic Objective, the Commission is employing the following strategies: assisting in ensuring equitable access to justice; ensuring that the conditions of inmates in prisons and other detention centres meet the requirements of international standards; and supporting the security sector training schools to incorporate human rights norms and standards in their curricula.

The following activities have been implemented towards the realisation of this Strategic Objective:

- 1. *Workshop on 2019 UPR Recommendations for the UPR Monitoring Committee: 17 – 18 March, 2021***

A 2-day workshop was organised to enhance the knowledge of members of the UPR Monitoring Committee on the UPR reporting process. The Committee comprised representatives from the Ministries of Justice, Interior, Gender, Children and Social Welfare, and Basic and Secondary Education, TANGO, the UN Office of the High Commissioner, for Human Rights, the Gambia Bar Association, Gambia Press Union and Article 19.

The Committee has held several working sessions since its inauguration. It has produced a draft midterm assessment report on the State's implementation of the recommendations so far, to be finalised and submitted to the Human Rights Council in May 2022.

## **2. Stakeholders' Conference on Speedy Access to Justice: 9 – 10 November, 2021**

A two-day Conference on the theme “Speedy Access to Justice” was organised in collaboration with the GBA, MoJ, NALA, the Judiciary and selected CSOs, to identify challenges which impede speedy access to justice in The Gambia and map out strategies and solutions to address these challenges. Discussions focused on the following: underlying causes which inordinately delay the prosecution and defence of criminal cases, difficulties in accessing court records, bureaucratic court procedures and adjournments, international best practices on access to justice, and the role of the Gambia Bar Association in the provision of legal aid. A key outcome of this Conference was the adoption of a 31 Point Communique to enhance speedy access to justice in The Gambia.

## **3. Stakeholder Workshop on the NHRC's 2020 Monitoring Report on Detention Facilities (Prisons and Selected Police Stations) in The Gambia: 22 – 23 September, 2022**

A critical part of the Commission's protection mandate is the periodic, unannounced visits to prisons, police stations and other places of detention within the country, including care institutions, to monitor their conditions and compliance with international human rights standards and norms, engage the officers and interview the inmates or detainees.

To ensure effective implementation of the recommendations of the monitoring visits conducted in 2019 and 2020, a Stakeholders Conference was organised to discuss the needs and gaps in the prisons and criminal justice systems and the Government's agenda for prison reforms. It also focused on the challenges faced by the prison service and mapped out strategies for improved conditions in all detention facilities in line with human rights standards and international best practices. At the end of the Conference, participants identified the 'implementing Ministries/Departments' for the Commission's 2019/2020 recommendations and developed a monitoring matrix for reporting.

## STRATEGIC OBJECTIVES 4: **TO DEVELOP NHRC'S CAPACITY TO BE A CREDIBLE, TRUSTWORTHY, AND KNOWLEDGEABLE "AGENT" TO ADVANCE HUMAN RIGHTS AND EQUALITY**

To mainstream a culture of respect for human rights, the NHRC recognises the need to build a functional human rights protection system that is accessible, transparent, efficient and responsive. By raising awareness, providing advice, monitoring and holding authorities to account, the Commission has a central role in tackling human rights concerns like discrimination and inequality among certain groups or communities. Therefore, institutional strengthening is of paramount importance to make the Commission an effective, credible, and trusted institution.

Activities implemented under SO<sub>4</sub> are as follows:

- 1. Training on the role of the NHRC in Promoting and Protecting the Human Rights of Migrants: 7 – 10 June 2021***

Organised by the OHCHR and UNODC PROMIS project, this virtual training, attended by Commissioners and Staff, focused on the issues of migration, the promotion and protection of Migrants and the impact of COVID-19 on vulnerable migrants. The focus also was on The Gambia given its increasing use as a transit and departure point for migration, The training also highlighted the crucial role of the Commission in advancing and advocating for the effective implementation of the Global Compact for Safe, Orderly and Regular Migration. As a result of the training, the Commission now receives complaints from migrants and conducts field visits to migrant detention centres to assess the conditions of migrants. Media programmes have been conducted on migration and rights of migrants, and there is a Thematic Committee on Migration which is advocating for the effective implementation of the Global Compact for Migration (GCM) as well as legal reform on migrant human rights.

## **2. *Training on Human Rights Monitoring in the context of Election: 5 – 6 October 2021***

In preparation for the 4th December Presidential Election, OHCHR trained 17 Staff members of the Commission and 4 representatives from the CSO Coalition on “Elections on Human Rights Monitoring in the context of Election”. The training focused on specific human rights to be monitored through the election cycle and the role of the Commission in ensuring human rights compliance in the entire process. A key outcome of this training was a step-training on monitoring human rights in elections conducted by the Commission for 21 members of the CSO Coalition on Elections. This ensured the existence of a pool of trainers in the country.

## **3. *Establishment of NHRC Regional Offices***

To enhance public access to its services, the NHRC has commenced the opening of its regional offices. Recruitment for the positions of Regional Administrators, Regional Legal Officers, and Regional Investigating Officers have been completed for two regions with the selected persons expected to commence duties in 2022.

## **STRATEGIC OBJECTIVE 5: ENFORCE HUMAN RIGHTS WITHIN THE JUSTICE SYSTEM**

The Commission has the general authority to protect human rights and the specific authority to investigate or monitor any violation of human rights, as well as to consider any questions falling within its competence. It may, in addition, consider “complaints and petitions concerning individual situations”, investigate and make recommendations or decisions on them or refer them to the proper authority for prosecution or adjudication. Additionally, the Commission can assist the justice system to identify and address instances of human rights violations within the Justice system.

Activity implemented under SO5 is detailed below.

**1. *Development of a system and tools to track progress in the implementation of the TRRC recommendations***

The TRRC Final Report, with recommendations, were submitted to the President in November 2021. In anticipation of its role in the monitoring of the implementation of the TRRC recommendations, the Commission has started preparations to establish an automated monitoring tool or system to effectively monitor the implementation of the recommendations. A Terms of Reference for the recruitment of a consultant to develop this system and a project proposal with series of milestone activities have been prepared and shared with potential donors.



*Hon. Attorney General and Minister of Justice with NHRC Chairperson*

## STRATEGIC OBJECTIVE 6: TO ADVANCE HUMAN RIGHTS BY ADDRESSING POVERTY

The human rights dimension to addressing poverty focuses on the capabilities, choices, security, and power necessary for the enjoyment of a minimum standard of living and other fundamental economic and social rights— in particular the right to health, housing, food, and education. The Commission thus continues to engage the Government during the design, implementation, and evaluation of policies, strategies, and programmes within a human rights framework

Activities implemented under this Strategic Objective:

1. ***Public consultations and fora on GOTG’s commitments for a National Action Plan (NAP) on the United Nations Guiding Principles (UNGPs) on Business and Human Rights (BHRs) , 20 – 22 October, 2021***

The NHRC organized a roundtable discussion for 30 participants from key Government Ministries and Departments, the Judiciary, private sector and Civil Society Organisations, and environmentalists. They discussed the status of environmental regulations in the Gambia and the United Nations Guiding Principles on Business and Human Rights and identified the gaps and challenges in the regulatory framework of business and human rights. The Conference participants also discussed and validated the Commission’s Advisory Note on Environmental Rights in The Gambia. The Commission will spearhead the preparation and development of a National Action Plan for the Gambia to support the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs). It would also publish a Human Rights and Business Country Guide for The Gambia (Country Guide) which would outline the roles and responsibilities of the State and business enterprises in upholding and promoting human rights in the Gambian context.

## CHAPTER 4:

# STRENGTHENING INSTITUTIONAL CAPACITY

Cultivating a culture of human rights is integral to the effective functioning of the NHRC. To this end, the Commission had taken major strides to strengthen its capacity to improve access to its services, enhance effectiveness through the recruitment of competent personnel to complement the work of the Secretariat, strengthen capacity through training for Staff and Commissioners, and establish partnership with local, regional and international human rights institutions.

### **1. *Affiliate status with African Commission on Human and People's Rights (ACHPR)***

In accordance with Resolution 370 of the African Commission's Resolution on the Granting of Affiliate Status to National Human Rights Institutions and other specialised human rights institutions, the NHRC, in November 2021, was granted affiliate status during the 69th Ordinary Session of the African Commission on Human and Peoples' Rights. Having attained this significant milestone after just three (3) years of operation, the NHRC will now be invited to sessions of the Commission; participate, without voting rights, in deliberations on issues of the Commission which are of interest to them; and submit proposals that may be put to a vote at the request of any Member of the Commission.

Further, the NHRC now has the responsibility to assist the Commission in the promotion and protection of human rights at the national level and present its Activity Reports to the Commission every two years.



## **2. Access to the NHRC Services**

In a bid to enhance equitable access to justice, the Commission commenced the establishment of an Office in Basse, URR. Office space has been secured within the ADRS complex in Basse and hired staff are expected to begin duties by the beginning of 2022.

The Commission has a functional website which is accessible to everyone. Through the website, people can file complaint(s) of possible human rights violations, book appointments, or seek legal advice. Similarly, people can walk in, make a phone call, or send a letter or an email to lodge a complaint.

## **3. The Secretariat**

The Secretariat is responsible for running the day-to-day affairs of the Commission. It is headed by an Executive Secretary who is assisted by a Deputy Executive Secretary, Directors and other officers. They all work on a full-time basis. Presently, the NHRC Secretariat has thirty-three (33) staff, including five (5) Directors, three (3) of whom are females.

## **4. Staff Capacity Development**

Capacity development is fundamental to making the Commission an effective, credible, and trusted institution. Thus, the Commission prioritises staff capacity development and continues to engage development partners to support capacity development programmes of the Commission.

During the period under review, Staff and Commissioners participated in numerous virtual and in-person training programmes on various human rights themes. These have significantly improved performance to carry out the functions of the Commission. Training programmes organised for Staff and Commissioners were:

- i. Training on Leadership organised by the NHRC in January 2021;
- ii. Virtual training on the role of the NHRC in promoting and protecting Human Rights of Migrants, organised by OHCHR in March 2021;
- iii. Training on Human Rights Monitoring of Migrants, organised by OHCHR in June 2021; and
- iv. Training on Human Rights Monitoring in the context of Elections, organised by OHCHR in August 2021.



*Staff training on Human Rights Monitoring in the context of Elections*

## CHAPTER 5:

# ASSESSMENT OF NHRC ACTIVITIES

## Rationale

Since becoming functional in 2019, the NHRC has been implementing activities towards the promotion and protection of human rights. These include sensitisation programmes such as outreaches, radio talk shows to raise awareness on human rights, training activities for relevant human rights actors, consultations and workshops with state and non-state actors, investigations of alleged human rights violations, field monitoring visits to prisons and other places of detention, researches and development of Advisory Notes.

Monitoring and evaluation is fundamental in measuring the impact and assessing the effectiveness and relevance of the Commission's activities and services since its inception. It was in recognition of this important role, that led the Commission, in June 2021, to establish a functional M&E Unit under the Programme and Resource Mobilisation Directorate to support monitoring and evaluation of its Strategic Plan 2021-2025. The Plan provides an M&E performance measurement framework to measure progress on the attainment of outputs and outcomes from 2021 to 2025.

To measure the effectiveness and relevance, and to some extent, the impact of the activities implemented from January 2020 to November 2021, the Commission administered a Beneficiary Impact Survey to forty-four (44) respondents, who have benefitted from or participated directly in the activities of the Commission. They included representatives of CSOs and other human rights institutions, religious leaders and scholars, members of Village Development Committees and community members. Administered virtually and in-person, the questionnaire comprised three main sections: Profile of Respondents; Details on activity attended, and Respondent's assessment of the activity attended. It also assesses participants'

understanding of the mandate and functions of the Commission; progress achieved (output and immediate outcome) through the activity; and operational/programmatic constraints encountered.

## Main Findings

The results of the survey are categorised into three main themes namely: the profile of respondents; type of NHRC organised activities attended; and assessment of relevance, effectiveness, and impact.

### a. Gender of Respondents

Out of the total number of respondents (44), only thirty-nine (39) identified their gender/sex; sixteen (16) females and twenty-three (23) males. This represents forty-one percent and fifty-nine (59) percent for females and males, respectively.

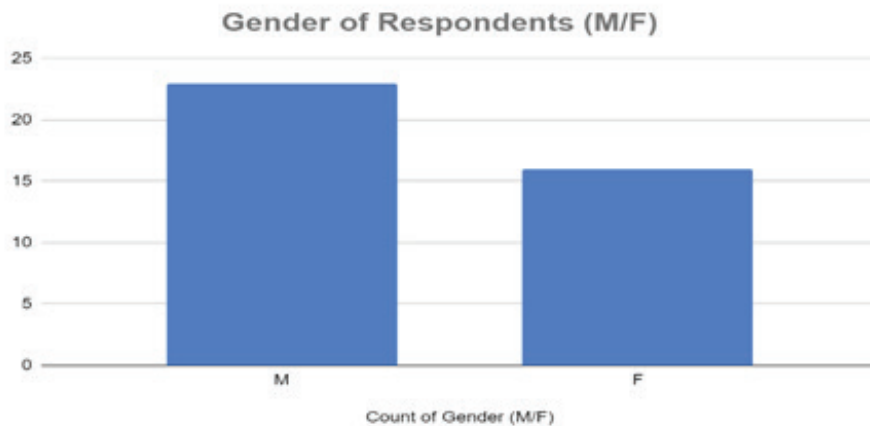


Figure 4: Sex of Respondents

**b. Human Rights Work**

When asked if their line of work involved a human right component, 85.4% of the respondents noted that the work of the institution they represent have a human rights component. These include VDC members, religious leaders and members/employees of CSOs.

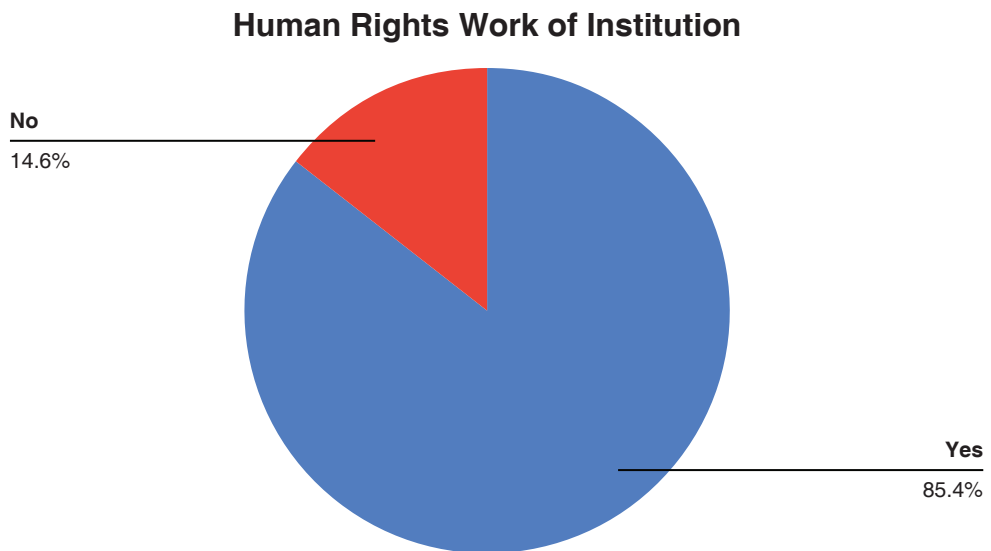


Figure 5: Human rights component of work

**Types of Activities Participated in**

From the total of 44 respondents who participated in the survey, six (6) participated in NHRC training activities, twelve (12) participated in sensitisation workshops, one (1) in the radio program, eleven (11) participated in the mobile legal aid clinic and fourteen (14) participated in community outreach programs.

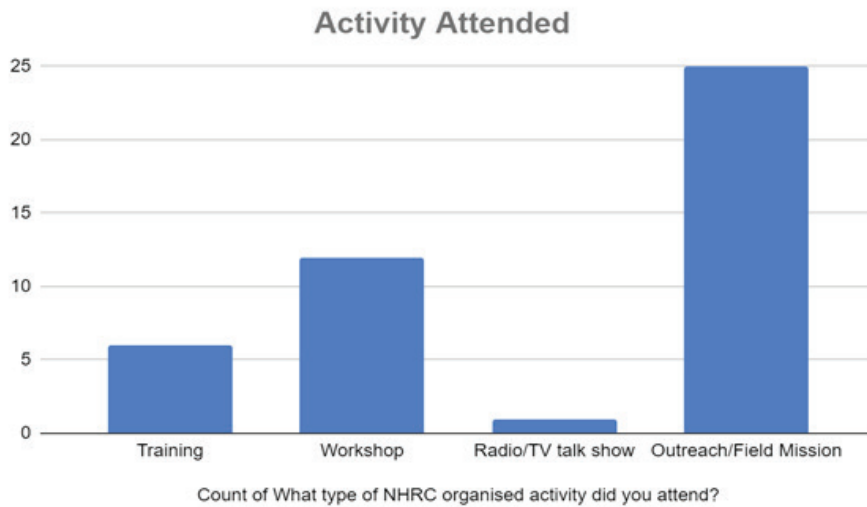


Figure 6: NHRC activity attended

## Assessment of Relevance, Effectiveness, and Impact

### Effectiveness

Asked if the activities attended were effectively delivered, facilitated, or coordinated, all forty-four (44) respondents indicated that the activities they attended were effective. Furthermore, 70.5 percent (%) claimed that overall, they were very satisfied with the activity(ies) they attended.

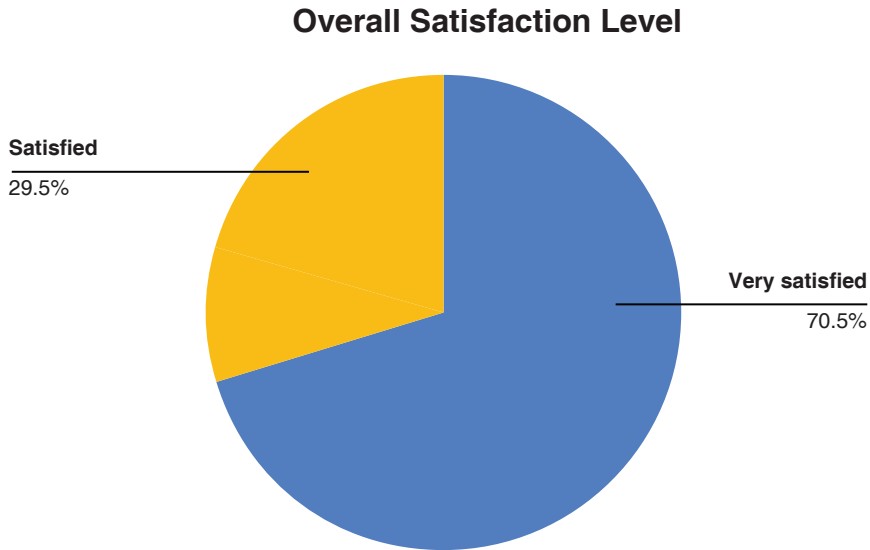


Figure 7: Satisfaction level

- **Relevance**

On a scale of 1 to 4 (1=Very Low; 2=Low; 3=High; 4=Very High), respondents were asked the extent to which activities attended contributed to improved services in their institutions or organisations. In response, 29 out of 44 respondents indicated that the activity attended contributed very highly to improved services, whilst 15 rated improvements in their work because of the activity they attended as high.

Asked if the content of the activities such as trainings and awareness raising workshops were relevant and useful to their work, all 44 respondents replied in the positive, noting that the content of the activities attended was relevant and useful. To measure the usefulness of the activities, 34 respondents out of a total of 44 answered that the activities they attended were very useful in both their personal and work lives.

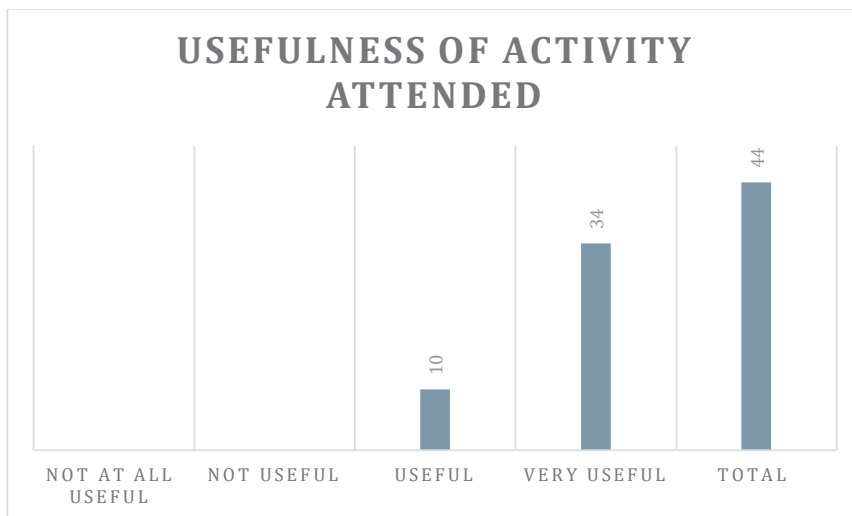


Figure 8: Relevance/Usefulness of activities

Additionally, participants of the various NHRC training activities indicated they have increased knowledge and understanding of human rights issues, particularly on human rights planning, monitoring, and reporting in specific situations such as elections. Regarding field activities such as community outreaches, most of the respondents reported that it had enlightened them about the existence and mandate of the NHRC and that they can approach the Commission for redress whenever they have cases of human rights violations.

- **Impact**

During the survey, respondents were asked to rate the impact of the activities they attended on their work and/or the institutions they represented. Out of the 44 respondents, almost 87% answered that the activity they attended was very impactful to their work.



### Impact of the Activity

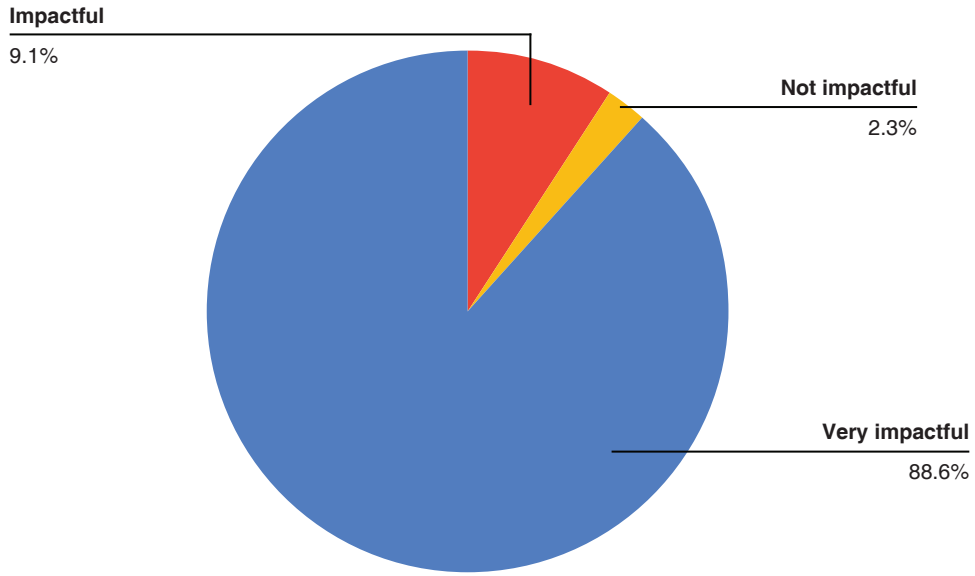


Figure 9: Impact of activity attended

To give context to the results above, participants were asked to describe any changes made or realised as a result of the activity attended. While most of the respondents from institutions who have participated in the trainings reported change in approach in their engagements through the integration of human rights in their work, many community members reported a reduction in the number of human rights cases in their communities. Some respondents also mentioned that as a result of the human rights activities attended, they are now more tolerant and relate to people better.

## CHAPTER 6:

# FINANCIAL OVERVIEW

### Introduction

In January 2021, the President approved the Commission's request to be a Budget Entity. By this approval, the Commission became a Cost Centre under the 2021 Government Budget Estimates, with the authority to record and manage its own budget and expenditure using the Integrated Financial Management and Information System (IFMIS).

The total budget for the NHRC from the Government for the 2021 fiscal year was GMD 41.5m. This comprised both Personal Emoluments (PE), budgeted at twenty-five million dalasis, (GMD 25.1m), and Other Charges (OC) budgeted at sixteen million dalasis (GMD16.4m).

### Government Allocation

From 1st January to 31st December 2021, an amount of GMD 35.9m was allocated to the NHRC as shown in the table below. This amount represents 86.5% of the total 2021 NHRC budget.

Period	Actual Funds Received (GMD)
January	3,600,000
February	3,296,918
March	3,093,502
April	3,671,918
May	3,321,918
June	3,451,918
July	3,421,918
August	3,321,918
September	1,300,000
October	3,820,918
November	3,592,502
December	-
<b>Total</b>	<b>35,893,430</b>

TABLE 2: MONTHLY ALLOCATIONS RECEIVED FROM GOVERNMENT

## Expenditure

As of 31st December 2021, the total expenditure against the NHRC budget from the Government amounted to GMD 34.1m. This amount represented a total absorption rate of 95% and 82% of the total funds allocated to the NHRC and the budget for the 2021 fiscal year, respectively.

Expenditure on personal emoluments (PE) as of 31st December 2021 is GMD 20.6m against a total allocation of GMD 22.2m. This represents a 93% absorption rate.

Other recurrent expenditure or other charges (OC) as of 31st December 2021 amounted to GMD 13.5m against a total allocation of GMD 13.7m, which represents a 99% absorption rate.

The table below shows a summary of expenditure against budget and allocations as at end of December 2021.

Item	Budget (GMD)	2021 Allocation	2021 Expenditure	Absorption Rate against Allocations	Absorption Rate against Budget
PE	25,122,030	22,239,518	20,584,519	93%	82%
OC	16,361,000	13,653,912	13,549,554	99%	83%
<b>Total</b>	<b>41,483,030</b>	<b>35,893,430</b>	<b>34,134,073</b>	<b>95%</b>	<b>82%</b>

TABLE 3: SUMMARY OF EXPENDITURE

## Grants (External Funding)

The NHRC was also supported by development partners during 2021 to fund some activities as per its Annual Work Plan. The total amount mobilised from development partners to fund the Commission’s activities and/or programmes in 2021 was four million, two hundred and twenty-six thousand and seventy Dalasis (GMD 4,226,070).

Below is a breakdown of the funding mobilised from development partners and the activities for which the funds were utilised.

Development Partner	Activity	Funding (GMD)	Total (GMD)
British High Commission	Curriculum review for the basic and senior secondary education levels	448,840	1,271,370
	Consultation with the National Assembly Standing Committee on Human Rights and Constitutional Matters	118,690	
	Research on caste-based discrimination in caste affected communities in URR and CRR	703,840	
The National Authorising Officer Support Unit EDF (NAOSU)/Technical Cooperation Facility	7 sensitisation workshops at each administrative region	499,100	499,100
Organisation Internationale de la Francophonie (OIF)	Training on Human Rights and Election Monitoring	561,600	1,488,100
	Dialogue with stakeholders in the election process	159,700	
	Election monitoring missions including voting day	766,800	

TABLE 4: RESOURCES MOBILISED FROM DEVELOPMENT PARTNERS

PROMIS Project (implemented by OHCHR, UNODC)	Second Edition SDK Moot Court	1,448,500	967,500
<b>Total</b>			<b>4,226,070</b>

TABLE 5: OTHER SUPPORT RECEIVED UNDER DIRECT IMPLEMENTATION

It is evident that the support of our partners contributed immensely to the great strides achieved by the NHRC in 2021. In 2022, we hope to build more partnerships with national and international organisations in The Gambia and beyond, to strengthen the Commission in its quest to ensure human rights are enjoyed by all in The Gambia.

## Lessons Learned

During the year in review, the NHRC has learned valuable lessons that will enhance its effectiveness and efficiency in serving the public. Key lessons learned include:

1. **Prioritization:** As a growing institution which is constrained by limited resources, how we prioritise our work and programme interventions will determine the impact we make in the short to medium term.
2. **Building Partnerships and Collaboration:** Achieving impact in the fulfilment of our mandate would require that we strengthen partnership and collaboration with statutory bodies and rule of law institutions such as the Office of the Ombudsman, National Council for Civic Education, National Agency for Legal Aid, the Gambia Police Force, the Centre for Victims of Human Rights Abuses and the Department of Labour, among others.
3. **Promotion of the Indivisibility of human rights:** People generally think that human rights are only about civil and political rights. Creating a better appreciation and significance of human rights in national development would require that our advocacy and awareness efforts put equal emphasis on economic, social and group rights, and the indivisibility and interrelatedness of human rights.

4. **Expanding coverage of services:** The Commission’s physical presence is currently in the Greater Banjul Area even though it carries out its monitoring activities throughout the country and holds regular mobile legal clinics in the regions. This, however, limits regular access to our services for those in rural Gambia. Ensuring accessibility and equity to the services we deliver would require that we establish a physical presence in all the regions of the country, or, as a temporary measure, enter into a Memorandum of Understanding with key statutory institutions with the mandate to promote and protect human rights and have physical presence thereafter. Growing to scale may require seeking additional funds.
5. **Addressing ‘sensitive’ human rights subjects:** Tackling issues such as caste and descent-based discrimination in communities where they are practiced and entrenched, and building consensus around its eradication, takes time and requires a strong capacity for mobilisation and continuous dialogue and engagement with communities and religious leaders.
6. **Ensuring sustainability of efforts towards the creation of a culture of human rights:** This would demand that the various parts of the society, including duty bearers, are not only informed about and motivated for the efforts, but also are actively involved in it. Our partnership with the Supreme Islamic Council in the fight against caste based discrimination has shown that communities appreciate human rights when it is also explained to them from Islamic perspectives and jurisprudence.

## Challenges

The NHRC continues to strive to maintain the expectations of the public and its partners to lay the foundation for sustainable access to justice and the overall enjoyment of human rights at all times. However, some of the challenges encountered in 2021 included:

### **i. Inadequate Funding**

The primary funding of the NHRC comes from the Gambia Government through annual budget allocations from the Ministry of Finance and Economic Affairs. However, the annual budget allocation from Government covers mainly operating costs and less on programming, especially as regards the implementation of activities in the Strategic Plan 2021-2025. This leaves the Commission with funding gaps to implement key programmes and activities.


### **ii. COVID 19**

The COVID 19 Pandemic continues to affect the economic climate in the Gambia which has necessitated the realigning of priorities and mobilising resources. As a result, major impactful activities were either suspended or delayed due to lack of adequate resources.



Foreign & Commonwealth Office



 National Secretariat, P. O. Box 2858,  
Serrekunda, Kotu, The Gambia

 (+220) 446 1717 / (+220) 446 1713

 info@gm-nhrc.org

 www.gm-nhrc.org

 facebook.com/NHRCGambia

 @NHRCGambia