

Hate Speech: A Threat to Peaceful Coexistence and Religious Tolerance



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The Commission held a meeting in May 2024 with Rashad Hussain, United States Ambassador-at-Large for International Religious Freedom, Imam Mohamed Magid, Executive Religious Director of All Dulles Area Muslim Society (ADAMS) Center in Sterling, Virginia, USA and Dr. Mohamed Elsanousi, Executive Director of the Network for Religious and Traditional Peacemakers. The delegation was accompanied by the US Ambassador to The Gambia, Ambassador Cromer, and some members of her staff.

The discussions centered on religious tolerance, human rights issues and the Marrakesh Declaration which was adopted at the International Conference on the Rights of Minorities in predominantly Muslim societies, held in Marrakesh, Morocco, in January 2016. The Declaration emphasizes the importance of protecting the rights of religious minorities, particularly within Islamic societies, and affirms principles of

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Hate Speech: A threat..

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freedom of religion and equality under the law.

Historically, The Gambia has been a beacon of ethnic and religious tolerance in West Africa, with adherents of various faiths coexisting peacefully. The tradition of mutual respect and harmony is deeply embedded in Gambian society. However, in recent years, the increasing prevalence of hate speech, especially on social media, and the emergence of religious, political and tribal bigotries threaten the peace and harmonious co-existence.

Speaking at the meeting, the Chairperson of the NHRC, Mr. Emmanuel D. Joof, emphasized the peaceful coexistence in The Gambia, especially between Christians and Muslims.



Emmanuel D. Joof
NHRC Chairperson

“Religious intolerance has never been an issue in the country. We co-relate on different areas. The proliferation of social media has become a breeding ground for hate speech, allowing individuals to spread misinformation and incite hatred with little accountability. This is a serious threat to peace in



NHRC staff and delegation of the US Ambassador-at-Large for International Religious Freedom

The Gambia. Therefore, we must fight against hate speech and all forms of bigotry”, stated Mr. Joof.

Imam Muhammed Magid mentioned that Islam is a religion of peace and has always protected the rights of minorities who live in countries where the majority are Muslims. He also stated that female circumcision is not a religious obligation.



Imam Muhammed Magid



Dr. Muhammed Elsanousi

Dr. Muhammed Elsanousi stressed the significance of the Marrakesh Declaration which seeks to address issues related to religious intolerance and minority rights, important steps towards fostering pluralism, stability, and harmony in diverse societies.



Delegation of the US Ambassador-at-Large for International Religious Freedom

NHRC Meets National Assembly Joint Committee on Health and Gender on the Proposed Repeal of the FGM Law



(NHRC Team - L-R) Matilda Mendy, Aminata LB Ceesay, Emmanuel D. Joof and Jainaba Johm

Presently, there is polarising public discussions about a Private Member's Bill, Women's (Amendment) Act 2024, that seeks to repeal the Women's (Amendment) Act 2015 which bans and criminalizes Female Circumcision in The Gambia. The issue has sparked widespread debate and concern among the National Assembly Members, Civil Society Organisations, Religious Leaders, Community Leaders, Activists and the International Community.

In a consultation meeting held on the 25th of June 2024, the Commission, led by its Chairperson, Mr. Emmanuel D. Joof, engaged in a comprehensive discussion with the National Assembly Joint Committee on Gender and Health on the Women's (Amendment) Act 2024. The NHRC firmly reiterated its position that FGM is a severe violation of the rights of women and girls, and its unbanning would derogate from The Gambia's obligations under ratified international and

regional human rights instruments and protocols, including CEDAW and the Maputo Protocol, which prohibit all forms of harmful traditional and cultural practices that affect the health and wellbeing of women and girls.



Emmanuel D Joof
NHRC Chairperson

“The repeal of the law banning FGM would be a significant setback in our efforts to protect the rights of women and girls. It is imperative that we uphold and strengthen legal frameworks that safeguard them from such harmful practice”, stated Mr. Emmanuel D. Joof.



Chairperson of the Joint Committee
on Gender and Health

The NHRC fervently urged the National Assembly Joint Committee to reject any attempt to repeal the law banning FGM. In its submission, the Commission made references to testimonies of survivors of FGM and medical experts on the harmful effects of the practice and emphasised the fundamental human rights that FGM violates, including the rights to life, health, bodily integrity and freedom from torture or cruel, inhuman, or degrading treatment.

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NHRC Meets National Assembly Joint Committee on Health and Gender..

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“The fight against FGM requires a concerted effort from all sectors of society. We must work together to change these harmful practices”, Mrs. Jainaba Johm, Vice Chairperson of NHRC.



**Commissioner Jainaba Johm
Vice Chairperson, NHRC**

In fulfilment of its advisory role to the State, in May the Commission also submitted a Position Paper to the National Assembly Joint Committee on Gender and Health in which it calls for the retention of the Women 's (Amendment) Act 2015 and a total rejection of the Women 's (Amendment) Bill 2024.

The NHRC 's steadfast stance against the repeal of the law banning FGM highlights the importance of safeguarding the rights of women and girls and the State 's obligations in that respect. Its engagement with the National Assembly Joint Committee on Health and Gender and other efforts towards the total abandonment of FGM in the country are significant steps towards the creation of a society where the rights and dignity of women and girls are respected and protected.



**(Top and bottom photos) Members of the Joint
Committee on Gender and Health**



Initiation of girls in URR

Ethiopian Human Rights Commission (EHRC) Concluded a Study Visit to The Gambia



NHRC and ENHC Commissioners and Staff

A delegation from the Ethiopian Human Rights Commission (EHRC) concluded a study visit to The Gambia from 9th to 15th June 2024. The purpose of the visit was to get firsthand information about the Gambia's Transitional Justice (TJ) process and the work of the Gambia National Human Rights Commission, the efforts being made and mechanisms in place to ensure non-recurrence of human rights violations through institutional and legal reforms, stakeholders' experience in partnership management, efforts towards the implementation of the Government White Paper, best practices, opportunities, challenges and lessons learned.

The Gambia is among the most recent countries in Africa that has experienced TJ process and has successfully completed its truth-seeking process.

The NHRC has been a major player in The Gambia's TJ process since its establishment in 2019 and has been mandated, in the Government White Paper on the Report of the TRRC, to monitor the implementation of the TRRC recommendations



Ms. Rakeb Messele Aberra
Deputy Chief Commissioner
of the Ethiopian Human Rights
Commission

Ms. Rakeb Messele Aberra, Deputy Chief Commissioner of the Ethiopian Human Rights Commission and also head of the delegation, expressed her impression about the work of NHRC and other key players in the TJ process.

“Our visit was focused on the transitional justice process in The Gambia. We received useful information about the NHRC’s work in that area, which EHRC can adapt to the Ethiopian context. We took note of the NHRC’s important role in monitoring the implementation of the recommendations of the TRRC, and in ensuring that the transitional justice process is victim-centred by creating forums for victims’ participation and engagement with relevant State actors, is a good practice we took note of,” said Ms. Aberra.

EHRC Concluded a Study Visit to The Gambia..

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The delegation also held meetings with various actors in the transitional justice process in The Gambia, including, Gambia Press Union, Gambia Bar Association, Victims' Associations and some local civil society organisations.

According to the Deputy Chief Commissioner, some of the challenges that the EHRC faces in monitoring and reporting human rights include conflict and insecurity in some parts of the Ethiopia which makes access to these areas difficult. Additionally, a complex and polarized political environment makes human rights work in general challenging, particularly in investigating reported violations. Nonetheless, EHRC has been able to monitor, investigate and publish dozens of reports and public statements on human rights issues across Ethiopia.



(L-R) NHRC Chairperson and Vice Chairperson



NHRC and EHRC Commissioners and Staff at a meeting

The Gambia to Undergo Universal Periodic Review (UPR) in 2025



Opening ceremony of the Stakeholder Engagement

On the 14th of May 2024, the NHRC held a Stakeholder Engagement at the Kairaba Beach Hotel on The Gambia's Fourth Cycle of the Universal Periodic Review. The event brought together representatives from Government, Civil Society Organizations and the security,

under the theme: **'Upholding International Human Rights Standards: A Pathway to a More Democratic Governance in The Gambia'**.

The Universal Periodic Review is a mechanism established by the United Nations Human

Rights Council, to improve the human rights situation of all Member States through peer reviews.

In his opening statement, the Chairperson of NHRC, Mr. Emmanuel D. Joof, highlighted

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The Gambia to Undergo UPR in 2015

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the significance of the Universal Periodic Review process which gives States the opportunity to discuss measures adopted to improve the human rights situation in their countries



Chairperson Emmanuel D Joof

He reminded participants that during the forty-third session of the Human Rights Council (November 2019), 222 recommendations were made to The Gambia, out of which it accepted 207 recommendations. Since then, the NHRC has been raising awareness and popularizing those recommendations to remind the State about its obligations.

“The National Human Rights Commission has a crucial role to play in The Gambia’s review process, as a State institution mandated by law to promote and protect human rights. Our role is to make sure that the State implements the recommendations they have accepted” Mr. Joof emphasized.

Ms. Yvonne Masarakufa, who represented the UN Resident Coordinator, described the UPR as a significant process that will

avail The Gambia the opportunity to highlight actions taken to improve the human rights situation in the country.



Yvonne Masarakufa

Mark Lemon, Executive Director of Universal Rights Groups in Geneva, mentioned that the 2025 session will help The Gambia engage more effectively with the UPR process. He also said that stakeholders (NHRC and CSOs) are also expected to submit reports which provide an objective and accurate assessment of the human rights situation.



Mark Lemon

“Sometimes Civil Society Organisations see their roles as predominantly to criticize the Government – what the Government is not doing, which is fine. But I think civil society also has an incredibly important role to praise the Government when they do the right thing,

and where possible, to work with them”, he stated.

Mrs. Ndey Bakurin, the Executive Director of TANGO, mentioned that the process is very important to The Gambia, and it is also important to know that civil society will prepare a shadow report that complements the Government’s report.

Ms. Bakurin raised concern about the Government’s commitment to the implementation of one of the recommendations The Gambia accepted during the UPR 3rd cycle which is to enforce the Children’s (Amendment) Act of 2016 and the Women’s (Amendment) Act of 2015 and guaranteed the eradication of FGM.



Ndey Bakurin

“This is very important to us, and we know that the discussions are going on, and it is being threatened by efforts to repeal the Act in our National Assembly”, she stated.

Ms. Bakurin commended the NHRC for taking the lead in the UPR process and urged participants to prepare an objective report and submit it accordingly to the Human Rights Council.

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The Gambia to Undergo UPR in 2015

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As the Gambia is set for another review in 2025, the Government is expected to submit its National Report in October 2024, while stakeholders such as the National Human Rights Commission and NGOs are expected to submit their Complementary Reports by 16th July 2024.



Cross session of participants

The NHRC Launches State of Human Rights Report 2023 during the Institution's 5th Anniversary

The Commission launched its 2023 State of Human Rights Report, which also coincided with the institution's fifth anniversary, in a ceremony held at Metz Residence Hotel on 23rd May 2024.

This year marks five years since the Commission became operational in 2019, established by an Act of the National Assembly in 2017, with the mandate to promote and protect human rights in The Gambia.

In her Welcoming statement, the Vice Chairperson, Mrs. Jainaba Johm, reflected on the early days of the Commission when it had only five Commissioners to steer its affair and ensure the appropriate building blocks were in place. She mentioned the absence of proper structure and regulatory frameworks in the early months of the Commission but which they quickly put in



Hon. Madi Ceesay (middle) receiving the 2023 State of Human Rights Report and Annual Activity Report from the Chairperson

place through sheer commitment and determination to deliver on their mandate and the functions of the Commission.

“As a Commission, we were going by the TRRC mantra of ‘Never Again’. From 2019 to date, the NHRC has been doing its work without fear or favour, and that is what

has given us an ‘A’ status”, she emphasized.



NHRC Vice Chairperson

The NHRC Launches State of Human Rights Report..

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The Vice Chairperson commended the efforts of the Government and other international partners who stood by the Commission and supported it with the necessary resources to effectively and efficiently carry out its mandate.

During his deliberations, the Chairperson of the NHRC commended the Government of The Gambia for spearheading the establishment of the NHRC, and the National Assembly for passing the bill into law. He highlighted some of the challenges the Commission faced immediately its establishment and how the Commission and staff worked tirelessly to develop policies, Standard Operating Procedures, Conditions of Service manual, Commissioner's Handbook, Complaint Handling Manual and other relevant operating manuals.



The Chairperson also highlighted the significant achievements and milestones of the Commission in the past five years. He stated that some of the key achievements of the institution included the development of the 2021-2025 Strategic Plan which guides NHRC's operations, establishment of a fully functional Secretariat with 5

Directorates and 2 Regional Offices, membership and affiliate status with regional and international organisations, knowledge production on human rights, high public trust and ensuring human rights remain high on the development agenda of the country.

“Within three years of our existence, we were accredited with an ‘A’ status by the Global Alliance of National Human Rights Institution (GANHRI). That shows that the NHRC is fully compliant with the UN Paris principles, which is a set of benchmarks for all National Human Rights Institutions across the globe”, he stated.

The Chairperson expressed gratitude to all those who have contributed immensely to the successes of the Commission, especially Dr. Chernon Omar Barry, the first Executive Secretary of the Commission, the late Commissioner Agnes Campbell, and all Commissioners and staff of the National Human Rights Commission.

Mr. Mansour Jobe, the Director of Legal and Investigation, presented on the 2023 State of Human Rights Report.

He highlighted some of the human rights violation cases reported during the period, the steps taken by the Commission to address those violations, and the recommendations made to the various State institutions for better protection and realisation of human rights in 2024.



Director of Legal & Investigation

According to Mr. Jobe, in 2023, 71 cases of alleged human rights violations complaints were reported to the NHRC, out of which 46 were investigated with appropriate remedies proffered and 26 complaints in progress at the time of reporting.

The 2023 State of Human Rights Report captured key human rights situation in The Gambia. It covers various human rights themes, including access to justice, the right to liberty and security, independence of the media, business and human rights, women and children's rights, corruption and human rights, and other rights issues.



NHRC staff and guests at the launching

The NHRC Launches State of Human Rights Report..

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The Director of Programmes and Resource Mobilization, Ms. Mam Ndeban Jobe, delved into the NHRC's revised Strategic Plan 2021-2025 and the Commission's new focus areas which include Business and Human Rights, Human Rights and Corruption and Social, Cultural, Economic and Environmental Rights. She highlighted that the development of the revised Strategic Plan was preceded by a Mid-Term Review and a broad base consultation with State institutions, CSOs and development partners.



Director of Programmes & Resource Mobilisation



The event also included a press briefing attended by diverse media outlets, which availed them the opportunity to ask questions pertaining to the Commission's mandate and certain human rights issues in the country. Some of the questions asked, and answered by the Commissioners, included concerns about the conditions of Mile II Prisons and what the Commission is doing to ensure it is human rights friendly, the archaic Lunatic Detention Act and how the Commission is safeguarding its independence from political interference.



In delivering the closing statement, Commissioner Halimatou Dibba thanked NHRC's key partners who have supported the institution since its inception, in carrying out its broad mandate of promoting and protecting human rights in The Gambia. She acknowledged the remarkable efforts of the Chairperson, Commissioners and the Staff of NHRC, despite the challenges that the institution faced over the years.



Commissioner Halimatou Dibba

The Murad Code: A Global Code of Conduct to Enhance Respect and Support for Survivors of Sexual Violence Under Authoritarian Regimes



Sexual Violence is a deeply traumatic experience that has profound physical, emotional and psychological impacts on victims. Journalists, investigators or documenters play a crucial role in reporting those cases, raising awareness, and fostering public understanding. In the context of systematic and conflict-related sexual violence, gathering and using information responsibly is critical to ensuring the safety, dignity, and rights of victims and survivors. However, there are significant ethical concerns about how some of these actors, including media outlets, treat and report on sexual violence, particularly regarding the privacy and dignity of victims.



Marion Volkmann-Brandau

Marion Volkmann-Brandau, the Deputy-Co lead on the Murad Code Project, made a presentation at the National Human Rights Commission on The Global Code of Conduct for Gathering and Using Information about Systematic and Conflict-related Sexual Violence

(SCRSV) on behalf of the Institute for International Criminal Investigations or IICI. The Code, also referred to as the Murad Code, is named after Nadia Murad, a Yazidi human rights activist from Sinjar in northern Iraq.

Nadia Murad was captured in 2014 by Islamic State fighters for several months, before she escaped and finally made her way to Germany. She created the NGO 'Nadia's Initiative' and embarked on tireless campaigns, telling her stories around the world, rebuilding communities in crisis to help survivors of sexual violence, as well as defending the rights of Yazidis and marginalized ethnic and religious minorities.

The Murad Code is a voluntary code of conduct which distills existing minimum standards for the safe, effective and ethical gathering and use of victim or survivors' information in relation to SCRSV. The Code, which is rooted in international human rights law, addresses those who document, investigate, report on, conduct research, monitor, gather and use such information, as well as policymakers, other decision-makers and funders. It emphasises fundamental human rights of survivors, such as rights to dignity, privacy, health, security, access to justice, truth and an effective remedy.

Ms. Volkmann-Brandau delved into the Murad Code which was established to provide a standardized framework for police and human rights investigators, organisations, journalists, researchers, human rights advocates and others involved in documenting systematic or conflict-related sexual violence. The Code provides principles and commitments for the protection of victims and survivors of sexual violence, to ensure that the work of investigating, documenting and recording their experiences are safe, ethical, and effective.

‘Education for All Children in Africa: The Time is Now!’



The Commission joined the rest of Africa to commemorate the Day of the African Child, 16th June 2024. The Day was identified by the Organization of the African Unity in 1991, in honour of the children who lost their lives during the 1976 Soweto (South Africa) students uprising. Every year June 16th is commemorated to raise awareness on the plight of children in Africa and what States should do to promote and improve the respect, protection, and fulfilment of their rights.



Soweto Uprising, 1976

The theme for this year, ‘Education for All Children in Africa: The Time is Now’, resonates deeply with the realities that exist in most African countries, including

The Gambia. In a message to all children in The Gambia and the Government of The Gambia, the Commission’s Chairperson, Mr. Emmanuel D. Joof, reflected on the significance of the Day and this year’s theme. He stated that education is not just a fundamental human right but is also the cornerstone of any thriving society and the avenue through which children are equipped with the requisite tools they need to build a brighter future for themselves.

“Education must not only be accessible, but it also has to be of quality and relevant. Although the laws stipulate that education should be compulsory and free, more efforts need to be made to make that a reality. There are many children of school going age, who are not in school”, he added.

Commissioner Halimatou Dibba applauded the efforts of the Government for making

significant strides in making education accessible to many children in The Gambia. However, she indicated that a lot more needs to be done to improve the quality of education.

“We should bear in mind that the theme says: ‘Education for All...’ Children with disabilities do not have as much access to education as other children. Special needs schools in The Gambia are only in the Greater Banjul Area, while a lot of children in the rural areas do not have access to education just because they are children with disabilities”, she stated.

Children from various Senior Secondary Schools delivered solidarity messages on the Day of the African Child.

Mariama Correa, a Grade 11 Science student at St. Peter’s Senior Secondary School, said:

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Mariama Correa

“Every child deserves a chance to learn. Education opens doors to opportunities and helps us build a better world. Let's make sure no child is left behind”.

Kebba Fatty, a member of the Human Rights Club of Masroor Senior Secondary School, remarked: **“Government officials, please focus on our education. We need safe schools, good teachers, and enough learning materials. A strong education system will lead to a stronger nation.”**



Kebba Fatty

Mariama Secka, also from Masroor Senior Secondary School, stated: **“Education can change lives. It is important for every child to go to school and learn. Let's all come together to make sure this happens for all children in Africa.”**



Mariama Secka

Isatou Ceesay, a student of St. John’s School for the Deaf, captured her belief in this message: **“Every child has a right to learn and dream. Schools should be open to everyone, no matter their abilities. With the right support, I can achieve anything!”**



Isatou Ceesay

Aji Fatou Mboob is visually impaired and attends the Gambia Organisation for the Visually Impaired (GOVI) School. She said: **“We need ramps, braille books, and understanding teachers. Education should include everyone, so we can all have a bright future.”**



Aji Fatou Mboob

Education is a human right which should be enjoyed by all children without discrimination. Investing in education is also a prerequisite to national development and progress. Thus, to increase access and significantly improve the quality of education for all children in The Gambia, especially for children with disabilities, would require a comprehensive approach, heavy investment and collective effort.



The NHRC Commended for Adhering to Standard Financial Regulations and Guidelines



(L-R) Mr. Paul C. Mendy, Director of Human Resources, Mr. Mansour Jobe Director of Legal and Investigation, Dr. Saikou K. Gassama, Executive Secretary, Mr. Emmanuel D. Joof, Chairperson and Mrs. Isatou Jagne Kolley, Director of Finance

In May 2024, the Commission appeared before the Finance and Public Accounts Committee (FPAC) of the National Assembly, to present its audited accounts for the 2019 and 2020 fiscal years.

Mrs. Isatou Jagne Kolley, NHRC's Director of Finance, presented the detailed audited accounts of the Commission to the FPAC. She highlighted the Commission's financial activities, budget utilization, and adherence to financial regulations over the stated period. The presentation also provided comprehensive details of the Commission's revenue sources and expenditure, demonstrating a high level of transparency.

“Active operations of the Commission commenced in August 2019, and expenditure for 2019 commenced in September. During this period, NHRC was a

subvented entity under the Ministry of Justice and received Government subvention of GMD 20.6m through the Ministry during the period – August to December 2019. The Commission also received external support of D6.9million from the UN, of which D666,000 was received directly to the Commission's account, and the rest was under direct implementation by the UN. In 2020, D36.1 million was received from the Government for a full year of operations”, Mrs. Jagne Kolley stated.



The NHRC effectively utilized its allocated budget to fulfil its mandate of promoting and protecting human rights in The Gambia. The audited accounts confirmed that the NHRC adhered to standard and transparent financial regulations and guidelines.

The Chairperson of the Commission gave a summary report of the 2019 and 2020 activity reports, which highlighted the inception of the Commission in 2019 and the swearing in of the five commissioners. According to the Chairperson, the Commissioners commenced work without a permanent office and one of their key tasks was to set up a Secretariat, recruit essential staff and establish various Directorates that were needed to kickstart the Office. Other activities included the

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The NHRC Commended for Adhering to Standard Financial Regulations and Guidelines

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development of tools and policies to operationalize the Commission such as Standard Operating Procedures, Code of Conduct, Conditions of Service, Commissioners' Handbook and Complaints Handling Manual.



(L-R) Dr. Saikou K. Gassama and Mr. Emmanuel D Joof



(L-R) Mr. Paul C. Mendy and Mr. Mansour Jobe

Both Hon. Kebba Lang Fofana and Hon. Alagie Darboe, the Chairperson of the Committee, lauded the NHRC for its exemplary financial management as high standard for other institutions to emulate.



Hon. Kebba Lang Fofana (L)

“I want to take this opportunity to thank the NHRC. After three to four years of its establishment, they have successfully submitted their reports to the National Assembly as required by law, unlike other institutions. We therefore thank the Chairperson of the Commission and his team for a job well done”, said Hon. Darboe



Hon. Alagie Darboe

The commendation received reflects the NHRC's unwavering dedication to transparency, accountability, and the effective use of resources in carrying out its mandate to safeguard human rights in The Gambia.



NHRC staff and staff of the Auditor General's Office



Staff of the Auditor General's Office

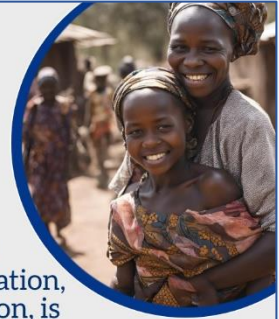


The NHRC

Welcomes

the Decision and Recommendations of the National Assembly Joint Committee on Health and Gender on the Women's (Amendment) Bill 2024

We Promote and Protect the Fundamental Rights of Everyone



1

The Women's (Amendment) Act 2015 still stands! Female genital mutilation, cutting or circumcision, is strongly prohibited by law.



2

Repealing the ban on FGM/C threatens the wellbeing of girls and women.



3

Maintaining the ban on FGM/C, reaffirms The Gambia's commitment to gender equality, social development and respect for the fundamental human rights of girls and women.



4

Girls and Women who are at risk or have undergone FGM/C, should have access to legal support and protection.



5

Continued research and data collection are necessary to understand the prevalence of FGM/C, its impact on individuals and communities, to save the next generation of girls and women.



6

Government should enforce the law to the letter with stringent measures for the protection of girls and women



7

Awareness raising, campaigns and educational programmes should be intensified to curb the harmful effects of FGM/C and all other harmful traditional practices.



8

Healthcare providers and traditional birth attendants should be trained to recognize, understand and address the physical and psychological consequences of FGM/C.



9

FGM/C in any form, is strongly prohibited - Whether medicalized or otherwise!