



# ANNUAL ACTIVITY REPORT 2022



National Human Rights Commission

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# Foreword

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The National Human Rights Commission is pleased to present its fourth Annual Activity Report covering the period 1st January to 31st December 2022, as required by Section 33 (1) of the NHRC Act 2017. This Section obliges the Commission to submit a report of its activities to the National Assembly within three months after the end of each financial year. This Report highlights the main activities implemented by the Commission, key achievements registered, partnerships and collaborations forged, challenges, lessons learned and the major plans for human rights promotion and protection in 2023.

The end goal of the NHRC is a Gambia where everyone fully enjoys their fundamental human rights and freedoms. Thus, since its establishment in 2019, the Commission has been popularising its mandate, educating the public about human rights and fundamental freedoms, building the professional capacities of State and non-State Actors on thematic human rights issues and the rule of law, proffering recommendations to the Government on how to better protect human rights, receiving and investigating human rights complaints and monitoring human rights across the country and in all sectors.

Consequently, the Commission has established strong collaboration and cooperation with the Government as well as national and international partners to enhance and sustain respect for human rights and fundamental freedoms in The Gambia. These processes continue to be guided by the NHRC's policies and guidelines that ensure and promote a culture of respect for human rights.

In its efforts to promote a culture of respect for human rights and the rule of law in the country, the Commission, during the said period engaged in several activities to

popularise the Government White Paper on the TRRC Report and established mechanisms to support the carrying out of its mandate to monitor the implementation of the recommendations. The Commission also visited places of detention and residential childcare facilities to monitor their compliance with national and international human rights standards and engaged duty bearers, including the Legislature and Executive, to identify strategies for better protection and fulfilment of the rights of individuals. Additionally, the Commission worked with CSOs, the media, the University of The Gambia and communities to strengthen their roles in the promotion of human rights.

We recognise the commitment of the Government to fulfil the State's human rights obligations. It is our fervent hope that the Government would fully and effectively implement the recommendations of the Commission made in its Press Statements and monitoring and investigation reports undertaken in 2022.

In line with its mandate, the Commission will continue to provide advice and technical support to the Government on its human rights obligations, while actively playing its watchdog role to ensure that the rights of all people in The Gambia, especially the most

vulnerable, are respected, protected and fulfilled.

For the year 2023, the Commission remains committed to ensuring that The Gambia is a country where rights are unconditionally respected by all duty bearers and realized for every girl, boy, woman and man without any distinction. We renew our commitment to remain accountable to the people of The Gambia for the work that we do and to our pledge '*Let Justice Guide our Actions*'.



**Emmanuel D. Joof**

Chairperson

# Statement by the Executive Secretary

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The NHRC seeks to transform human rights standards in The Gambia and to nurture a culture of respect for rights and fundamental freedoms guaranteed by the 1997 Constitution of the Republic of The Gambia and various international instruments ratified by the State. Like building blocks, the Commission is growing very fast and has been strengthening its policies, frameworks, programmes and activities in line with the Principles Relating to the Status of National Human Rights Institutions (Paris Principles).

The Secretariat will also continue to create a conducive work environment that supports and enables effective and efficient teamwork, collaborative programmes, professional growth of highly motivated staff and quality relationships with partners.

In our efforts to bring our human rights services closer to the doorstep of everyone in The Gambia, we opened regional offices in North Bank and Central River Regions. These offices oversee Lower River and Upper River Regions respectively.

In the period under review, the NHRC implemented numerous activities. We popularized the Government White Paper on the TRRC Report, conducted monitoring visits to prisons and other places of detention, developed Advisory Notes on the Death Penalty and Caste and Descent based Discrimination in The Gambia which contributed to the strengthening of respect for human rights in the country. Additionally, the Commission, through its equitable access to justice policy, organised legal aid clinics in the regions and investigated human rights violations to enhance respect for human rights.

The key highlights of 2022 included our successful monitoring of the Parliamentary elections, organisation of the Sir Dawda Kairaba Jawara Moot Court Competition and a conference on accelerating the implementation of the TRRC Recommendations and establishment of a multisectoral Monitoring Committee to support the Commission in its monitoring of the Government White Paper on the TRRC Report. Our attainment of "A" Status accreditation from the Global Alliance of National Human Rights Institutions (GANHRI) in March 2022 has enhanced the international recognition of the Commission, widened its network with sister NHRIs and strengthened partnerships and collaborations with other international partners.

At the national level, the Commission continues to deepen its relationship with CSOs, and the public and private sectors to promote and protect human rights and strengthen accountability. It is also well poised to effectively monitor the implementation of the Government White Paper on the TRRC Report and to ensure the "Never Again" mantra is sustained in line with our Vision of "a Gambia where everyone enjoys their fundamental human rights and freedoms".

With sustainable financial and technical support from the Government of The Gambia and bilateral and multilateral partners, the Commission aims to fulfil a critical criterion of the Paris Principles by rolling out our services to every region of The Gambia. In this regard, the NHRC urges the State to continue to guarantee the independence of the Commission as per the Paris Principles and avail it of adequate finances.



**Dr Saikou Kawsu Gassama**  
Executive Secretary

# Acknowledgements

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Our achievements in 2022 would not have been possible without the support, partnership and encouragement of partners whose commitment towards building a culture of respect for human rights in the country has been remarkable.

We wish to commend the Government of The Gambia for its continued 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 the implementation of our programmes could not have been possible without the technical and financial support of development partners such as the UNDP, OHCHR WARO, UNODC, UN Peace Building Fund, Open Society Foundation (South Africa), the Danish Institute for Human Rights, the British High Commission in The Gambia, the Swiss Embassy in Dakar, the French Embassy in Dakar, and NANHRI.

Their support contributed immensely in enabling the Commission fulfil its mandate and functions.

With the establishment of regional offices, the Commission was able to forge partnerships with local authorities, communities and grassroot organisations, including TOSTAN and COOPI, to advance human rights.

We also acknowledge the cooperation and partnership with the Independent Electoral Commission, the Victim Centre, the European Union (EU), the American Bar Association (ABA), International IDEA and the University of The Gambia during the year.

We recognise and appreciate the commitment of the Government, through the Ministry of Justice, to effectively implement the Government White Paper on the TRRC Report and enjoin the Government to make the necessary resources available for the implementation of the White Paper.

Finally, the Commission renews its commitment to work tirelessly towards the creation of a culture of human rights in the country and to be held accountable for its work as a public benefit entity.



# Acronyms

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<b>ADRS</b>	Alternative Dispute Resolution Secretariat
<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>ACERWC</b>	African Committee of Experts on the Rights and Welfare of the Child
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>ANEKED</b>	African Network Against Extra-Judicial and Enforced Disappearances
<b>AU</b>	African Union
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>COOPI</b>	Cooperazione Internazionale
<b>CRR</b>	Central River Region
<b>CSOs</b>	Civil Society Organisations
<b>DP</b>	Development Partners
<b>ICESCR</b>	International Convention on Economic, Social and Cultural Rights
<b>HRE</b>	Human Rights Education
<b>GANHRI</b>	Global Alliance of National Human Rights Institutions
<b>GBA</b>	Gambia Bar Association
<b>GCVHRV</b>	Gambia Centre for Victims of Human Rights Violation
<b>GID</b>	Gambia Immigration Department
<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>IDEA</b>	International Institute for Democracy and Electoral Assistance
<b>KMC</b>	Kanifing Municipal Council
<b>LRR</b>	Lower River Region
<b>MoBSE</b>	Ministry of Basic and Secondary Education
<b>Mol</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>NANHRI-WA</b>	Network of National Human Rights Institutions in West Africa
<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>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 Commissioner for Human Rights
<b>OHCHR-WARO</b>	Office of the High Commissioner for Human Rights -West Africa Regional Office

<b>OIF</b>	Organisation Internationale de la Francophonie
<b>OSF</b>	Open Society Foundation
<b>PATP</b>	President’s Alternative Treatment Programme
<b>PBF</b>	Peace Building Fund
<b>PBSO</b>	Peace Building Support Office
<b>PRM</b>	Programme and Resource Mobilisation
<b>RMC</b>	Resource Mobilisation Committee
<b>SO</b>	Strategic Objective
<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>UNODC</b>	United Nations Office on Drugs and Crime
<b>UTG</b>	University of The Gambia
<b>UPR</b>	Universal Periodic Review
<b>URR</b>	Upper River Region
<b>WAVE</b>	Women’s Association for Victims’ Empowerment
<b>WC</b>	West Coast
<b>WILL</b>	Women In Liberation and Leadership

# Executive Summary

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Human rights protection is a core pillar in the work of the NHRC. In 2022, the Commission received a total of one hundred and four (104) complaints of alleged human rights violations, twenty - two (22) of which were against law enforcement agencies, namely the Gambia Police Force, the National Drug Law Enforcement Agency and the Gambia Immigration Department. Out of this number, eighty-seven (87) complaints were resolved. An additional Seventy-two (72) complaints, forty (40) of which were from female complainants, were received through a Legal Mobile Aid Clinic organised in rural communities of CRR North.

On human rights monitoring, the NHRC monitored all stages of the 2022 Parliamentary elections, namely, the submission of nominations, political campaigns and voting day. The election monitoring activities were guided by standard checklists developed in accordance with international human rights standards.

As part of efforts to enhance human rights standards at residential childcare institutions, the NHRC visited several such institutions, including the Government run Bakoteh Shelter for Children, the SOS Children's Village and Quranic memorisation schools. Conditions in detention facilities in the country were also monitored to ensure compliance with human rights standards and best practices.

Conferences, outreach activities and campaigns were organised to enhance the understanding of both State and Non-State actors, including communities and victims, on the Government White Paper on the TRRC Report. Capacity-building activities were also organised for NHRC Staff and CSOs to strengthen their capacity to effectively monitor the implementation of the Government White paper.

In building a culture of respect for human rights and fundamental freedoms, the NHRC organised several radio talk shows, community outreach and awareness-raising activities, and developed Public Service Announcements (spots, jingles and videos) to raise public awareness on human rights issues. The Commission's website, social media platforms and quarterly newsletters were used to disseminate information on the work of the Commission.

This Annual Report is divided into six Chapters which focus on various thematic

areas. Chapter 1 contains the accreditation and membership of the NHRC to international bodies, Chapter 2 focuses on the achievements of the NHRC under the Six Strategic Objectives of the Strategic Plan 2021-2025. Chapter 3 provides a synopsis of the conferences and meetings the NHRC participated in, Chapter 4 contains the assessment of NHRC implemented activities while Chapter 5 outlines the lessons learned and the challenges faced and surmounted. Chapter 6 provides a breakdown of the funds received from the State and other development partners.



*Chairperson and Commissioners of The National Human Rights Commission*

# CHAPTER 1:

## Accreditation to International Bodies

### 1. 'A' STATUS ACCREDITATION BY THE GLOBAL ALLIANCE OF NATIONAL HUMAN RIGHTS INSTITUTIONS (GANHRI)

After a rigorous peer-review process which began in 2021 and included the submission of relevant application documents, testimonies of national and international partners, interviews and a 'Statement of Compliance with the Paris Principles', the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI) accredited the Commission with an 'A' Status during its session held in March 2022. This accreditation is a recognition of the Commission's tremendous work in the promotion and protection of human rights in the country and opens opportunities for international partnerships and support.

### 2. AFFILIATE STATUS TO THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) granted affiliate status to the NHRC during its 40th Ordinary Session held in November 2022. The ACERWC is the African Union human rights treaty body with the mandate to promote and protect the rights and welfare of children pursuant to the African Charter on the Rights and Welfare of the Child (ACRWC), which was adopted by the African Union in 1990 and ratified by The Gambia on 14th December 2000.

Affiliate status with the ACERWC provides the NHRC with the opportunity to participate in sessions of the Committee by presenting statements on the human rights situation of children in The Gambia, provide expert advice and briefings, propose agenda items and submit shadow or complementary reports for consideration by the Committee.

# CHAPTER 2:

## Activity Report

The Commission, despite the financial challenges experienced during the year under review, registered significant achievements in the implementation of its 2022 Work Plan, in particular activities aimed at supporting the implementation of the Government White Paper on the TRRC Report.

Below are summaries of the key achievements of 2022 and reports of major activities implemented under each strategic objective.

### Highlight of key Achievements in 2022

#### 1. Establishment of 2 Regional Offices:

To enhance public access to its services, the Commission, in June, opened regional offices in CRR (Janjangbureh) and NBR (Farafenni) overseeing URR and LRR respectively. Each office has a Regional Administrator, a Legal Officer and an Investigating Officer. Both offices are fully functional and have been actively implementing activities and collaborating with partners and stakeholders in their respective Regions. Through these Offices, the NHRC seeks to ensure that rural communities also have equal

access to the Commission and its services like those in the urban areas.

#### 2. Investigation into Human Rights

**Violations:** A core mandate of the NHRC is to investigate and monitor ongoing and potential human rights violations. In 2022, the Commission investigated several complaints of human rights violations and abuses, including caste-based discrimination and allegations of police brutality.

A total of one hundred and four (104) complaints of alleged human rights violations were received, of which eighty-seven (87) were successfully investigated and recommendations forwarded to the relevant institutions for implementation and redress. It is worth noting that twenty-two (22) of the complaints received, representing 21.15% of the total number of complaints for 2022, were brought against law enforcement, namely The Gambia Police Force, Gambia Armed Forces, National Drug Law Enforcement Agency and The Gambia Immigration Department.

The NHRC also conducted one monitoring visit to the Mile II and Jeshwang Prisons and had interviews with inmates serving their sentences and those on remand. Their complaints were recorded and appropriately addressed.

- 3. Enhancing Capacity of Duty Bearers for Respect and Protection of Human Rights:** Building a culture of respect for human rights and rule of law requires continuous engagement and capacity building of duty bearers as well as sensitisation of right holders. As per the provision of Section 12 of the NHRC Act 2017, the Commission is mandated to promote awareness of and respect for human rights through conducting public awareness and education programmes. In this regard, the Commission conducted five capacity—building programmes and several awareness raising events to promote and protect human rights in The Gambia.

Forging Partnerships for Human Rights Promotion and Protection: 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 this vein,

the NHRC in 2022 signed MoUs with the American Bar Association (ABA) and the International Institute for Democracy and Electoral Assistance (IDEA). The Commission also established working relationships with the Open Society Foundation in South Africa, and the Swiss and French Embassies in Dakar, Senegal. These relationships, including the cooperation with the UN Country Team, enabled the Commission to implement its Strategic Objectives as per the 2022 Work Plan.

- 4. Monitoring of the Parliamentary Elections:** The Commission monitored the April 2022 Parliamentary electoral process to assess compliance with human rights and electoral standards and norms. The monitoring covered the submission of nominations by aspiring candidates, the political campaign events, the voting day, and the post-election situation. The opening of polls, voting, closing of polls and counting of votes were witnessed in one hundred and twenty-five (125) polling stations across the country. A comprehensive monitoring report of these elections was prepared and shared with the IEC and other relevant stakeholders.



**5. Post-TRRC work of the Commission:**

As the body charged with the responsibility of monitoring the implementation of the Government White Paper on the TRRC Report, the Commission popularised the recommendations of the White Paper in all the regions of the country through workshops and community social mobilisations. Two stakeholder fora and capacity building activities for staff and representatives of victims focused organisations were also held to discuss implementation and monitoring strategies. A Committee was established to support the Commission in the monitoring of the implementation of the White Paper. An online monitoring matrix to track the implementation of the White Paper was also developed.

**6. Resource Mobilisation Initiatives:**

Towards the implementation of its Strategic Plan 2021-2025, the NHRC conducted a successful donor roundtable which resulted in the creation of a new network with donor partners and opened more funding avenues and opportunities.

As a result of the donor roundtable, the NHRC was able to secure funding from other development partners, including the Open Society

Foundation in South Africa, and the Swiss and French Embassies in Dakar. The support provided by these new partners contributed immensely to the implementation of activities to strengthen our human rights promotion and protection mandate.

**7. Nurturing a culture of Human Rights:**

The 3rd Edition of the Sir Dawda K. Jawara Moot Court Competition, organised in partnership with the Law Faculty of the University of The Gambia, took an international dimension for the first time. This edition saw the participation of law students from six (6) African universities namely: International Open University (The Gambia), University of The Gambia (The Gambia), University of Calabar (Nigeria), Makerere University (Uganda), Kwame Nkrumah University of Science and Technology (Ghana) and Obafemi Awolowo University (Nigeria). The theme of the Moot Court Competition focused on transitional justice in Africa entitled *“The State must guarantee the Right to Remedy, Reparations and Accountability for Atrocity Crimes”*.

## STRATEGIC OBJECTIVE 1:

### To Promote and Deepen a Culture of Human Rights and Fundamental Freedoms

Consistent with the Paris Principles, the mandate of the NHRC includes the promotion of human rights through education, outreach, use of the media, publications, 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:

**1.1.1: Review Curriculum of basic, secondary, higher education and vocational training to evaluate current state of the curriculum and the entry points for human rights education in the curriculum. Submit recommendations to appropriate ministry and subsequently to cabinet for approval.**



*Validation of the 'Review Report: Integrating Human Rights into the Basic Cycle and Senior Secondary Schools Curricula*

Instilling in children an understanding and appreciation for human rights and responsibilities would contribute significantly to the creation of a culture of respect for human rights in the country. The school curriculum is the most effective entry point for sustained, impactful Human Rights Education.

With support from the British High Commission in The Gambia, a Consultant was hired to review the curricula of the Basic Cycle and Senior Secondary schools and identify various entry points and strategies through which human rights could be integrated. The Review Report was validated at a multi-sectoral stakeholder workshop, comprising representatives from institutions and organisations such as the Gambia College School of Education, various units of the Ministry of Basic and Secondary Education including the Curriculum Research Evaluation Development Directorate (CREDD), ChildFund The Gambia and Education For All Network.

Following the review process, discussions have been held with officials of CREDD on the next steps for the integration of human rights topics into the school curricula through the rolling out and piloting of the new Civic Education module and training of teachers on the modules.

***1.2.6: Organize training on Human Rights, Democracy and the Rule of Law (with focus on the HR Based approach in elections process) for various actors in the 2022 Parliamentary election.***

Thirty (30) representatives from Civil Society Organisations, IEC, youth groups, law enforcement and the media were trained on human rights-based approaches to election processes and how to effectively protect and monitor such rights during elections. This training assisted them to ensure that human rights standards were complied with during the Parliamentary elections.

**1.2.7: Engage with various actors, including the IEC, political parties, CSOs, media, etc., to commit to upholding human rights and promote violent free elections.**



*Dialogue Forum between the NHRC, IEC, Political Parties, CSOs, Media and other Key Stakeholders in Elections: 15 March 2022*

Concerned about the level of political bigotry, hate speech, discrimination and promotion of violence which preceded the Parliamentary elections, the Commission organised a one-day political dialogue which was attended by about 60 key actors, including representatives from the IEC, political parties, CSOs and media actors. Discussions centred on respect for human rights during elections, the roles and responsibilities of political actors in the process and how to ensure violent-free and credible elections.

At the end of the dialogue, political party leaders renewed their commitment to fully respect the IEC Code of Conduct and the Janjangbureh Peace Accord signed by all the political parties. The senior Police Command who was present also pledged to ensure human rights were upheld by the Police during the elections.

**1.2.8: Deploy NHRC teams to monitor and report on voter registration, campaign and polling as well as post-election activities IRO general elections (presidential, parliamentary and local government)**



*Monitoring of the National Assembly Elections: 5 March - 10 April 2022*

Respect and protection of human rights of voters, especially their political rights, enhance the credibility of elections and the legitimacy of governments. Monitoring elections and the compliance of its various stages with human rights standards and best practices is an essential tool for promoting transparency and ensuring accountability.

All the stages of the National Assembly election process was monitored by the Commission upon receipt of accreditation from the Independent Electoral Commission (IEC) as a local elections' observer. Thirty - six (36) political campaigns and hundred and five polling (125) polling stations were monitored. A comprehensive monitoring report, with key findings and recommendations, was prepared and shared with all the key stakeholders in the elections processes of the country.

### **1.2.11: Monitor and write reports on the implementation of the UPR recommendations and other concluding observations.**

In 2021, the Commission established an interagency UPR Monitoring Committee to support in the popularisation and monitoring of the implementation of the 2019 UPR Recommendations to the Gambia. This Monitoring Committee prepared the Commission's Midterm Assessment Report on the implementation of the UPR recommendations which it was validated on 4 August 2022 by key stakeholders from all the relevant Government Ministries and Departments and representatives from CSOs. The Report has been submitted to the OHCHR Office in Geneva for onward transmission to the Human Rights Council.

### **Submission of a Complementary Report on the Convention on Elimination of all forms of Discrimination Against Women (CEDAW)**

In September 2022, the Commission submitted to the CEDAW Committee its Complementary Report on the State's Sixth Periodic Report. The Report outlined relevant legal, administrative and institutional reforms undertaken by the State as part of efforts to eliminate all forms of discrimination against women and their compliance with international standards. It also addressed specific thematic areas of concern, in particular women's participation in political and public life, sexual and gender-based violence, implementation and enforcement of legislation protecting women's rights, women's access to justice, human trafficking and sexual exploitation, harmful practices and women's economic empowerment.

Most of the recommendations made by the Commission were included in the Concluding Observations issued by the Committee following its dialogue with the State. As an 'A Status' NHRI, the Commission also made oral submissions during the Constructive Dialogue between the CEDAW Committee and the State held on 20 October 2022.

### **1.4.1: Develop business relations and sign MOU with relevant stakeholders (e.g. partner with National Council for Civic Education, traditional communicators, etc.) to intensify outreach activities**

As part of its resource mobilization drive, the Commission has engaged locally based and international organisations, including funding agencies, foundations and charities for possible collaboration and support for its human rights work in the country.

In 2022, the Commission signed Memoranda of Understanding with International IDEA and the America Bar Association (ABA) to respectively support the Commission’s work as contained in its Strategic Plan 2021-2023. The implementation of the identified activities in each Memorandum is expected to commence in January 2023.

#### **1.4.5: Build the capacity of all relevant stakeholders on Human Rights**



*Training of Officers of the National Drug Law Enforcement Agency (NDLEA-G) on Human Rights and Code of Conduct*

The NHRC, in collaboration and partnership with the National Drug Law Enforcement Agency (NDLEA-G), conducted a capacity building training for thirty (30) NDLEA-G officers . The training centered on human rights norms and standards, the role of the NHRC as well as the powers and functions of the NDLEA-G in the fight against the use and trafficking of illicit drugs in The Gambia. The training enhanced the understanding of the NDLEA-G officers about the role and mandate of NHRC, improved their efficiency and professionalism in the execution of their functions, especially in the protection of the rights of suspects and accused persons, and strengthened the mainstreaming of human rights in their work. As a result of the training and subsequent interactions with the Commission, the high command of NDLEA-G expedited the development of their Standard Operation Procedures (SOPs) and the review of their Code of Conduct.

**1.4.6: Conduct sensitization campaigns, radio/TV programs, booklets, posters, leaflets, policy briefs, newsletters, bill-boards, as well as translate materials in vernaculars (see activity 1.2.2)**



*Regional Popularization of the 2019 Universal Periodic Review (UPR) Recommendations: 27th-30th June 2022*

The Report of the UPR Working Group to The Gambia (2019 UPR Recommendations) was popularised in all the Regions and Municipalities of the country from 27th June - 6th July 2022. One hundred and twenty (120) participants, including Local Government officials, members of the Technical Advisory Committees, religious and traditional leaders, law enforcement officers, women, youth leaders and other stakeholders, took part in these regional fora.

The popularisation highlighted the recommendations that were accepted by Government and enhanced their understanding of the mechanisms of holding Government accountable for implementation. The Local Government Authorities present were also urged to include the recommendations in their development plans.

## **Radio Talk Shows on the 2019 UPR Recommendations**

Between 21st and 29th July radio programmes were held on private and community radios throughout the country to intensify the popularisation of the UPR Recommendations. Radio



Stations with wide coverage were chosen, namely: West Coast FM Radio, Radio Gambia, Afri-Radio, Capital FM and Star FM. Community Radios in the Regions were also used to popularise the UPR recommendations. During the programmes, listeners were able to engage the panellists about the UPR process, the various recommendations and what the Government should do to implement the recommendations.

## ***Press Briefings***

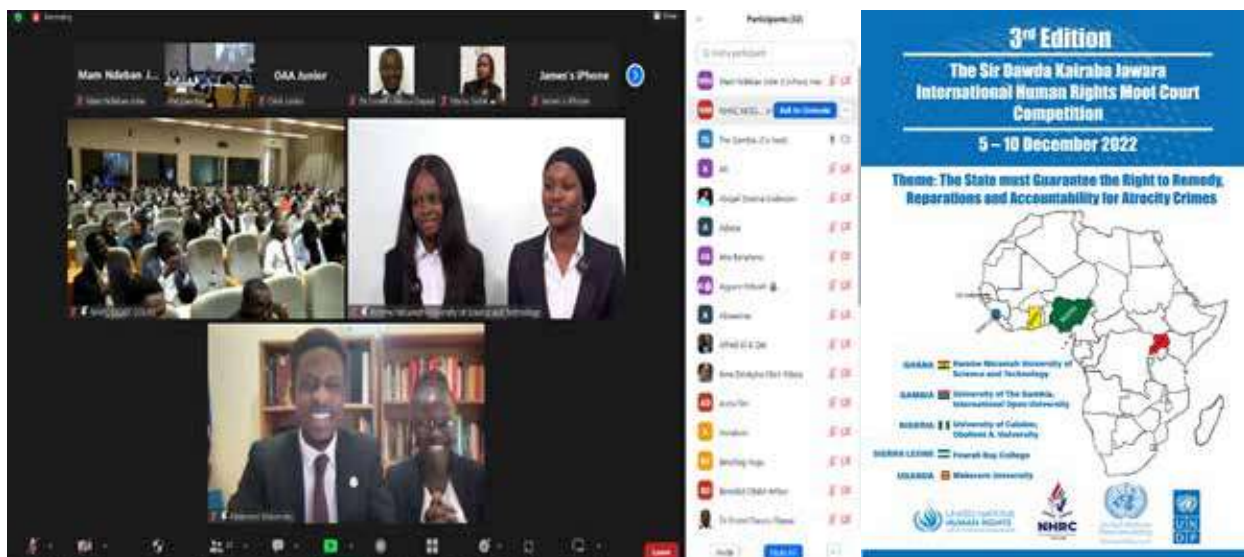
The NHRC conducted Press Briefings to popularise the 2021 Annual Activity Report, the State of Human Rights Report and other key activities undertaken by the NHRC during the year. These briefings served as an opportunity for the media to dialogue with the Commission on its achievements, challenges and plans for 2022.

## ***Press Releases and Statements***

The Commission issued numerous Press Releases and Statements in response to human rights violations or potential violations in the country. It also issued statements on major milestones and the commemoration of international days. They included:

- i. Statement commemorating International Women’s Day, 8th March 2022;
- ii. Press Release on the “Unacceptable Police Brutality against a civilian”, 11th march 2022;
- iii. Press Release on “NHRC at 3-Years Granted ‘A’ Status Accreditation by the GANHRI Sub-Committee on Accreditation”;
- iv. Statement commemorating the Day of the African Child, 16th June 2022;
- v. Statement commemorating World Day Against Trafficking in Persons, 30th July 2022
- vi. Statement commemorating International Day of Older Persons, October 1st, 2022;
- vii. Statement commemorating World AIDS Day, December 1st, 2022;
- viii. Statement commemorating International Day off Person with Disabilities, 3rd December 2022;
- ix. Press Statement on the shooting of 4 Gambians by Senegalese forces, December 14th 2022; and
- x. Statement on Alleged foiled coup plot by some soldiers of the Gambia Armed Forces (GAF), 21st December 2022;

### 1.1.11: Organise human rights competitions for formal and non-formal learning institutions



3rd Edition of the Sir Dawda Kairaba Jawara International Human Rights Moot Court Competition, 5- 10 December 2022

The 3rd 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 PBF-funded OHCHR - UNDP Post TRRC Project and the Swiss Embassy in Dakar, Senegal. For the first time since it was launched in 2020, the Moot Court Competition took an international dimension with the participation of the following Universities, albeit virtually for most of them: the University of The Gambia (The Gambia), International Open University (The Gambia), University of Calabar (Nigeria), Kwame Nkrumah University of Science and Technology (KNUST-Ghana), Makerere University (Uganda), and Obafemi Awolowo University (Nigeria).

The theme of the Moot Court Competition was *“The State must Guarantee the Right to Remedy, Reparations, and Accountability for Atrocity Crimes”*. A hypothetical case was developed around the theme which was the focus of submissions by the mooters, as applicants and respondents.

The theme drew inspiration from the post-TRRC context of The Gambia which raised critical socio-legal and human rights issues facing the African region on accountability for mass human rights abuses.

The final round of the Moot Court Competition was held on 10th December 2022, as part of the commemoration of International Human Rights Day, with Makerere University and Kwame Nkrumah University of Science and Technology as the finalists. Following stimulating submissions by the two Universities, Makerere University was adjudged the winner. The winning and runner-up Universities, Best Oralists and Best Memorial were all awarded certificates and prizes.

Through the Competition, the mooters learned about the African legal system, the role of late President Jawara in consolidating human rights in Africa, transitional justice in Africa and contemporary human rights issues. The competition also helped enhance their legal presentation, research and advocacy skills.



## **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 are 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 the State or private individuals and institutions should have unhindered access to justice and appropriate redress.

Systems for reporting complaints of human rights violations should be effective, transparent, and trusted as victims may lose faith in the system and not report future cases if their complaints are not handled properly, or if the outcome is 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.

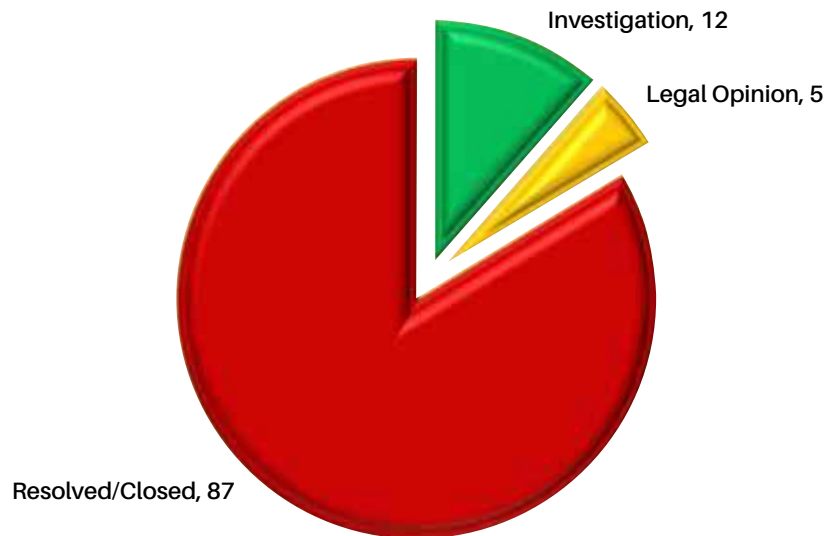
In 2022 the NHRC implemented numerous activities and engaged several partners to advocate for equal access to justice and appropriate redress. It also investigated a total of one hundred and four (104) cases of alleged human rights violations submitted to it by individuals in person or picked up from social media publications.

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

## 2.1.2: Investigations on alleged human rights violations

A total of one Hundred and Four (104) complaints were received. Of this number, eighty-seven (87) cases were resolved, twelve (12) cases are still under investigation, and five (05) are at the legal opinions drafting stage. It is worth noting that nearly twenty-two (22) of these cases received were brought against officers of the Gambia Police Force, Gambia Armed Force, National Drug Law Enforcement Agency-Gambia and Gambia Immigration Department.

### NHRC Complaint Handling Status as at 31st December 2022



### 2.1.3: Make policy recommendations to Government, National Assembly, LGA and private entities on how to better combat human rights abuses.



*Publication of Advisory Note on the Death Penalty*

The NHRC, in accordance with its mandate to promote and protect human rights in The Gambia, reviews existing human rights legislations and policies and makes recommendations to the Government concerning their compliance with international treaty obligations of The Gambia.

In fulfilment of its advisory mandate, the NHRC developed an Advisory Note on the Death Penalty in The Gambia. It highlights the development of capital punishment as a human rights issue in the international forum, examines recent developments on the use of the death penalty in The Gambia and proposes some recommendations aimed at abolishing the death penalty in line with the country's international human rights obligation. It has been shared with the Government, including the Judiciary and the Legislature, and hopes to influence the debate on the abolition of the death penalty in The Gambia.

## **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 employs the following strategies: assisting in ensuring equitable access to justice; ensuring that the conditions of detainees 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:

#### ***3.1.3: Organise legal aid clinics on human rights laws***

##### **Legal aid clinics on human rights laws in the communities of Kunting, Kuntaur Fulla Kunda, Jelani, Bati Ndar and Simbara Hai in CRR North: (14th - 18th March 2022)**

Mobile legal aid clinics were held in five (5) communities in the Central River Region (CRR) North. They were organised in collaboration with the Ministry of Justice, Directorate of Social Welfare, NALA, ADRS and NCCE. As part of the clinic, communities were sensitised on human rights and the work and mandate of the Commission and other institutions working on human rights issues. Participants were also provided legal advice or clarifications on various issues, including economic, social, cultural and legal rights.

Issues raised in the communities visited included the lack of social and basic amenities such as schools, potable water, electricity, health care facilities, good roads, damage to rice fields because of projects implemented by the Ministry of Agriculture, appointments of Alkalos and land disputes between the Alkalos and community members, child marriage, poverty and poor educational facilities.

During the outreach activity, a total of seventy-two (72) human rights complaints were received, out of which forty (40) were from female complainants. Complaints that were within the mandate of the Commission were recorded and entered into the NHRC Case Management System with complainants provided the necessary legal advice or referred to other institutions that have the mandate to handle their complaints.

## ***Work of the Thematic Committee on Vulnerable Groups***

In line with Section 19 of the NHRC Act 2017, the Commission set up a thematic committee on Vulnerable Groups in 2020 to support it in the performance of its functions. The Committee currently constitutes experts on the following thematic areas: women's rights; children's rights; rights of Persons with Disabilities; rights of older persons; rights of persons living with or most vulnerable to HIV/AIDS; youth; migrants and rights of key populations. The experts have provided technical support to the Commission on various human rights issues, organised joint workshops and issued joint statements.

### **i. Commemoration of the International Day of Older Persons**

The 2022 International Day of Older Persons was commemorated under the theme 'Resilience and Contributions of Older Women' which recognises the immense contribution of older women to every facet of national development, including at the household level. As part of the commemoration, the NHRC organised a series of activities which included a one-hour panel discussion on the theme on Afri-Radio; issuance of a Press Statement on the theme and provision of free medical screening and advice to older persons within Banjul, Kanifing and Brikama which was conducted in partnership with The Gambia Association of Resident Doctors (GARD) and Choosan Charitable Medical Foundation, and supported by the UN Country Team. Selected older women were also interviewed to document the challenges they face, their aspirations for a better society and their expectations from the State and other stakeholders.

### **ii. Engagement with principal recipients, sub-recipients, service providers, and key populations to address barriers to accessing HIV and AIDS, and tuberculosis services. (6th - 9th September 2022)**

The National AIDS Secretariat (NAS) in partnership with the National Human Rights Commission (NHRC) conducted three days training for the Principal Recipients of the Global Fund Grants, their Sub-Recipients (SRs), Service providers, and the Key and Vulnerable Population (KPs) on the rights of persons living with HIV (PLHIV) and barriers of access to TB/HIV services. The goal of the engagement included the identification of discriminatory practices that deter KPs from accessing HIV/AIDS and TB treatments, enhance the capacity of selected PRs, SRs, and service providers to effectively provide HIV and AIDS and TB services without discrimination resulting in enhancing access to HIV and AIDS and TB services for PLHIV, the KPs.



## **STRATEGIC OBJECTIVE 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 experienced by certain groups or communities. Therefore, institutional strengthening is of paramount importance to make the Commission an effective, credible, and trusted institution.

Activities implemented under SO4 are as follows:

#### **4.2.3 Conduct study visits to benchmark with sister NHRIs**

An eight-person delegation comprising staff of the Commission and partners from victim-focused organisations, led by the Chairperson of the Commission, undertook an exchange visit to South Africa from 4 - 8 July 2022. The visit, facilitated by a South African NGO called Foundation for Human Rights (FHR), was undertaken primarily to learn how the recommendations of the South African Truth Commission are monitored, best practices and the strategies to put in place to overcome the challenges experienced by South African counterparts when they occur in The Gambia.

Key efforts done after the South Africa study visit included a meeting with the Ministry of Justice to urge the expeditious finalisation of its Implementation Plan of the Government White Paper on the Report of the TRRC, establishment of a multisectoral Monitoring Committee, organisation of conferences on the Government White Paper, engagements with victim-focused organisations to encourage their active involvement in the work of the Commission and development of an online monitoring tool.



*The delegation comprised NHRC, CSOs and staff of Foundation for Human Rights*



*Meeting with stakeholders on transitional justice in South Africa*

#### **4.4.1: Organise a donors' roundtable for the financing of the NHRC Strategic Plan (2021-2025)**

##### **NHRC Donor Roundtable: 2nd February 2022**

In 2021, the Commission began the implementation of its Strategic Plan 2021-2025. As a State organ, the Government is the main source of funding for the Commission. However, due to competing priorities, the allocations from the Government have not been enough to enable the Commission to implement all the activities in its Annual Work Plan.

At the Donor Roundtable, attended by development and donor partners based within The Gambia and in Senegal, the Commission shared and explained its Strategic Plan and discussed the need to ensure the availability of adequate, predictable and flexible funding to deliver its mandate and functions. It is expected that at least forty per cent (40%) of the total funds needed for the effective implementation of the Strategic Plan would be mobilised from development partners and private citizens.

## STRATEGIC OBJECTIVE 5:

### Enforce human rights within the Justice System

The Commission has the mandate 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.

Activities implemented under SO5 are detailed below.

#### **I. Stakeholders’ Conference on the TRRC Recommendations - Beyond the Submission of the TRRC Report: What Next for Effective Implementation and Monitoring of the Recommendations? (16 & 17 February 2022)**

Following the submission of the TRRC final report to the President of the Republic, there was a need to sustain public and stakeholder interest pending the release of the Government White Paper. This Conference discussed the ‘next steps’ in the implementation of the TRRC recommendations, the support stakeholders can render to the Government, the expected roles of the various stakeholders, especially victim-focused organisations, CSOs and UN Agencies, in the implementation process and how the Commission can effectively play its monitoring role.

Through this Conference, stakeholders shared strategies for the effective monitoring of the implementation of the TRRC recommendations to ensure accountability and justice for victims and their families, and the realization of the ‘Never Again’ mantra. It also strengthened the partnership between the Government and non-state actors towards the nurturing of a culture of respect for human rights in the country.

## II. National Conference on Accelerating the Effective Implementation and Monitoring of the Government White Paper on the TRRC Recommendations: 25 - 27 November 2022.

This Conference, organised from 25th - 27th November 2022, was attended by one hundred and twenty (120) participants from Government institutions, international organisations, CSOs, victim-led organisations and victims of human rights violations of the Jammeh regime. Through presentations by experts on transitional justice and panel discussions, there were in-depth dialogues on the contexts and processes that influenced the TRRC Commissioners in the formulation of their recommendations, strategies for the effective implementation and monitoring of the Government White Paper on the TRRC Report, managing public expectations, the plans for the prosecution of those who bear the greatest responsibility for the human rights abuses and violations and strategies to prevent the recurrence of human rights violations in the country. Stakeholders and victims also discussed issues of reparation, psychosocial support and plans of the Government to provide opportunities to other victims who could not testify before the TRRC. A discussion on archiving was led by a representative from the South Africa National Archive and Libraries who provided information on how archiving can be effectively undertaken. She also reiterated the need for The Gambia National Library to be adequately strengthened to fulfil its archiving mandate as per the White Paper.



*Opening ceremony of the Open Society Foundation supported conference.*



*Partners and Victim-Led Organisations making supported presentations*

### **III. POST TRRC PROJECT (Activities implemented from September to December 2022)**

The NHRC has a central role to play in ensuring the Government White Paper on the Report of the TRRC is comprehensively implemented. Additionally, the TRRC Report recommended that the NHRC be the body responsible for monitoring the implementation of its recommendations. Under the White Paper, the NHRC is also assigned the role of supporting the Government to implement some of the recommendations.

The Commission, with financial support from UNDP, is implementing a project which is focused on the popularisation of the Government White Paper on the Report of the TRRC. The main objective of this Project is to contribute to the consolidation of human rights, respect for the rule of law and accountability through the effective monitoring of the implementation of the TRRC recommendations and enhancing of victim participation in the transitional justice process. The following activities were implemented under this project;

#### **1. Development of a monitoring system and tools to track the implementation of the TRRC recommendations - Activity 5.1.2**

A national I.T. firm was contracted to design and develop an online monitoring framework and a risk log matrix to enable the Commission to effectively monitor the implementation of the recommendations. All the main end users have been trained on the operation of the framework. Prior to the online deployment, the contents of the framework were reviewed at a meeting with the Minister of Justice who gave his approval of the system.

The online monitoring system will aid the effective monitoring of the implementation of the White Paper by the NHRC, the tracking of the implementation process by the Government, partner institutions and the public, and the production of timely reports. It is expected to be deployed fully in January 2023, with users trained on how to use it effectively.

T.R.R.C

T.R.R.C Administrator

Dashboard

ACTIVITIES

INDICATORS

DOCUMENTS

FILES / NOTES

Tree View

List View

All Activities

- THEME 1: SOLDIERS WITH A DIFFERENCE
- THEME 2: NOVEMBER 11, 1984 ATTEMPTED COUP
- THEME 3: THE UNLAWFUL KILLING OF KORO CRESKY
- THEME 4: THE CONVOY OF THE PRESIDENT
- THEME 5: STUDENT DEMONSTRATION
- THEME 6: ATTACK ON POLITICAL OPPONENTS
- THEME 7: ATTACK ON THE MEDIA
- THEME 8: ATTACK ON RELIGIOUS FREEDOMS
- THEME 9: THE 'JUNGLES' - UNLAWFUL KILLINGS, TORTURES AND OTHER HUMAN RIGHTS
- THEME 10: THE PRESIDENT'S ALTERNATIVE TREATMENT PROGRAMME
- THEME 11: SEXUAL AND GENDER BASED VIOLENCE
- THEME 12: PRESIDENT'S WITCH HUNT EXERCISE
- THEME 13: ENFORCED DISAPPEARANCES
- THEME 14: THE KILLING OF THE WEST AFRICAN MIGRANTS
- THEME 15: INSTITUTIONAL HEARINGS: NATIONAL INTELLIGENCE AGENCY (NIA)
- THEME 16: INSTITUTIONAL HEARING: PRISONS
- THEME 17: INSTITUTIONAL HEARINGS: JUSTICE SECTOR ENTITIES
- THEME 18: REPARATIONS
- THEME 19: RECONCILIATION
- THEME 20: MEMORIALISATION
- THEME 21: AMNESTY
- THEME 22: THE NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

T.R.R.C

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Dashboard

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IMPLEMENTATION OF THE TRRC RECOMMENDATIONS

IMPLEMENTATION OF THE TRRC RECOMMENDATIONS

Key Performance Indicators

KPI	Latest Value	Trend
Prosecutors trained	1 ↑	
Prosecution Unit Set-up	1 ↑	
Special prosecution unit established	1 ↑	
Yakya Jammeh prosecuted	1 ↑	
Bill of Indictment Prepared for Yakya Jammeh	1 Bill of Indictment	
Yakya J. Jammeh Prosecuted	1 ↑	

## 2. Engage with the relevant institutions on the implementation of the TRRC recommendations - Activity 5.1.3

### Establishment of a Multi-Stakeholder Monitoring Committee to Support the Monitoring of the Implementation of the Government White Paper on the TRRC Report

In the White Paper on the TRRC Report, the Government accepted the TRRC recommendation for the Commission" ....to monitor the implementation of the Report and make recommendations to the Government on better implementation as well as report to the National Assembly annually on the status of implementation".

Towards this end, the Commission has established a Multi-Stakeholder Support Monitoring Committee comprising representatives of CSOs and all the Government Ministries, Departments and Agencies identified as key implementers of the TRRC recommendations.

The function of the Monitoring Committee includes supporting the Commission to monitor the implementation of the TRRC recommendations and provide necessary technical input and regular updates on implementation to be entered into the online monitoring matrix; support the preparation of periodical reports and national initiatives for the popularisation and implementation of the TRRC recommendations.



*Inaugural meeting of the Support Monitoring Committee on implementation of the Government White Paper*

The Committee held its inaugural meeting on 1st December 2022 during which it reviewed and accepted its TOR. At its subsequent meeting, Committee members reviewed the monitoring matrix.



### 3. Regional sensitization and popularisation of the TRRC recommendations in three regions

One hundred and forty – seven (147) participants drawn from communities in the Central River, North Bank and Upper River Regions were sensitised on the Government White Paper on the TRRC Report, from 21- 26 November 2022. The sensitisation activities were held in Janjangbureh, Farafenni and Basse and attended by local Government officials in the regions, women, youth religious and community leaders. All the themes of the White Paper and their recommendations were elaborately discussed in the local languages. Participants were also made to understand their role in the implementation of the recommendations.

This activity was implemented in collaboration with partners from victim-led organizations, namely WILL, the Victim Center, and the Attorney General’s Chambers and Ministry of Justice.



#### 4. Nationwide Caravan on the TRRC Recommendations

A nationwide caravan was organised from 31 October to 8 November 2022 to popularise the Government White Paper on the TRRC Report. The activity was conducted in partnership with the Ministry of Justice, GCVHRV, WILL, WAVE, ANEKED and PATP. The team was accompanied by Bright Star Entertainment who had recorded a jingle on the 'White Paper' on behalf of the NHRC.

The team visited communities in the GBA, KM, WCR, LRR, NBR, CRR, and URR and engaged four thousand seven hundred and twenty-nine (4,729) community members.

Messages on the various themes of the 'White Paper' were developed and used by the Caravan team to raise the awareness of the communities on issues addressed by the TRRC. Presentations were done on the themes of the TRRC, the mandate of the Commission and the role of the Commission in the implementation and monitoring of the White Paper. Discussions were conducted in local languages for the effective engagement of the public. Awareness of the work of the TRRC and the publication of the Government White Paper was high among the participants, and most of them also expressed satisfaction with the Government's intention to implement the TRRC recommendations.

However, critical issues and concerns were also raised by participants during discussions, including the poor communication regarding the payment of outstanding reparations or compensation, fear of 'selective justice' in the implementation of the recommendations, and pessimism that White Paper would suffer a similar fate as that of the Janneh Commission.



*Popularizing the TRRC recommendations through community engagement*

The participants were assured of the Government's commitment to implement the White Paper and the Commission's watchdog role.

## **5. Production and broadcasting of the TRRC recommendations in English and 5 local languages (Jola, Wolof, Mandinka, Fula and Serahule) for both radio and television**

Bright Star Entertainment, a popular local entertainment group well known for their activism and popularity within the country, was contracted to produce a jingle on the Government White Paper on the TRRC Report. In the jingle messages on the themes of the White Paper were communicated in English Language, Mandinka, Wolof, Fula and Sarahuleh. To ensure wider audience reach, the jingle was played on the following radio stations: West Coast FM Radio, Choice FM, QTV Radio, and GRTS. It was also transmitted via online media, including Kerr Fatou and Fatou Network.

With radio stations continuing to serve as a major source of information for the public, the jingle complemented the outreach activities of the NHRC on the 'White Paper' and enabled the public to be aware of the White Paper and understand its main contents..

## **6. Production and broadcast of a sign language video of the TRRC on the Government White Paper**

A video of key messages based on the themes of the White Paper was developed as part of efforts to popularise the TRRC findings and recommendations. The video includes a sign language interpreter who simultaneously interprets the messages for understanding by those who are hard of hearing. For two months the video was broadcast on QTV, GRTS, Paradise TV and social media news platforms such as The Fatou Network and Kerr Fatou. The popularity of these selected media platforms ensured persons within and outside the country, including the hard of hearing, are aware of the Government White.

## **7. Development of NHRC Factsheet on the TRRC Recommendations**

A factsheet on the Government White Paper on the TRRC Report was developed, printed and disseminated to key partners as part of efforts to popularise the TRRC recommendations. It also briefly outlined the rationale for the establishment of the TRRC, the transitional justice process, the thematic areas covered by the TRRC, the expected role of the Commission as assigned to it in the White Paper and the activities undertaken to popularise the TRRC recommendations.

## **8. Capacity Building for the effective monitoring of the implementation of the Government White Paper on the TRRC Report Recommendations, 28th - 30th November 2022**

The effective monitoring of the Government White Paper on the TRRC Report requires institutions that will hold the Government accountable and engage the Legislature to hold the Executive accountable for meaningful implementation.

Commissioners and Staff of the Commission and representatives of victim-focused organisations were trained on the Government White Paper on the TRRC Report and how to effectively monitor the implementation of the recommendations. They were equipped with the necessary skills in the monitoring process and also gained knowledge of monitoring strategies employed by NHRIs in Sierra Leone, South Africa, Sri Lanka, Kenya and Uganda.

## **9. Engagement with the National Assembly on the TRRC Recommendations**



In April 2022, sixty-three (63) National Assembly members took up office with nearly half of them serving in this capacity for the first time. Correspondingly, on May 25, 2022, the Government published its White Paper setting out its position on the TRRC recommendations and how it will implement them.

As the Legislature has an oversight function over the Executive, National Assembly members will play a crucial role in ensuring the TRRC recommendations are implemented comprehensively and effectively. However, with several new members, it was essential that they were made aware of not only the recommendations but also the obligation of the State to implement them to address the human rights violations that occurred during the regime of former President Jammeh and their constitutional responsibility to hold the State accountable.

Through this activity, the NHRC in collaboration with WILL conducted a three day engagement with National Assembly members to make them aware of and understand their role in ensuring the holistic and effective implementation of the White Paper and hold the Executive accountable for the provision of justice, redress, and reparation to victims and survivors of human rights violations.

# CHAPTER 3:

## Conferences and meetings attended by the commission

### i. **Fourth Regional Consultation for National Human Rights Institutions in West Africa, (NANHRI-WA).**

The fourth regional consultation of the Network of National Human Rights Institutions (NHRIs) of West Africa was held in Abidjan, Côte d'Ivoire, from 28th to 29th June 2022. Participants from 14 NHRIs shared experiences on the operations of their human rights institutions and identified strategies for strengthening regional cooperation for the effective implementation of human rights programmes in West Africa.

### ii. **The 77<sup>th</sup> Session of the UN General Assembly**

The NHRC, since its establishment, for the first time participated in the UN General Assembly Session which was held from the 13th to the 23rd of September in New York, USA. This year's theme was "*A watershed moment; transformative solutions to interlocking challenges*". A relevant side event attended amongst others was titled '*Pathways to Moratorium on the Use of the Death Penalty, Effective and Good Practices From Member States*', where member States were urged to abolish the death penalty.

The NHRC also used this opportunity to attend a meeting at the US Department of State Office to Monitor and Combat Trafficking in Persons (J/TIP) in Washington DC along with officials from the National Agency Against Trafficking in Persons (NAATIP), and The Gambian Embassy in the United States of America.

During the meeting, the Vice Chairperson gave a brief overview of the challenges in combatting trafficking in person in The Gambia and solicited support for the Commission to implement its mandate in this regard.

**iii. African Business and Human Rights forum (Accra, Ghana. 9th to 13th Oct. 2022)**

The 2022 African Business and Human Rights Forum brought together stakeholders from across Africa to take stock of progress and discuss challenges and opportunities for promoting responsible business and human rights conduct and corporate accountability in Africa.

**iv. Workshop on enhancing cooperation between the UN and regional mechanisms for the promotion and protection of human rights with a focus on business and human rights (18th 19th October 2022) (Palais des Nations, Geneva)**

Organized by the Office of the High Commissioner for Human Rights in Geneva, Switzerland, this workshop was attended by current and former experts of United Nations human rights treaty bodies and special procedure mandate-holders, representatives of regional and sub-regional human rights mechanisms, and representatives of Governments, National Human Rights Institutions, and Non-Governmental Organizations.

The workshop explored innovative and collaborative methods to enhance cooperation among international and regional human rights mechanisms, civil society, academia, and NHRIs in business and human rights.

**v. NANHRI 5<sup>th</sup> National Human Rights Institutions Forum (19th-20th October 2022)**

The NHRC participated in the Forum organised by NANHRI on the margins of the 73rd Ordinary Sessions of the African Commission on Human and Peoples' Rights under the theme 'Trade and Human Rights in the Africa Continental Free Trade Area (AfCFTA) Agreement: Inclusive implementation of the AfCFTA with the participation of vulnerable populations" held in The Gambia.

NHRIs exchanged experiences on how they are supporting the work of the ACHPR and discussed human rights and the African Continental Free Trade Area (AfCFTA). The forum also discussed how the Agreement can benefit women.

**vi. Regional Dialogue with religious leaders in West Africa on the ECOWAS Transitional Justice Policy Framework Formulation. (24th - 26th October 2022, Petit Brussel, Lome, Togo)**

The regional dialogue was organised by ECOWAS, the Centre for Democracy and Development (CDD) and Tearfund on the ECOWAS Transitional Justice Policy Framework. The forum discussed success stories of religious tolerance and communal reconciliation, and the factors that derail transitional processes in countries in West Africa, including lack of accountability and indifferences of perpetrators. The representative of the Commission, Commissioner Imam Baba Leigh shared with the participants the transitional justice process in The Gambia and the role of religious leaders in the process particularly in the implementation of the White Paper.



*Commissioner Leigh sharing The Gambia experience on Transitional Justice*

**vii. Training of Ombuds Institutions on SDG 16 and Security Sector Governance: Towards Peaceful, Just and Inclusive Societies (5th -6th October 2022)**

This training was part of the DCAF Project on “Linking Security Sector Governance to SDG 16 on peace, just and inclusive societies”. It was organised for Ombuds and Human Rights institutions on the 2030 agenda and sustainable development, specifically sustainable development goal (SDG) 16 on Peace, Just and Inclusive Societies. The main objective of this workshop was to explore the linkages between good governance, security sector reform and SDG16 and how these can be aligned with the mandates of Ombuds institutions.



*Commissioner Dibaba during her presentation on the mandate of the NHRC*

### **viii. Learning Exchange: Monitoring implementation of the TRRC Recommendations (7-11 November 2022)**

The Global Initiative for Justice, Truth and Reconciliation (GIJTR), the International Coalition of Sites of Conscience (ICSC) and the Centre for the Study of Violence and Reconciliation (CSVR) held a five-day learning exchange in Johannesburg, South Africa for 12 Gambian Civil Society Organization (CSO) representatives and three (3) representatives of the National Human Rights Commission (NHRC) as key actors in the monitoring of the implementation of the Gambian Truth, Reconciliation and Reparations Commission (TRRC) recommendations.

The South African case offered important lessons on the role of extensive CSO engagement as both watchdogs on the operations of government and promoters of an active citizenry. It provided a platform to learn about the role of South African CSOs as official monitoring bodies and critical voices in monitoring outcomes and implementation of government-led processes, beyond the TRRC. It also provided a first-hand learning experience from other transitional contexts such as local survivor associations that continue to advocate for reparations on behalf of victims and survivors and the subsequent struggles for accountability, reconciliation, and reparations. Key sites such as Constitution Hill and the Apartheid Museum visited showcased the critical role of documenting transitional processes and making such records publicly accessible.

### **ix. Conference on Victim and CSO participation in accountability mechanism: lessons learnt from the trial of Hissene Habre because the Extraordinary African Chambers in Senegal**

This conference organized by ANEKED brought together Gambians, Chadians, and Senegalese activists, lawyers, human rights groups as well as victims and survivors of the Habré and Jammeh regimes for a learning exchange in hopes of empowering Gambian victims to become lead actors in the pursuit of justice.

The conference also dilated on the role of government and the importance of a political will, the support of the international community and the availability of a suitable judicial mechanism for crimes not provided under domestic legislation such as crimes against humanity.



# CHAPTER 4:

## Assessment of NHRC activities

Monitoring and Evaluation form a critical component of NHRC programming to provide the basis for accountability and informed decision-making. In 2022 the NHRC implemented numerous activities expected to promote and protect the human rights of individuals in The Gambia. To assess the effectiveness and relevance of these activities, the NHRC conducted a beneficiary impact survey by administering an online questionnaire to a small sample participants who took part in some of the activities conducted in the year. The survey was conducted on selected participants who attended the following activities:

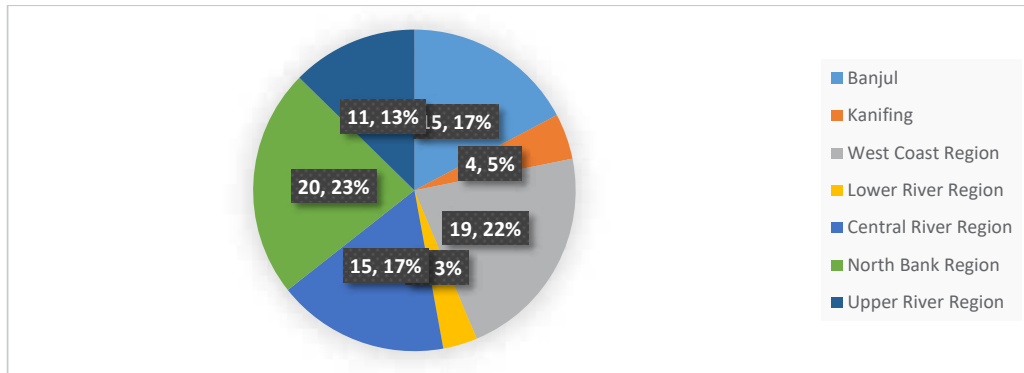
- » Accelerating the Effective Implementation and Monitoring of the Government White Paper on the TRRC Recommendations
- » Capacity Building Training for DLEA-G Officers on Human Rights Standards in Law Enforcement
- » Engagement with the National Assembly on the TRRC Recommendations
- » Mobile Legal Aid Clinic
- » NHRC Stakeholder Conference on the TRRC Recommendations
- » Regional Popularization of the TRRC Recommendations
- » Sir Dawda Kairaba Jawara International Human Rights Moot Court Competition 2022

The participants for the survey were randomly selected and interviewed to identify gaps, success stories and lessons learnt that could improve the way future interventions are designed and implemented.

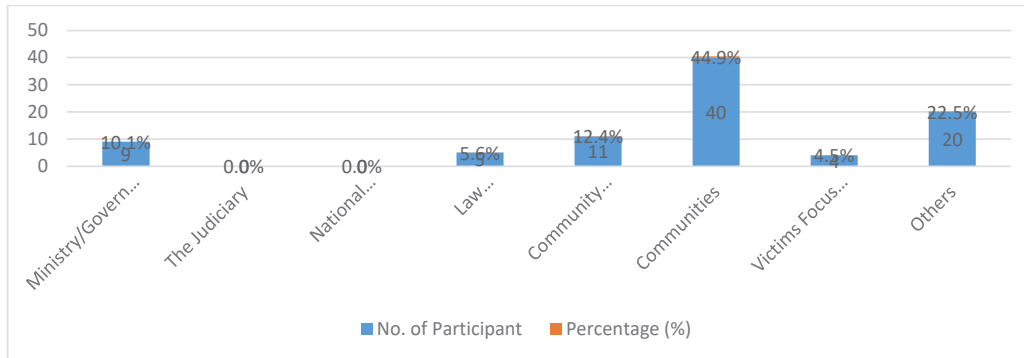
A total of eight nine (89) interviews were conducted with respondents from Government institutions, CSOs, religious leaders, students, scholars, victim focus organisations, and community members amongst others. The questionnaires were administered via email, and with data collectors meeting with the interviewees. In terms of regional variations, the survey findings revealed that majority of the participants were from the North Bank at 23%, the West Coast at 21.8% with Banjul and the Central River Region at 17.2% respectively.

For the period under review, the data revealed that there were fewer participants from the Lower River Region and the Kanifing Municipality.

*A Pie Chart Showing the Regional Distribution of Participants.*



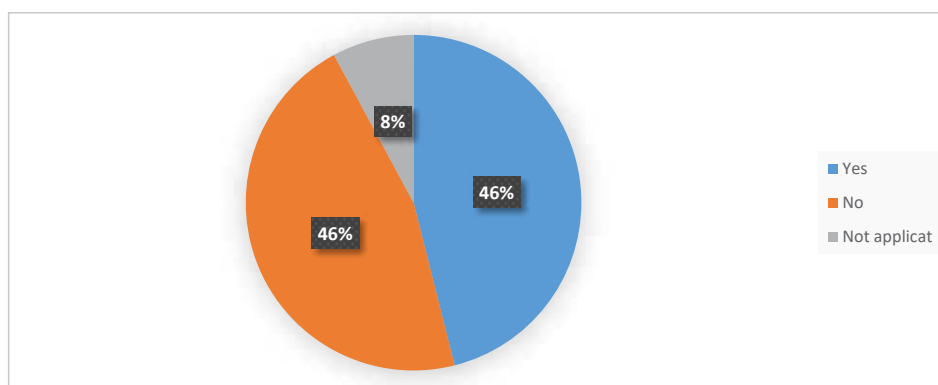
*Graph Showing No. of Participants Interviewed and the Institutions they represented.*



## Main Findings

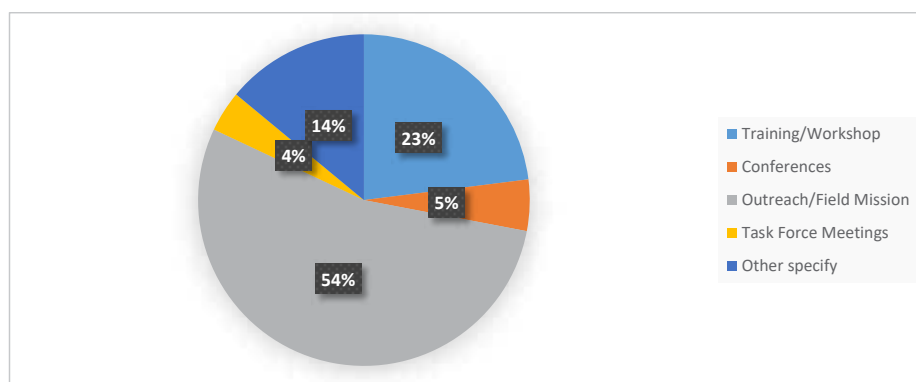
For the question relating to whether the participating institutions have a human rights component, 46% of the respondents stated they did, 46% of respondents stated they did not and 8% responded that it does not apply to them as seen in the chart below. These include Ministries/Government institutions, National Assembly, the Judiciary, Law Enforcement Agencies (GPF, Prison, SIS, GID, DLEA), Community Authorities, VDC members, religious leaders, Victim-Focused Organisations (Solo Sandeng Foundation, WAVE, WILL, Victims Centre) and CSOs.

*Chart Showing institutions with Human Right Component*



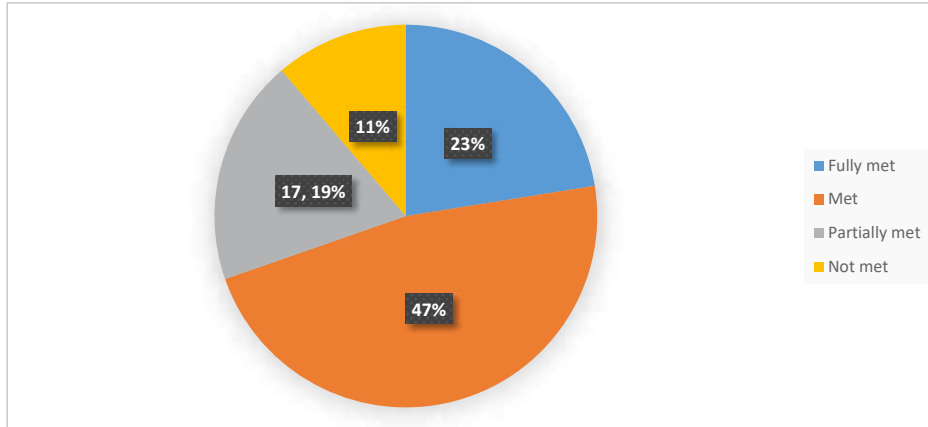
According to the chart below, majority of the respondents 54% stated they participated in Outreach/Field Missions. 23% responded that they participated in NHRC Trainings/Workshops and 14%, 5% and 4% reported participating in other activities respectively.

*Pie Chart Showing the type of activities attended in 2022.*



When asked if the objectives of the activities were met, 22.5% of the respondents said the objectives of the activities were fully met, 47.2% rated them as met while 19.1% and 11.2% said the objectives were partially or not met respectively.

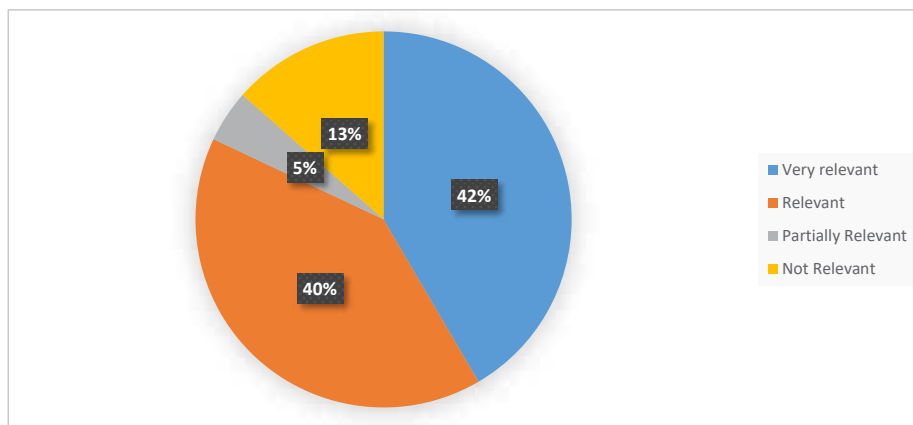
*Pie Chart Showing whether the objectives of the activities are met.*



### **Assessment of Relevance, Effectiveness and Impact**

Regarding the relevance of NHRC activities, respondents were asked how they would rate the relevance of the activities attended to their work. In response, 42% indicated that the activity attended was very relevant, 40% reported relevant, 5% said partially relevant and 13% said the activities they attended were not relevant.

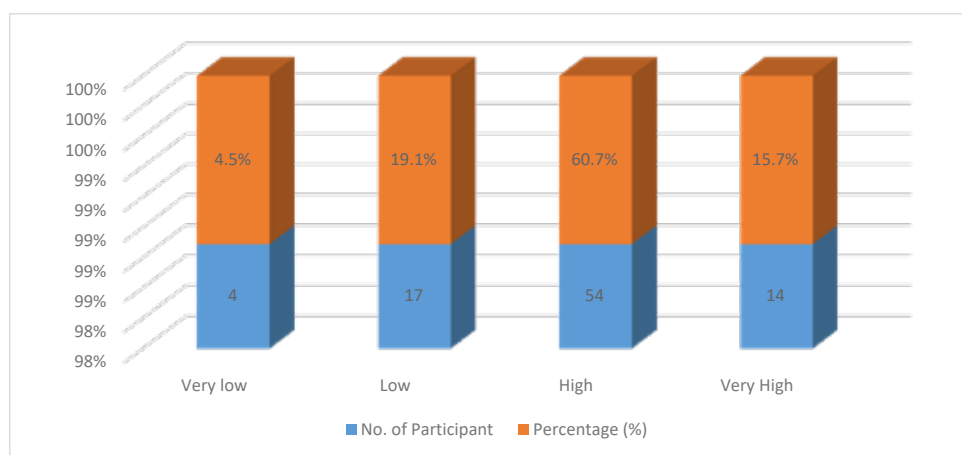
*Pie Chart Showing the Relevance of activities to participants' work/Life.*



## Effectiveness

To assess the effectiveness of the activities, respondents were asked if the activities attended were effectively conducted and contributed to improving services in the participant's institutions or organisations/communities. 15.7% of the respondents replied that the contribution from the activities attended was very high, 60.7% reported the effect as high, while 19.1% and 4.5% reported that it was low or very low respectively. Thus, there is a need to strengthen NHRC interventions to close the significant gap of 23.7%.

*Graph showing the contribution of activities in improving the standards of services.*



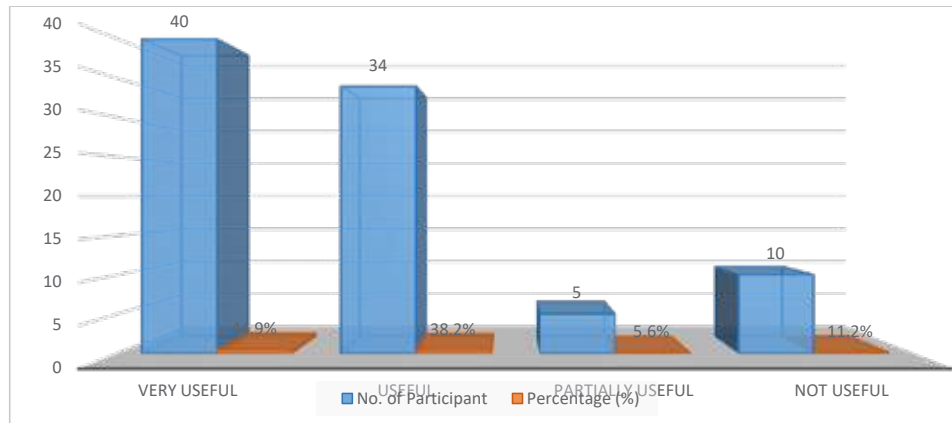
## Usefulness of the activities

To measure the usefulness of the activities, 40 (44.9%) out of the 89 respondents answered that the activities they attended were very useful to both their personal and work lives. 34 (38.2%) said the activities they attended were useful, while 5 (5.6%) and 10 (11.2%) said the activities were partially useful and not useful to their personal and work lives.

Cumulatively, 76.4% of the participants who attended various NHRC activities for the period under review responded that they were useful. They indicated that the activities increased their knowledge and understanding of human rights issues and the mandate of the NHRC. The respondents also stated that decentralization of the Commission eases their access to the services offered.

From the responses, the most referred to 2022 activities conducted were the Moot Court, the Popularisation of the Government White Paper on the TRRC report, the Mobile Legal Clinic, and the Nationwide Caravan.

**Graph Showing the Usefulness of NHRC Activities.**



Participants were asked to describe the changes made or realised because of the activity attended. While most of the respondents from institutions who have participated in the trainings reported the integration of human rights in their work, many community members reported that NHRC activities have contributed to their understanding of human rights and by extension respecting the right of others in their communities. However, the majority of those interviewed stated that they are still waiting for the implementation of the White paper as promised by the government. Below are comments made by some of the respondents:

*“Hence the attainment of the training I was able to understand issues surrounding Human Rights obligation and standards”. It has improved my understanding. However, I am waiting for the implementation.*

*“The activity made a lot of changes in my work; it has equipped me with knowledge that enhanced my work in my area of responsibility”.*

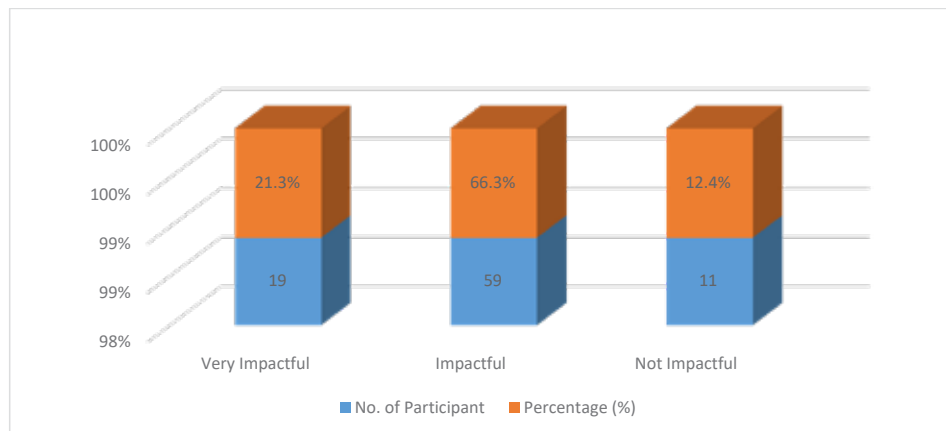
Another responded that *“Due to my participation in the moot court competition, I was able to properly understand the theme of the moot court competition.*

Thus, enabling me to fully appreciate and understand the need to provide victims of human rights violations with adequate remedies and reparations”.

## Relevance

Regarding the impact of the intervention on the participants’ work/institution/community, respondents were asked using the rating of very impact, impactful and not impactful. The results revealed that 21.3% and 66.3% rated the interventions as very impactful and impactful respectively, while 12.4% rated the interventions as not impactful.

*Graph showing rating of impact for NHRC activities in 2022.*



Overall, almost all the respondents showed their appreciation for the work of the NHRC commenting that it broadened their understanding of the Commission. Some respondents also mentioned that because of the activities attended, they are now more tolerant and relate to people better. Going forward, the NHRC plans to conduct this assessment annually to equip it with the necessary information for planning, policy and informed decision-making. The results of the assessment will be used to improve ongoing implementation, including modifying existing or developing new implementation plans.

# CHAPTER 5:

## Lessons Learned and Challenges

### Lessons Learned

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

1. **Prioritisation:** As an institution with limited resources, the NHRC must prioritise its activities and interventions to harness the greatest impact of its work.
2. **Building Partnerships and Collaboration:** Building and maintaining strategic partnerships is critical to the achievement of our mandate, especially at the grass root level and remote communities.
3. **Promotion of the Indivisibility of human rights:** For most individuals, human rights are limited to 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 cultural rights and the indivisibility and interrelatedness of human rights.
4. **Addressing 'sensitive' human rights subjects:** Tackling entrenched discriminatory practices against marginalised and vulnerable populations is a slow process that requires patience and tact and continuous engagement with duty bearers and communities.
5. **Expanding human rights services to regions:** the establishment of the regional offices has provided visibility to the work of the Commission and the accessibility of its services by remote communities and vulnerable members of the society. However, there is still a need to ensure that it has presence in all the regions of the country thereby making its services easily accessible by all.



## Challenges

Despite the successes registered since its operation, the NHRC is faced with numerous challenges which threaten the effective implementation of its mandate. The main challenges are as follows:

1. Inadequate and decreased funding from the Government which affected the implementation of the 2022 planned activities in line with the Commission's Strategic Plan.
2. Inadequate in-house technical capacity on emerging human rights issues such as Business and Human Rights, human rights and climate change, protection of key population and post-ante evaluation of policies.
3. Lack of witness protection facilities to provide adequate protection to the Commission's complainants, witnesses, and respondents.
4. Absence of a nationally standardized education curriculum on human rights which hampers the Commission's efforts to introduce Human Rights Education in the education system.
5. Inadequate material resources to effectively support the operations of the NHRC (office space, equipment, vehicles and generator for both central and regional offices).
6. Insufficient funding to embark on massive and prolonged human rights awareness and education and conduct studies and research on pertinent human rights issues.
8. Inadequate financial support to continue the opening of offices in the remaining regions of the country.
9. Inadequate vehicles to enable the Commission conduct extensive community social mobilisation, monitor and investigate human rights violations in remote communities of the country.
10. Lack of permanent infrastructure for the Secretariat and Regional Offices which compromises its independence as per the Paris Principles and high cost of rents eats into the Commission's financial allocation from the Government.

# CHAPTER 6:

## Financial Overview

### Introduction

The year 2022 was the second year implementing the NHRC Strategic Plan. During the planning phase for the 2022 programme of activities, it was determined that a total budget of sixty-nine million, two hundred and thirty-five thousand, nine hundred and eighteen Dalasi (GMD 69.2m) would be required to implement all the activities identified for the period. This also included activities rolled over that were not implemented in the previous year.

Following NHRC bilateral consultations with both the Ministry of Finance and the National Assembly respectively, a total budget of fifty-four million six hundred and seventy-eight thousand, eight hundred and twenty Dalasi (GMD54.7m) was approved for the NHRC for the year 2022. This comprised both Personal Emoluments (PE), budgeted at thirty-one million, five hundred and thirty-seven thousand, three hundred and twenty Dalasi (GMD31.5m), and Other Charges (OC) budgeted at twenty-three million, one hundred and forty-one thousand, five hundred Dalasi (GMD23.1m). The approved budget from the government represented 79% of the NHRC's total budgetary requirements for the year.

During the year, the Ministry of Finance initiated a budget review exercise to cater for the approved 30% increment of basic salaries among other unforeseen government commitments. This exercise led to a revised total budget for the NHRC to fifty-three million, seven hundred and sixty-six thousand, two hundred and sixty-five Dalasi (GMD53.8m). The PE budget increased to thirty-three million, one hundred and eighty-five thousand, eight hundred and twenty-five Dalasi (GMD 33.2m) to allow for the 30% salary increment, funded through the OC budget which decreased to twenty million, five hundred and eighty thousand, four hundred and forty Dalasi (GMD 20.6m).

The NHRC, through its resource mobilization efforts, was also able to obtain donor funding for some of its 2022 programmes and activities amounting to approximately eight million seven hundred thousand Dalasi (GMD8.7m).

## **Government Allocation**

From 1st January to 31st December 2022, an amount of GMD 49.3m was allocated to the NHRC by the Ministry of Finance, as shown in the following table. This amount represents 92% of the total 2022 NHRC revised budget approved by the National Assembly. In addition, a total of GMD8.7m, also shown in the same table, was received from development partners.

In total therefore, the NHRC obtained funding for 84% of its overall budgetary requirements for 2022 - total funds received were GMD58.1m against a total budgetary requirement of GMD69.2m.

## **Expenditure From Government Funding**

As of 31st December 2022, the total expenditure against the NHRC budget approved by the National Assembly amounted to GMD 47.2m. This amount represents a total absorption rate of 96% and 88% of the total funds allocated to the NHRC and the budget for the 2022 fiscal year respectively.

Expenditure on personal emoluments (PE) as of 31st December 2022 was GMD 28.5m against a total allocation and budget of GMD 29.2m and GMD33.2m respectively. This represents a 98% absorption rate against allocations and 86% against budget.

Other recurrent expenditures or other charges (OC) as of 31st December 2022 amounted to GMD 18.7m against a total allocation and budget of GMD20.2m and GMD20.6m respectively. This represents a 93% absorption rate against allocations and 91% against budget.

The expenditure lines under the Other Charges category are as shown in the following table:

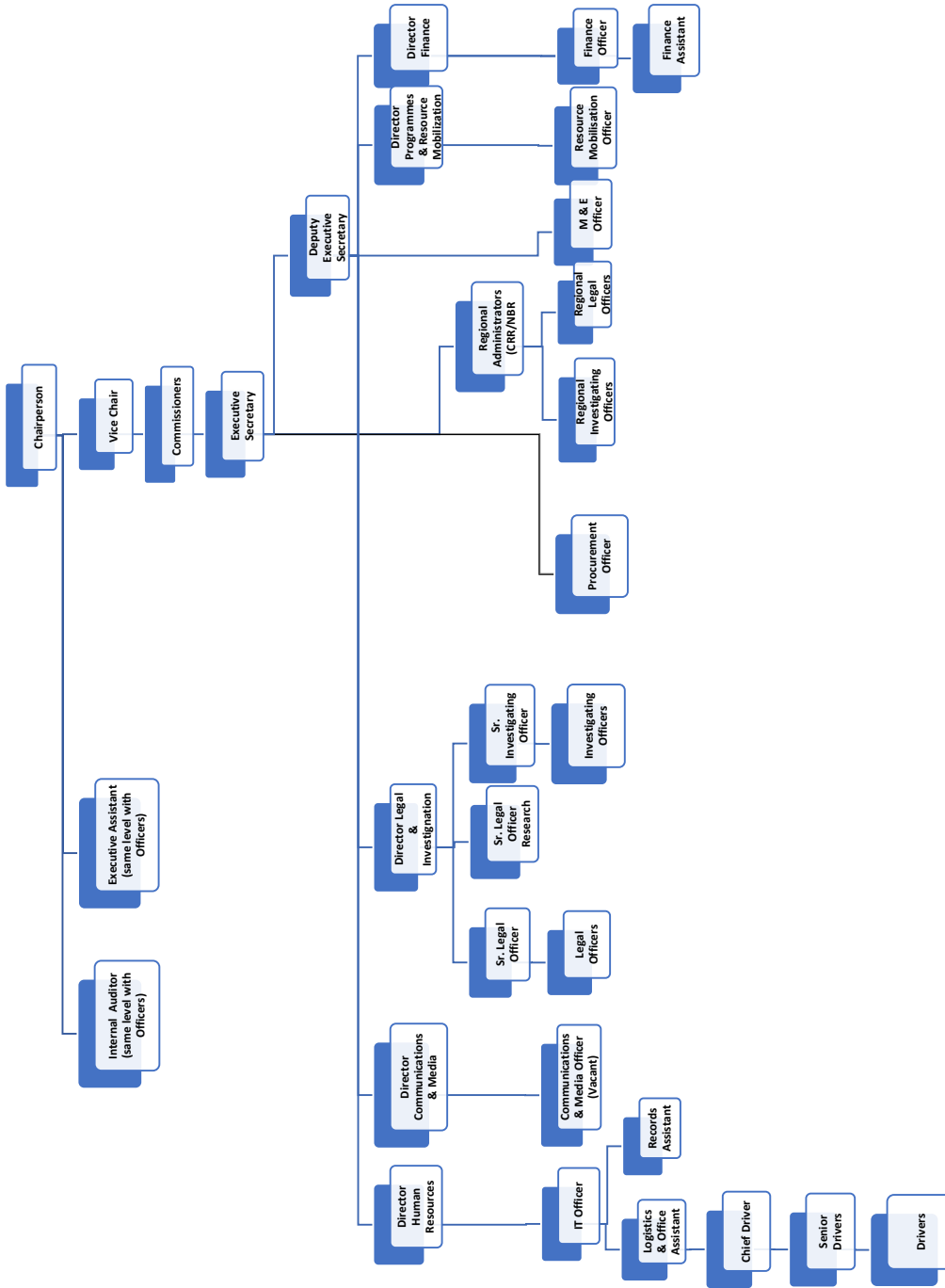
<b>EXPENDITURE TYPE</b>	<b>GMD</b>
Travel	1,753,770.86
Telecommunication	1,278,219.21
Electricity and water	399,941.34
Annual Office Rent	1,720,000.00
Fuel	2,443,500.00
Maintenance of Vehicles	466,009.68
Maintenance of Building and Facilities	279,200.00
Maintenance of Equipment	70,000.00
Conferences, Workshops and Seminars	1,244,342.50
Stationery	213,505.00
Miscellaneous Office Expenses	499,359.35
Official Entertainment	25,000.00
Printing Expenses	784,960.00
Training	969,103.12
Motor Vehicles	4,395,425.00
Contribution to International Organisations	294,565.00
Office Equipment	884,050.00
Furniture & Fittings	299,750.00
Motor Vehicle Insurance	320,000.00
Expenses of Committees	111,100.00
Advertisements and Publications	271,448.00
<b>Total</b>	<b>18,723,249.06</b>

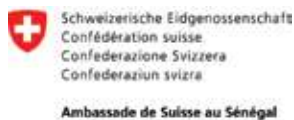


The following table shows a breakdown of the funding mobilised from development partners and the activities for which the funds were utilised.


# ANNEXES

## Organogram of The National Human Rights Commission





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