

**Review of the June 2011 UK Border Agency Country of Information Service
*The Gambia Country of Origin (COI) Report***

Commissioned by Dr Khalid Koser, Chair of the Independent Advisory Group on
Country Information (IAGCI)

Prepared by Stephanie Huber and Elizabeth Williams (Asylum Research
Consultancy – ARC) and Dr Pamela Kea (University of Sussex)

August 2011

Content

Background	p. 2
Scope of the review	p. 2
Methodology	p. 3
Executive Summary	p. 4
Review	p. 6

Background

Stephanie Huber & Elizabeth Williams – Asylum Research Consultancy (ARC)

Stephanie and Elizabeth, specialist COI researchers, both have over four years experience of conducting COI research to support individual asylum and human rights claims at the Immigration Advisory Service (IAS). Upon leaving IAS in September 2010 they set up 'Asylum Research Consultancy' (ARC) in order to continue to provide a case-specific COI research service and to undertake research, advocacy and training to improve the quality of refugee status determination (RSD), and in particular, the use of COI. ARC also produces a free bi-monthly COI Update which provides notification of new UK Country Guidance cases, new UKBA COI publications and developments in the top refugee-producing countries.

For further information visit www.asylumresearchconsultancy.com or email ARC at info@asylumresearchconsultancy.com

Dr Pamela Kea – University of Sussex

Dr Pamela Kea, an anthropologist with a M.Sc. and a Ph.D. in Social Anthropology, has carried out research on gender and processes of socialisation in West Africa and particularly in The Gambia since 1993. She has also lived in The Gambia from 1993 to 1995 and from 1997 to 1998 to undertake research and returns to The Gambia on a regular basis to carry out further research. She has written extensively upon socio-cultural, political and economic issues in The Gambia and since 2002 has been instructed as an expert in this field by law firms and refugee/migrant organisations.

Email: P.J.Kea@sussex.ac.uk

Scope of the review

As outlined in a briefing to the reviewers written by Richard Lederle, Head of Country of Information Service (COIS) at the UKBA, the reviewers understand the nature and purpose of the *The Gambia Country of Origin (COI) Report* to be of use by decision makers in assessing and determining the main bases of asylum and human rights claims made by Gambian nationals. These currently are:

- Gambian's speaking out about the government, especially journalists
- FGM
- LGBT related claims
- Medical – availability of medical drugs/treatment

In line with the invitation to tender and instructions received by Dr Khalid Koser, this review seeks to evaluate the *The Gambia COI Report* by:

- (i) Assessing the extent to which information from source documents has been appropriately and accurately reflected in the COI Report;
- (ii) Identifying additional sources detailing the current human rights situation in the country;
- (iii) Noting and correcting any specific errors or omissions;
- (iv) Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

Methodology

This commentary is based upon an analysis of all of the sources and information cited in the June 2011 *The Gambia Country of Origin (COI) Report*. This analysis comprised a cross-check of the COI report's contents with the original source of information and a comparison to other publicly available sources of information which conformed to established best practice criteria for COI research: transparency and retrievability, accuracy, range and reliability of sources, currency and relevance of the information. The COI report was also checked for errors, omissions and inconsistencies and the accuracy of its referencing, structure and general user-friendliness was assessed. Although not explicitly mentioned in the instructions received for this review, on some occasions the reliability and validity of certain sources was assessed. Research was also undertaken for additional sources of information that may be useful for inclusion in future COI reports on The Gambia and information that should have been included in this report to make the report more accurate or up to date has been identified. This was done by consulting COI and news article databases, online libraries of human rights organisations and by conducting internet searches on particular topics. Where additional sources are recommended for inclusion, they are presented in reverse chronological order. For Annex E 'References to Source Material' track changes have been made and commentaries have been included where necessary. To assist with specialist knowledge on specific issues and particular sources, Dr Pamela Kea, an expert on The Gambia, was consulted. As well as adding additional sources, she analysed, cross checked and updated existing sources in the COI report.

The review for sections 1-6 and Annex A-D were undertaken by Dr Pamela Kea, while the rest of the COIS report was reviewed by Stephanie Huber and Elizabeth Williams, with additional analysis provided by Dr Pamela Kea. This explains for the variance in formatting.

Executive Summary

In general, the June 2011 COI Report on The Gambia accurately cites the original source of information, makes a clear distinction in the use of direct quoting and paraphrasing and for certain sections is well-balanced. However, for other sections, more information from a wider variety of sources is recommended.

Specific findings and recommendations are listed below under the respective best practice criteria for COI research.

Transparency and Retrievability

- There are insufficient cross section linkages, particularly in the sections relating to the treatment of perceived or real government opponents and journalists with those addressing prison conditions, torture practices, the independence of the judiciary, possibility of a fair trial and the prevalence of corruption.
- Sources of information have been inaccurately or incompletely referenced.
COIS – presumably this is “some” sources were inaccurately or incompletely referenced?
- It is recommended that for all online sources, the date of publication is cited in addition to the date that the source was accessed. Where this information is not available, the date should be cited as ‘undated’ in order to alert users to the potential lack of currency of the information.
COIS – we accept this point, and it is our general practice.
- In some instances, the wrong or inactive hyperlinks have been used.
- In Annex E ‘References to Source Material’ it is recommended that the sources are presented in alphabetical order to improve user friendliness.
COIS – thank you. We do not propose to change our current system of source referencing. It is embedded across our reports and our users are familiar with it.

Accuracy

- Minor instances were found in which the excerpt of the COI Report was not fully representative of the original source of information.

Range and Reliability of Sources

- Only few instances have been found where the information included was not relevant to the section or to the purpose of the COIS report.
- In several sections of the COI Report there is a lack of information and a lack of variety of sources.
- There is a general heavy reliance and in some sections, an over-reliance on the 2010 U.S. Department of State Human Rights Report.
- Despite identifying ‘Gambian’s speaking out about the government, especially journalists’ as one of the main categories of claims, the report contains extremely limited information on this risk group, particularly those perceived as or real political opponents, despite relevant COI being available in the public domain on this issue.
- Limited information has also been included on the independence of the Gambian judiciary and the availability of a fair trial, which are closely related issues in relation to a claim based on persecution by the state due to an imputed political opinion.
- For many sections of the COI Report, both additional excerpts from sources already cited in the COI Report and new additional sources of information have been recommended for inclusion.

- When referencing lesser known or unusual sources, it is recommended that some background information on the source is provided in a footnote and that for some sources caution is expressed with regards to the validity of the information.
COIS – this is a sensible point. We will give it further consideration.

Currency

- The most recent or updated source was not always cited, despite being available at the time of publication. Sources that are known to be updated on a regular basis should be accessed again shortly before publication.
COIS – this is a sensible suggestion.
- As above, in order to alert users to the potential lack of currency of the information, it is recommended that for all online sources, the date of publication is cited in addition to the date that the source was accessed. Where this information is not available, the date should be cited as 'undated'

COIS – thank you for these observations. We will deal with specifics below.

Review

Background Information

1. Geography

1.01 Located on the west coast of North Africa, with an area covering 11,295 sq km, The Gambia is surrounded by Senegal with a border stretching some 740km. (Central Intelligence Agency (CIA) World Factbook, last updated ~~12 July 2011~~ ~~May 2011~~) [3a] (Geography)

COIS: Thank you. We are aware that this source is updated regularly and in this instance accessed the source again shortly before publication, citing the most recent update at that time. The date cited by the reviewer is after the publication date.

1.02 The population of The Gambia as at July 2011 was estimated to be 1,797,860. (CIA World Factbook, last updated ~~12 July 2011~~ ~~May 2011~~) [3a] (People) Banjul, the Capital has an estimated population of around 50,000. (Foreign and Commonwealth Office, ~~18 July 2011~~ ~~26 April 2010~~) [4a]

COIS: As above.

1.03 The United Nations (UN) Human Rights Council, *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1: [Universal Periodic Review]: Gambia*, published on 20 January 2010, stated that:

“The capital city of Banjul has a population of about 34,828 excluding suburbs (2003 census), but is exceeded in size by both Brikama (42,480 inhabitants in 2003) and Serrekunda (151,450 inhabitants in 1993)... Along with the capital, the country is divided into seven administrative areas; five regions and two municipalities, the City of Banjul and Kanifing municipality. The five regions are the Western Region, Lower River Region, Central River Region, Upper River Region and the North Bank Region.” [11a] (p23)

COIS: Thank you. We will correct the page number of the source if used again in the next update.

Additional information on population:

The rate of population growth is “4.2 per cent per annum. Nearly 49 per cent of the Gambia's population is below 18 years of age, with 19 per cent age 15 to 24, and 22 per cent of women age 15 to 49. Approximately 69 per cent of the population is below the poverty line. In rural areas, 60 per cent of households are extremely poor. The highest levels of poverty are found in the Central River Division (CRD), Lower River Division (LRD) and Upper River Division (URD)”. (Accessed on 18/8/11; UNICEF report Sept. 2004; http://www.unicef.org/infobycountry/gambia_1776.html).

1.04 The Mandinka made up the largest ethnic group at 42 per cent followed by Fula 18% per cent, Wolof 16 per cent, Jola 10 per cent and the Serahuli 9 per cent. Other groups made up 4 per cent. (CIA World Factbook, last updated ~~12 July 2011~~ ~~May 2011~~) [3a] (People)

COIS: Thank you for the additional information. Re the update of the CIA Factbook – see points above.

[...] 1.06 An estimated 90 per cent of The Gambia's population are Muslim, with Christians making up eight per cent and two per cent have indigenous beliefs. (CIA World Factbook, last updated ~~12 July 2011~~ ~~May 2011~~) [3a] (People)

2. Economy

[...] 2.02 The Foreign and Commonwealth Office (FCO) *Country Profile on The Gambia*, updated 26 April 2010, stated that:

“The Gambia has no important mineral or other natural resources and has a limited agricultural base. About 75% of the population depend on crops and livestock. Their livelihood is highly dependent on rainfall. Small-scale manufacturing activity includes the processing of groundnuts, fish, and animal hides. Re-export trade to neighbouring countries makes a significant contribution to the economy, but is dependent on fluctuating relations with Senegal. Tourism, and associated construction industry, are a mainstay of the economy, as are remittances.” [The main text of this COI Report contains the most up to date publicly available information as at 18 July 2011](#) **[4a]**

2.03 The Central Intelligence Agency (CIA) World Factbook, last updated [12 July 2011](#) ~~May 2011~~, noted that:

“The Gambia has sparse natural resource deposits and a limited agricultural base, and relies in part on remittances from workers overseas and tourist receipts. About three-quarters of the population depends on the agricultural sector for its livelihood. Small-scale manufacturing activity features the processing of peanuts, fish, and hides. The Gambia’s natural beauty and proximity to Europe has made it one of the larger markets for tourism in West Africa, boosted by government and private sector investments in eco-tourism and upscale facilities. In the past few years, The Gambia’s re-export trade - traditionally a major segment of economic activity - has declined, but its banking sector has grown rapidly. Unemployment and underemployment rates remain high; economic progress depends on sustained bilateral and multilateral aid, on responsible government economic management, and on continued technical assistance from multilateral and bilateral donors. The quality of fiscal management, however, is weak. The government has promised to raise civil service wages over the next two years and the deficit is projected to worsen.” **[3a] (Economy)**

2.04 The CIA World Factbook provided additional basic economic data:

GDP real growth rate, estimated at 5% (2010 est.)

Inflation rate, estimated at 5.5% (2010 est.)

Unemployment rate N/A

Labour force estimated at 777,100 (2007)

Labour force by occupation: Agriculture 75%, industry 19%, services 6% (CIA World Factbook, last

updated [12 July 2011](#) ~~May 2011~~) **[3a] (Economy)**

COIS: As above, the sources are continuously updated. At the time of drafting the report the most up to date sources were cited.

3. History (1965 to 2011)

Additional information:

Huges, Arnold and David Perfect. 2006. *A Political History of the Gambia, 1816-1994*. University of Rochester Press.

Taal, E. M. ‘Senegambian Ethnic Groups: Common Origins and Cultural Affinities, Factors and Forces of National Unity, Peace and Stability. April 22, 2010. <http://thepoint.gm/africa/gambia/article/senegambian-ethnic-groups-common-origins-and-cultural-affinities-factors>.

COIS: Thank you. These are useful sources and we will consider including these if they are still relevant when the report is next updated.

[...] 3.02 The Access Gambia website’s history page, accessed on 23 February 2011 noted that “Jammeh remains in power and has brought some degree of stability to the country. Tourism is back in a big way, and the Gambian infrastructure is improving, as evidenced by the modern Banjul International

Airport and new roads. Expectations among Gambians are high, though it may prove difficult for the government to implement all of its promises.” [29a] I would question the accuracy of this statement. Access Gambia is a web portal with information on various aspects of Gambian society. No sources are provided for the information.

COIS: We will review the source, and see if a more traceable alternative can be identified. If the reviewers are aware of more reliable and traceable sources, we would welcome seeing this/these.

Additional References:

Bellagamba, Alice. 2008. “Today’s Elders, Yesterday’s Youth: Generations and Politics in the 20th century Gambia”. In *Generations in Africa: Connections and Conflicts*, ed. Erdmute Alber, Sjaak van der Geest and Susan R. Whyte. Berlin: Lit Verlag. (For an analysis of recent political changes and intergenerational relations).

Wiseman, John. 1996. ‘Military Rule in The Gambia: an Interim Assessment’. *Third World Quarterly*. 17 (5): 917-940. (For an analysis of the military coup in 1994).

Wiseman, John. 1997. ‘Letting Yahya Jammeh off Lightly’. *Review of African Political Economy*. 24 (72): 265-269. (For an analysis of the military coup in 1994).

Ceesay, Ebrima. 2006. *The Military and Democratisation in The Gambia*. Trafford Publishing.

COIS: Thank you. The history section is designed to be kept brief and provide some context to the current situation. We will consider using these sources in the next update, at least referencing them.

4. Recent Developments (January 2011 to July 2011-MARCH 2011)

Additional Information:

UNHCR Ref World.

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&skip=0&coi=GMB> (For recent information on the political situation and human rights in The Gambia).

Amnesty International

<http://www.amnesty.org/en/region/gambia> (Recent information on the political situation and human rights in The Gambia)

Federation Internationale des ligues des droits de l’Homme <http://www.fidh.org/-english-> (Recent information on the political situation and human rights in The Gambia)

COIS: These are useful sources provided by the reviewer; We will consider including these for this section if they are still relevant when the report is next updated.

6. Political system

Overview

6.01 The Central Intelligence Agency (CIA) World Factbook, last updated 12 July 2011~~6 May 2011~~, noted that The Gambia is a multiparty, democratic republic. The Government consists of both Executive and Legislative branches. [3a] **(Government)**

COIS: As above.

The Legislative branch

6.07 The CIA World Factbook noted that the unicameral National Assembly had fifty-three seats, forty eight members who are elected by popular vote and five appointed by the President to serve five year terms. The last election was held on 25 January 2007, with the next one due to be held in [November 2011](#). **[3a] (Government)**

COIS: In paragraph 6.07, we cited the CIA World Factbook as noting the elections for the National Assembly were to be held in 2012. The reviewer has changed the date in the COIS citation to November 2011 which is when the Presidential elections are due to take place, as noted by COIS in paragraph 6.05 in the report. The CIA World Factbook, updated 30 August 2011, accessed on 6 September 2011, noted that the elections for the National Assembly were to take place in 2012.

Human Rights

7. Introduction

Paragraph 7.01

At paragraph 7.01, the “United Nations (UN) Human Rights Council” is identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. This is incorrect. The document is published by the United Nations (UN) Human Rights Council, but written and submitted to the UN Human Rights Council by The Republic of The Gambia. Amendments should be made in all relevant paragraphs throughout the COIS report and in ‘Annex E References to Source Material’.

COIS: We are grateful to the reviewer for highlighting this point and will amend this for the next update of the report.

The original source continues with the following information not included in the COI Report which is recommended for inclusion since it sets out the human rights that are protected under the Gambian Constitution:

[...] The rights include:

A. Protection of the right to life

10. The right to life is guaranteed in the 1997 Constitution of The Gambia as a fundamental human right from which no derogation is permitted even in time of public emergency which threatens the life of the nation.

11. The death penalty was abolished in 1993 by the Death Penalty (Abolition) Act 1993 but reinstated in 1995 by Decree No. 52 entitled the Death Penalty (Restoration) Decree, 1995. Among the reasons given for the restoration of the death penalty were that “since the abolition of the death penalty in The Gambia there has been a steady increase of cases of homicide and treasonable offences which, if not effectively checked, may degenerate into a breakdown of law and order” and that the duty dawned on the “State to provide adequate mechanisms for the security of life and liberty of its citizenry thereby maintaining law and order and ensuring greater respect for individual human rights.”

12. The application of the death penalty is limited only to murder and treasonable offences. Even with that, it can only be imposed where the offence resulted in death, or the administration of any toxic substance, resulting in the death of another person.” Thus, the fact that the death penalty is limited to these offences means it is quite an exceptional measure meant for “most serious crimes”. The courts have imposed death sentences on accused persons convicted of murder since 1995 but none is executed yet.

13. Furthermore, Gambian law prescribes that the procedural guarantees, including the right to a fair hearing by an independent tribunal, the presumption of innocence, the minimum guarantees for the defence, and the right to review by a higher tribunal prescribed must be observed before the death penalty can be imposed. These rights are applicable in addition to the particular right to seek pardon or commutation of the sentence.

B. Protection from torture and inhuman treatment

14. The prohibition of torture, inhuman or degrading punishment or other treatment is absolute in that even in situations of public emergency this provision is non-derogable.¹ Even though the Constitutional prohibition of torture is not yet supported by the creation of a specific offence of torture under the country's criminal law, the offences in the Criminal Code such as threatening violence, common assault, assault causing actual bodily harm, assault causing grievous bodily harm and laws and regulations such as the Judges Rules and the Evidence Act have also been put in place to give effect to the prohibition of torture.

C. Protection of the right to personal liberty

15. The Gambian Constitution guarantees "every person" the right to liberty and security of person. This means the right to personal liberty and security of person is applicable to all deprivations of liberty, whether in criminal cases or in other cases such as, mental illness and immigration control.

16. It is prohibited under the Constitution to subject anyone to arbitrary arrest or detention and no one is to be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law.

17. The Constitution provides further that any person who is arrested or detained shall be informed as soon as is reasonably practicable and in any case within three hours, in a language that he or she understands, of the reasons for his or her arrest or detention and of his or her right to consult a legal practitioner. Persons who are arrested or detained for the purpose of bringing them before a court in execution of the order of a court or upon reasonable suspicion of them having committed, or being about to commit a criminal offence must be taken to court within seven-two hours as required by the Constitution.

18. The Constitution also requires that a person brought before a court in execution of the order of a court shall not thereafter be further held in custody in connection with those proceedings or that offence save upon the order of a court.² Persons arrested or detained who are not tried within a reasonable time must be released either unconditionally or upon certain conditions as are reasonably necessary to ensure that they appear at a late date for trial.³ Criminal cases are also to be dealt with within a reasonable time.

19. The Constitution further provides that any person who is unlawfully arrested or detained by any other person shall be entitled to compensation from that other person or from any other person or authority on whose behalf that other person was acting. The Constitution also directs the judiciary to take into consideration the time spent in prison before conviction when setting jail terms for convicted persons.

D. Freedom of speech

20. The Gambian Constitution guarantees every person "the right to freedom of speech and expression, which shall include freedom of the press and other media; freedom of thought, conscience and belief, which shall include academic freedom; freedom to petition the Executive for redress of grievances and to resort to the Courts for the protection of his or her rights."

21. The 1997 Constitution also introduced a special chapter on the media by providing, inter alia, that "the freedom and independence of the Press and other information media are hereby guaranteed." This chapter provides, inter alia, that the Press and other information media shall, at all times, be free to uphold the principles, provisions and objectives of this Constitution, and the responsibility and accountability of the Government to the people of The Gambia and that "all state owned newspapers, journals, radio and television shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinion."⁴

22. The Gambia is committed to the creation of a conducive environment for the media to operate freely and to ensure a free flow of information as provided for in the Constitution. Consequently, the Information Act was passed into law in May 2009 to provide for the re-structuring, development and regulation of the information and communications sectors in The Gambia.

23. The right to freedom of expression is, however, not absolute. In addition to the limitations to the rights enshrined in the Constitution the Criminal Code creates the offences of criminal libel and sedition. Civil libel is also regulated by the common law and is therefore applicable in The Gambia by virtue of section 3 of the Law of England Application Act and section 7 of the Constitution.

E. Other constitutional guarantees

24. Other guarantees in the Constitution are protection from slavery and forced labour; protection from deprivation of property; right to fair trial; right to privacy; freedom of conscience; freedom of association; freedom of assembly; freedom of movement; political rights; right to marry; rights of

women; rights of children; right to education; rights of the disabled; cultural rights; protection from discrimination.

25. These fundamental rights and freedoms guaranteed in the Constitution are, however, not absolute. They are to be exercised “subject to respect for the rights and freedoms of others”⁵ and “subject to the law of The Gambia in so far as that law imposes reasonable restrictions on the exercise of the rights and freedoms thereby conferred, which are necessary in a democratic society and are required in the interests of the sovereignty and integrity of The Gambia, national security, public order, decency or morality, or in relation to contempt of court.”

26. Another general limitation on the exercise of these rights is the declaration of a state of emergency under section 34 of the Constitution. Section 34 of the Constitution empowers the President to declare a state of emergency, and the National Assembly may pass an Act authorizing the taking during a state of emergency of measures that are reasonably justifiable for dealing with the situation and nothing done under such Act shall be held to be inconsistent with sections 19, 23, 24 (other than subsections (5) to (8) thereof) or 25 of the Constitution to the extent that it is reasonably justifiable in the circumstances arising or existing during a period of public emergency for the purpose of dealing with the situation.⁶ Section 36 outlines how persons detained during a state of emergency should be treated.

27. In addition to Chapter IV, section 39 of the Constitution also guarantees the right to vote.

28. Chapter XX also provides for directive principles of state policy. This Chapter outlines the duties of citizens and further spells out the Government’s economic, social, cultural, educational, political and foreign relations objectives. Even though these principles do not confer legal rights, all organs of government are guided by and observe them with a view to achieving by legislation or otherwise the full realization of the principles [...]¹

COIS: This is useful information and we will add this either as a link to the Constitution or as text in the report body for the next update.

End of section ‘7. Introduction’

It is recommended that the links to section ‘8. Security forces – Arbitrary arrest and detention’ and ‘15. Human rights institutions, organisations and activists’ are removed since it provides the wrong impression that only those human rights violations are taking place in The Gambia.

COIS: Thank you. We will do this or, alternatively, add links to all the relevant following sections which document abuses/human rights violations against various groups identified in this section.

Additional recommended sources providing an overview of the human rights situation in The Gambia include:

➤ [Pambazuka, The Gambia: A dictator’s anti-media war, 05/08/2010](#)

Information about the source: Pambazuka News is “produced by a pan-African community of some 2,600 citizens and organisations - academics, policy makers, social activists, women’s organisations, civil society organisations, writers, artists, poets, bloggers, and commentators who together produce insightful, sharp and thoughtful analyses and make it one of the largest and most innovative and influential web forums for social justice in Africa [...] Pambazuka News has won a number of international awards, and has been voted one of the ‘Top 10 sites that are changing the world of internet and politics’ four years running – 2005, 2006, 2007, 2008 – in a competition organised by PoliticsOnline and the World E-Gov Forum”.² Pambazuka News is produced and published by Fahamu – Networks for Social Change: <http://www.fahamu.org/about/>

¹ [UN Human Rights Council, National report submitted in accordance with paragraph 15 \(a\) of the Annex to Human Rights Council resolution 5/1* Gambia, 20/01/2011](#), Section IV.

² [Pambazuka News, About Pambazuka News, Undated](#) [Last accessed: 09/08/2011]

- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 33

COIS: Thank you. These will be useful when reviewing future Gambia reports.

8. Security Forces

Police

Paragraph 8.02

At paragraph 8.02, the “United Nations (UN) Human Rights Council” is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. As explained above, the document is published by the United Nations (UN) Human Rights Council, but written and submitted to the UN Human Rights Council by The Republic of The Gambia. Amendments should be made in all relevant paragraphs throughout the COIS report and in ‘Annex E References to Source Material’.

COIS: We will amend this for the next update of the report.

In addition, the following excerpt taken from the 2010 U.S. Department of State annual human rights report is recommended for inclusion since it contains further information about the Human Rights and Complaints Unit:

[...] The police human rights and complaints unit receives and addresses complaints of human rights abuses committed by police officers from both civilians and other police officers. During the year, the unit received several complaints, and some police officers faced disciplinary action as a result.

[...] The Office of the Ombudsman operated a national human rights unit (NHRU) to promote and protect human rights and to support vulnerable groups. The office was established by the government and receives government funding. During the year the unit received complaints regarding unlawful dismissals, termination of employment, unfair treatment, and illegal arrest and detention.³

COIS: The US State Department quote is already cited in the subsection ‘Avenue for complaints’. We will create a cross-reference to ensure the connection is made between these subsections.

The second paragraph here has been cited in paragraph 15.01 of the report in the section on ‘Human rights institutions, organisations and activists’. We will make sure there is a clear link between these two sections.

Paragraph 8.03

The source is named as “Access Gambia”, which is a portal of Gambia related websites and was previously called “Gambia gateway”. However, after a detailed search on the source’s website no information could be found on the author of the website, how the information is collected or from where it is sourced, which raises questions about the validity of the information. Further research did not find any sources that could corroborate the information contained in paragraph 8.03. It is therefore recommended that unless this information is available to the COI Service and included in the report, that this source be deleted.

³ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1d and section 5.

COIS: Thank you. The information may still be accurate, despite lack of corroboration by other sources. However we accept the point that the origins of the information are opaque and we will look for a more transparent, reliable alternative source.

The U.S. Department of State's annual human rights report contains a section providing background on the police, as follows:

[...] Role of the Police and Security Apparatus

The armed forces are responsible for external defense and report to the minister of defense, a position held by the president. The police, under the interior minister, are responsible for public security. The National Intelligence Agency (NIA) is responsible for protecting state security, collecting intelligence, and conducting covert investigations; it reports directly to the president. The NIA is not authorized to investigate police abuses, but during the year, the NIA often assumed police functions such as detaining and questioning criminal suspects. Security forces frequently were corrupt and ineffective. On occasion security forces acted with impunity and defied court orders.⁴

COIS: We agree that this is a useful quote, and it is cited in the introduction to the section. We are of the view that it is better there since it refers to the entire security apparatus – army, intelligence services, etc – as well as the police.

Structure and reform

Paragraph 8.04

The source "Jane's Security Country Risk Assessment: The Gambia" can only be accessed by subscribing to the service provided by *Information Handling Services (IHS) Jane's*. A search on their website under 'About IHS Jane's' reveals that IHS Jane's "holds an unrivalled reputation for the reliability, accuracy and impartiality of our information and advice, trusted and relied upon by business, government and military decision-makers worldwide. In the specialist fields of defence, security, public safety, transport and law enforcement, IHS Jane's intelligence is a 'must have' resource for our clients, who can trust our intelligence over that from any other open source".⁵ It therefore appears to be a reputable source of information. Given that many users might not have come across this source before, it is recommended that some information about the source is included in the COIS report.

COIS: We are slightly surprised that the reviewers are not aware of Jane's, an internationally reputed information and analysis group that specialises in defence matters. However, we can include background on Jane's in future reviews – either in this report or in a generic document setting out the background to sources linked to the report.

Paragraph 8.05

At paragraph 8.05, the "United Nations (UN) Human Rights Council" is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. See above.

COIS: We are grateful to the reviewer for highlighting this point and will correct this for the next update of the report.

⁴ U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011, section 1d.

⁵ [Information Handling Service \(IHS\) Jane's, About Us, Undated](#) [Last accessed: 20/07/2011].

Human Rights Violations by Government Forces

Arbitrary arrest and detention

Paragraph 8.10

8.10 The [USSD Human Rights Report 2010](#) stated that “The constitution and law prohibit arbitrary arrest and detention; however, there were numerous instances of police and other security forces arbitrarily arresting and detaining citizens.” [2a] (Section 1d)

The highlighted source continues with the following information, which is recommended for inclusion since it provides further relevant information about the prevalence of arbitrary arrests and arrests without a warrant by the Gambian police, military and security forces:

[...] The law requires that authorities obtain a warrant before arresting a person; however, in practice individuals often were arrested without a warrant. Periods of detention generally ranged from a few to 72 hours, the legal limit after which detainees must be charged or released; however, there were numerous instances of detention surpassing the 72-hour limit. Detainees generally were not informed promptly of charges against them. There was a functioning bail system; however, the courts occasionally released accused offenders on bail only to have police or other law enforcement personnel rearrest them as they were leaving the court. Detainees were not allowed prompt access to a lawyer or family members; convicted prisoners were generally permitted to meet privately with their attorneys. Indigent persons accused of murder or manslaughter were provided a lawyer at public expense.

Military decrees enacted prior to the adoption of the constitution give the NIA and the interior minister broad powers to detain individuals indefinitely without charge “in the interest of national security.” These detention decrees were inconsistent with the constitution, but have not been subject to judicial challenge. The government claimed it no longer enforced the decrees; however, there were numerous detentions during the year that exceeded the 72-hour limit.

Security forces arbitrarily arrested journalists during the year (see section 2.a.).

Security forces arbitrarily arrested and detained civilians and members of the military during the year [...]⁶

COIS: We will include this additional information in the next update.

End of paragraph 8.10

It is recommended that a link is included to section ‘11. Prison conditions’ of the COIS report.

COIS: We will add the link as suggested by the reviewer for the next update.

Paragraph 8.16

8.16 In one reported case of alleged torture the [AI Report 2011](#) noted that Musa Saidykhan, former editor-in-chief of The Independent, a Banjul-based newspaper alleged that he was tortured after state security agents raided the newspaper in 2006. The newspaper was shut it down and the staff imprisoned. Musa Saidykhan was later released and fled to Senegal. [5a]

The highlighted source provides further information about the case of Musa Saidykhan, namely that it was heard by the “regional ECOWAS Community Court in Abuja, Nigeria”, which ruled in 2009 “against the Gambian government’s objection to it hearing the case”.⁷ The U.S. Department of State, also reporting on the same case, stated that in December 2009 “the court ruled that Saidykhan was indeed tortured by state security agents while in detention in 2006”.⁸ Given the importance of this

⁶ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1d.

⁷ [Amnesty International, Annual Report 2011: Gambia, 13/05/2011](#), Freedom of expression – journalists.

⁸ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1c.

ruling by a regional human rights court, the additional information provided above by both Amnesty International and the U.S. Department of State should be included in the COIS report.

COIS: We will include this information in the next update.

End of sub-section 'Arbitrary arrest and detention'

It is recommended that additional links are included to sections '11. Prison conditions', '13. Political affiliation – Opposition groups and political activists' and '14. Freedom of speech and media – Journalists' of the COIS report.

COIS: Thank you. We will include the links as suggested by the reviewer, for the next update.

Additional recommended sources of information which report on arbitrary arrest and detention in The Gambia include:

- [Amnesty International, Climate of fear continues: Enforced disappearances, killings and torture in Gambia, 22/06/2011](#)
- [Jollofnews, Gambia's Unsettled Illegal Detention, 04/06/2011](#)
- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [Amnesty International, "Freedom Day" in The Gambia is a travesty, 22/07/2010](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009, paras. 14 & 15](#)
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)
- [IRIN, Gambia arrests further stifle free speech says Amnesty, 20/07/2009](#)

COIS: Thank you for providing links. We will consider using information from these sources for the next update.

Torture

End of section '8. Security Forces - Torture'

It is recommended that this section includes an additional link to section '8. Security Forces - Arbitrary arrest and detention', '11. Prison conditions', '13. Political affiliation – Opposition groups and political activists' and '14. Freedom of speech and media – Journalists' of the COIS report.

COIS: We will add the links as suggested by the reviewers for the next update.

Additional recommended sources of information which report on torture in The Gambia include:

- [Amnesty International, Climate of fear continues: Enforced disappearances, killings and torture in Gambia, 22/06/2011](#)

- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 13
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)

COIS: Thank you, these sources are useful.

Avenues of complaint

Paragraph 8.17

8.17 [The USSD Human Rights Report 2010](#) observed that “The police human rights and complaints unit receives and addresses complaints of human rights abuses committed by police officers from both civilians and other police officers. During the year [2010], 9 JUNE 2011 THE GAMBIA The main text of this COI Report contains the most up to date publicly available information as at 9 June 2011 21 the unit received several complaints, and some police officers faced disciplinary action as a result.” [2a] (Section 1d)

8.18 The same report added “The indemnity act continued to prevent victims from seeking redress in torture cases related to official actions taken by military personnel during military rule from 1994-96. The army requires victims to file formal complaints with the courts regarding alleged torture that occurred at other times. However, during the year there were no known prosecutions in civil or military courts of security force members accused of mistreating individuals.” [2a] (Section 1c)

The highlighted source provides further information about possible additional avenues of complaint:

[...] Prisoners and detainees who had complaints could transmit them through their lawyers or relatives, who could take up the complaints with judicial authorities.⁹

[...] The Office of the Ombudsman operated a national human rights unit (NHRU) to promote and protect human rights and to support vulnerable groups. The office was established by the government and receives government funding. During the year the unit received complaints regarding unlawful dismissals, termination of employment, unfair treatment, and illegal arrest and detention [...]¹⁰

COIS: We will add the first quote in the next review – assuming the information is still accurate and relevant, etc.

The second quote from the US State Department report is already quoted in the ‘Human rights institutions, organisation and activist section’. We will make sure there is a cross-reference to ensure that readers are aware of this information.

End of sub-section ‘Avenues of complaint’

It is recommended that links are included to sections ‘9. Judiciary – Independence’ and ‘16. Corruption’ of the COIS report.

COIS: We will add the links as suggested by the reviewer for the next update.

9. Judiciary

Organisation

⁹ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1c.

¹⁰ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 5.

Paragraphs 9.01 and 9.04

9.01 [Europa World Online Country Profile on The Gambia](#), accessed 3 March 2011, stated that “The judicial system of The Gambia is based on English Common Law and legislative enactments of the Republic’s parliament, which include an Islamic Law Recognition Ordinance whereby an Islamic Court exercises jurisdiction in certain cases between, or exclusively affecting, Muslims.” [1d] (Government and Politics – Judicial System) The US Department of State *Country Report on Human Rights Practices 2010, The Gambia*, published on 8 April 2011 (USSD Human Rights Report 2010), added “Islamic, or Cadi, courts have jurisdiction over Islamic matters of marriage, divorce, and inheritance when Muslim parties are involved. District chiefs preside over local tribunals that administer customary law at the district level. Cadi courts and district tribunals do not offer standard legal representation to the parties involved, since lawyers are not trained in Islamic or customary law. Military tribunals cannot try civilians.” [2a] (Section 1e)

[...] 9.04 [Europa World Online](#) further described the Court structure:

“The Banjul Magistrates Court, the Kanifing Magistrates Court and the Divisional Courts are courts of summary jurisdiction presided over by a magistrate or in his absence by two or more lay justices of the peace. There are resident magistrates in all divisions. The magistrates have limited civil and criminal jurisdiction, and appeal from these courts lies with the Supreme Court. Islamic Courts have jurisdiction in matters between, or exclusively affecting, Muslim Gambians and relating to civil status, marriage, succession, donations, testaments and guardianship. The Courts administer Islamic Shari’a law. A cadi, or a cadi and two assessors, preside over and constitute an Islamic Court. Assessors of the Islamic Courts are Justices of the Peace of Islamic faith. District Tribunals have appellate jurisdiction in cases involving customs and traditions. Each court consists of three district tribunal members, one of whom is selected as president, and other court members from the area over which it has jurisdiction.”

[1d] (Government and Politics – Judicial System)

[...] 9.05 [Europa World Online](#), accessed on 3 March 2011, noted that “The Supreme Court is defined as the final court of appeal. Provision is made for a special criminal court to hear and determine all cases relating to theft and misappropriation of public funds.” [1d] (Government and Politics – Judicial System)

The highlighted source *Country Profile on The Gambia: Government and Politics – Judicial System* is not listed in Annex E as part of the list of ‘References to Source Material’. In addition, it can only be accessed by subscribing to the service provided by ‘Europa World Plus’. A search on its website under ‘About’ states that

Europa World *Plus* combines the famous, authoritative world-wide coverage of *The Europa World Year Book* with regular online updates. This Web version delivers fast, impartial economic, political and geographic background information and statistical data by country, and includes thousands of directory contact details with click-through web links and a comprehensive listing of some 1,900 international organizations. The Europa Regional Surveys of the World have long been relied upon by government agencies, academic and public libraries, businesses and the media. Now online, these acclaimed annuals can be accessed in conjunction with Europa World, providing users with in-depth, expert analysis at regional, sub-regional and country level.¹¹

It appears to be a reputable source of information. It is regrettable that the full document is not attached as an Annex to the country report, which would provide equal access to the information and increase transparency. It is understood that practically this might not be possible due to subscription’s terms of conditions, but it might still be worthwhile for COIS to explore the possibility

¹¹ [Europe World Plus, About, Undated](#) [Last accessed: 20/07/2011].

of this. As a general recommendation, the COIS should refrain from including information from sources who are subscription only unless the information is absolutely necessary and cannot be found in the public domain.

COIS: Assuming we continue to use Europa in the next update, we will amend the omission.

Re providing the full text of subscription sources – yes this is likely to present difficulties because of copyright restrictions. However, we can the text of the source on request.

In general, our practice is to use open source documents – i.e. those in the public domain. However, some subscriptions provide information that cannot be obtained readily elsewhere but is relevant to understanding human rights situations in countries, which is why we subscribe to them.

We also wonder why information from subscription sources should be avoided. COI Service, by making otherwise inaccessible information available, is arguably improving the depth and range of evidence available to all those involved in refugee status determination process?

Paragraph 9.06

In the 'Preface' section of the COIS report, it is stated at paragraph vii that "[T]he Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued".

With regards to the excerpt in paragraph 9.06, it is taken from the 2001 report by the International Records Management Trust (IRMT). It is questionable whether this report should be included given it is 10 years old and covers events prior to 1995 and its content might be inaccurate. If no other source in the public domain is found that provides more up-to-date information on the judiciary's record-keeping, a disclaimer should be included in the COIS report explaining why this out-dated source has been included.

COIS: We will review the source for the next, and consider if it is still reliable and useful.

The information included from the IRMT report in paragraph 9.06 is also inadequately quoted, missing the highlighted words as shown below:

[...] In the magistrate's courts, records were kept in extremely poor conditions, frequently in a state of disorder. Few registers were kept of civil cases. Consequently, much time was spent searching for case records and missing documents, **often without success**. Individual case files were not opened; instead, papers relating to a case were stapled together with the result that papers were often lost or difficult to find, and there were many loose and unidentified papers lying about the courts. **[Emphasis added]**

COIS: Thank you. If we use this quote again, we will amend the omission.

Paragraph 9.07

At paragraph 9.07, the "United Nations (UN) Human Rights Council" is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*.

COIS: Thank you. We will correct the citation of this source in the next update.

Independence

Very limited information is included in this sub-section. Additional recommended sources of information which address the independence of the Gambian judiciary include:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 22
- [International Bar Association, Under Pressure: A report on the rule of law in the Gambia, August 2006](#) – since limited information is included in this section, this source is recommended for inclusion even though it was published in 2006. It is considered that in the context of other COI available on this issue, the information contained in this source remains indicative of the current independence of the Gambian judiciary.

Fair trial

Only information from one source is included in this sub-section. In order to improve this section, corroborative information is recommended for inclusion. Additional recommended sources that report on the limited availability of fair trials include:

- [Amnesty International, "Freedom Day" in The Gambia is a travesty, 22/07/2010](#)
- [International Bar Association, The Gambia: Freedom of Expression on Trial, February 2010](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 23
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)
- [International Bar Association, Under Pressure: A report on the rule of law in the Gambia, August 2006](#) – since limited information is included in this section, this source is recommended for inclusion even if though it was published in 2006. The information contained in it remains indicative of current fair trial standards in The Gambia.

COIS: Thank you. We are grateful for sources. We will consider adding these to the next update of the report.

10. Arrest and detention – legal rights

Paragraph 10.01

10.01 Chapter IV, Section 19, Protection of Right to Personal Liberty, of the Constitution states that "Every person shall have the right to liberty and security of **right to** person. No one shall be subjected to arbitrary, arrest or **Personal liberty** detention. No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law." (National Council for Civic Education (NCCE), accessed 14 April 2010) [10a]

The highlighted words are not found in the original source. It is recommended that the above paragraph be replaced with the actual wording of the original source as shown below. It is further recommended that the following additional sub-articles are included in the COIS report in order to present the full provisions found under Article 19 of the Gambian Constitution:

- (1) Every person shall have the right to liberty and security of person. No one shall be subjected to arbitrary, arrest or detention. No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law.
- (2) Any person who is arrested or detained shall be informed as soon as is reasonably practicable and in any case within three hours, in a language that he or she can understand, of the reasons for his or her arrest or detention and of his or her right to consult a legal practitioner.
- (3) Any person who is arrested or detained-
- (a) for the purpose of bringing him or her before a court in execution of the order of a court, or
- (b) upon reasonable suspicion of his or her having committed, or being about to commit, a criminal offence under the Laws of The Gambia, and who is not released, shall be brought without undue delay before a court and, in any event, within seventy-two hours
- (4) Where any person is brought before a court in execution of the order of a court in any proceedings or upon suspicions of his or her having committed or being about to commit an offence, he or she shall not thereafter be further held in custody in connection with those proceedings or that offence save upon the order of a court.
- (5) If any person arrested or detained as mentioned in subsection (3) (b) is not tried within a reasonable time, then without prejudice to any further proceedings which may be brought against him or her, he or she shall be released either unconditionally or upon reasonable conditions, including, in particular, such conditions as are reasonably necessary to ensure that he or she appears at a later date for trial or proceedings preliminary to trial.
- (6) Any person who is unlawfully arrested or detained by any other person shall be entitled to compensation from that other person or from any other person or authority on whose behalf that other person was acting [...]¹²

COIS: Thank you. We will correct the quote and either provide the full text or a link to the additional material cited above.

Paragraph 10.03

10.03 The Freedom House report, *Freedom in the World 2011*, The Gambia, covering events in 2010, published on 16 May 2011, stated "A 1995 decree allows the NIA to search, arrest, or seize any person or property without a warrant in the name of state security. Individuals are often arrested without warrant, including journalists, and some individuals are held incommunicado by the government for their political views or associations... **Impunity for the country's security forces, particularly the NIA, is a problem.**" [35a]

It is unclear why the above highlighted sentence has been moved to the end of the paragraph given that in the original source it is placed at the beginning of the paragraph. It is recommended that this is changed so as to alert the case owner and other users of the COIS report directly to the significance of this paragraph.

COIS: We will put the quote about impunity at the start of the paragraph in the next update, if still accurate/relevant, etc. We also consider adding a section on impunity under Security forces, where this information may sit better.

End of section '10. Arrest and detention – legal rights'

It is recommended that the following additional links to sections '8. Security Forces – Torture' and '11. Prison conditions' in the COIS report are included here.

COIS: We will add the links as suggested by the reviewer for the next update.

11. Prison conditions

¹² [The Constitution of the Republic of The Gambia, 1997, Reprinted 2002](#), Chapter IV, 19. Protection of Right to Personal Liberty.

Paragraphs 11.03, 11.06 and 11.07

At paragraphs 11.03, 11.06 and 11.07, the “United Nations (UN) Human Rights Council” or alternatively the “UN” are again wrongly identified as the authors of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. See above.

COIS: We will correct this for the next update of the report.

Paragraphs 11.04 and 11.05

11.04 [An article in Jollofnews online](#), dated 15 April 2010, reported on the conditions prisoners faced at the State Central Prison, Mile 2. The article noted:

“Sources close to the prisons have described the situation in there as often ‘psychologically depressing and mentally torturing’ for the prisoners, who spend 17 (seventeen) hours each day in solitary confinement, struggling to put up with extremely poor ventilation in their cells. According to a source who spoke to Jollof News, it is extremely difficult for sick prisoners to access medical attention as they are the subject of utter disregard by prison authorities. As a result, the source added, this has often caused medical complications in the cases of some sick prisoners. ‘Most often prisoners have to send medical prescriptions to family members to buy relevant medicines for their treatment,’ the source said. ‘Some prisoners die largely due to lack of prompt and proper medical treatment.’” [14a]

11.05 [The same Jollofnews article](#) added: “The meals are of poor and low quality and so insufficient, yet prisoners are not allowed to receive supplementary food from their relatives’, a source noted. Our sources also disclosed that convicted prisoners are allowed to see families or loved ones once a month for only 30 minutes and only three people are allowed to visit a prisoner. There have been reports of late of people kept in remand for years without either being charged or taken to court... According to the source many prisoners in Mile 2 have undergone various surgical operations due to complications that resulted from their long stay there. Many prisoners are steadily losing their sight and some suffering from paralysis.” [14a]

The highlighted source also includes the following information, which is recommended for inclusion since it provides further information on overcrowding, the prevalence of political prisoners and health complications by prisoners due to their stay at Mile 2 prison:

[...] Our impeccable sources also said that the prison is over congested with cells accommodating twice their normal capacity. Cells with about a maximum capacity of 30 prisoners are said to be accommodating 60 prisoners or more. A number of illnesses have been linked to poor and inadequate meals.

[...] Some of these people are said to be political prisoners, many of whom are subjected to an array of physical tortures.

[...] Many prisoners are reported to be losing their sights, some suffering from paralysis as a result of complicated prison conditions.¹³

COIS: We will consider adding the additional information suggested by the reviewer if still relevant for the next update.

End of section ‘11. Prison conditions’

It is recommended that this section also includes a link to section ‘8. Security Forces - Torture’ of the COIS report.

COIS: We will add the link as suggested by the reviewer for the next update.

Additional recommended sources of information which report on detention conditions, including the use of incommunicado detention and secret detention centres include:

¹³ [Jollofnews, Mile 2 prisons congested, infested with mosquitoes, 15/04/2010](#)

- [Amnesty International, Climate of fear continues: Enforced disappearances, killings and torture in Gambia, 22/06/2011](#)
- [Internal Committee of the Red Cross, Annual Report 2010, May 2011](#), pages 111 and 199
- [Amnesty International, "Freedom Day" in The Gambia is a travesty, 22/07/2010](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 16
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)

COIS: Thank you for the recommendation of these sources.

12. Death penalty

Paragraph 12.01

12.01 [Chapter IV, Section 18, Protection of Right to Life, of the Constitution](#) states that:

"(1) No person shall be deprived of his or her life intentionally of right to life [sic] except in the execution of a sentence of death imposed by a court of competent jurisdiction in respect of a criminal offence for which the penalty is death under the Laws of The Gambia as they have effect in accordance with subsection (2) and of which he or she has been lawfully convicted.

"(2) As from the coming into force of this Constitution, no court in The Gambia shall be competent to impose a sentence of death for any offence unless the sentence is prescribed by law and the offence involves violence, or the administration of any toxic substance, resulting in the death of another person.

"(3) The National Assembly shall within ten years from the date of the coming into force of this Constitution review the desirability or otherwise of the total abolition of the death penalty in The Gambia" [10a]

The highlighted source also includes the following additional sub-article, which is recommended for inclusion in order to present the full provisions of Article 18 of the Gambian Constitution:

[...] (4) Without prejudice to any liability for a contravention of any other law with respect to the use of force in such cases as are hereinafter mentioned, a person shall not be regarded as having been deprived of his or her life in contravention of this section if he or she dies as a result of the use of force to such extent as is reasonably justifiable in the circumstances of the case, that is to say-

- (a) for the defence of any person from unlawful violence or for the defence property;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- (c) for the purpose of suppressing a riot, insurrection of mutiny;
- (d) in order to prevent the commission by that person of a criminal offence, or
- (e) if he or she dies as a result of a lawful act of war [...]¹⁴

COIS: It is not clear why the above information on the sub-article is relevant to this section – other than a broad consideration of issues affecting the right to life - which is designed to note the existence of the death penalty (and its application) and, the crimes for which it is applicable. The quote refers to circumstances where someone's death may not be unlawful.

¹⁴ [The Constitution of the Republic of The Gambia, 1997, Reprinted 2002](#), Chapter IV, 19. Protection of Right to Life.

We do not propose to include this detail – but the source will be provided as a link.

Paragraph 12.02

At paragraph 12.02 the “United Nations (UN) Human Rights Council” is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. See above.

COIS: Thank you. We are grateful to the reviewers for highlighting this point and will correct this for the next update of the report.

Paragraph 12.04

12.04 The [Amnesty International \(AI\) Report 2011: The state of the world's human rights: Gambia](#), (AI Report 2011) published on 13 May 2011, stated that “At least 20 people were believed to be on death row at the end of the year [2010]. No executions were reported; the last known execution was in the 1980s.” [5a]

The highlighted source also states the following which should be included in the COIS report:

[...] In October the authorities increased the penalty for possession of more than 250g of cocaine or heroin to the death penalty.
Eight of the men arrested in March were convicted of treason and sentenced to death in July after a grossly unfair trial during which indictees and witnesses were tortured. The men were accused of procuring arms, ammunitions, equipment and mercenaries from Guinea to stage a coup [...]¹⁵

COIS: We will consider adding some the additional information from the AI report however, this is partly provided in paragraph 12.03 which stated “[...] The legislators had in October 2010 approved a law that imposes the death penalty on people convicted of being in possession of cocaine or heroine amounting to or more than 250 grams [...]” [47a]

12.03 On 4 April 2011 Hands Off Cain reported on the amendments to the law abolishing the death penalty for drug-related offences:

Paragraph 12.05

12.05 In June 2010 prosecutors in The Gambia charged former navy chief Sarjo Fofona and ex-army chief of staff Gen Langtombong Tamba of being part of a 2006 alleged coup attempt overthrow President Yahya Jammeh. (BBC, 18 June 2010) [6b] On 23 May 2011 the former chief of defence staff Lt General Lang Tombong Tamba and former chief of naval staff rear Admiral Sarjo Fofana were convicted of treason and sentenced to 20 years imprisonment after being found guilty of the aborted coup in March 2006. [Lang Tombong Tamba is currently serving a death sentence in connection with a 2009 coup plot](#). [56c]

The original source of the highlighted sentence further states that in addition to former chief of defence staff Lt General Lang Tombong Tamba, other men are serving a death sentence in connection with the 2009 coup plot:

[...] Lang Tombong Tamba, it would be recalled is currently serving a death sentence **along with seven other men in connection with a 2009 coup plot** [Emphasis added] [...]¹⁶

This information should also be included in the COIS report.

COIS: We will include the information from the source as suggested by the reviewer if it is still relevant when the Gambia report is next updated.

¹⁵ [Amnesty International, Annual Report 2011: Gambia, 13/05/2011](#), Death penalty.

¹⁶ [The Point, 20 years for Tamba and Fofana, 24/05/2011](#).

Paragraph 12.06

12.06 The Gambia abolished the death sentence in 1981 but had it reinstated in 1995. Two dozen people have been sentenced to death since then but no executions have reportedly been carried out. [37d]

The original source, an article by AllAfrica.com states further

[...] None have been executed in that time, **but neither has anyone been pardoned or had their sentences reduced** [Emphasis added] [...] ¹⁷

This information should also be included in the COIS report.

COIS: We will include the information from the source as suggested by the reviewer if it is still relevant when the Gambia report is next updated.

End of section '12. Death penalty'

It is recommended that this section includes a link to section '11. Prison conditions' of the COIS report and also to the following website, which provides up-to-date information on latest sentencing involving the death penalty: [Hands off Cain, Gambia – News, Undated](#) [Last accessed: 27/07/2011]. Hands off Cain is “a league of citizens and parliamentarians for the abolition of the death penalty worldwide. It was founded in Brussels in 1993. Hands Off Cain (HOC) is a non-profit organisation and a constituent member of the Transnational Radical Party”. ¹⁸

COIS: We will add the links as suggested by the reviewer for the next update.

Additional recommended sources of information which report on the death penalty in The Gambia include:

- [The Point, Death sentence for Farafenni military camp attacker, 28/07/2011](#)
- [Jollofnews, Another Gambian Condemned to Death, 01/06/2011](#)
- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [Amnesty International, Death sentences and executions in 2010, 28/03/2011](#)
- [BBC News, Gambia coup plotters sentenced to death, 15/07/2010](#)

COIS: We are grateful to the reviewer for the recommendation of these sources will consider using information from these sources for the next update if still relevant.

13. Political affiliation

Freedom of political expression

Paragraph 13.01

13.01 [The US Department of State Country Report on Human Rights Practices 2010](#), *The Gambia*, published on 8 April 2011 (USDD Human Rights Report 2010), stated “The constitution and law

¹⁷ [AllAfrica.com, Gambia: Death penalty alive and well, 15/12/2010](#).

¹⁸ [Hands off Cain, Goals, Undated](#) [Last accessed: 09/08/2011].

provide citizens [with] the right to change their government peacefully, and citizens exercised this right in practice through periodic elections held on the basis of universal suffrage.” [2a] (Section 3)

The highlighted source also includes the following information which is recommended for inclusion:

[...] In 2006 Alhaji Yahya Jammeh was reelected to a third term as president, winning approximately 67 percent of the vote. The main opposition political party, the UDP, challenged the election results; however, the courts upheld the results. In the 2007 National Assembly elections, the ruling APRC won 42 of the 48 elected seats, and President Jammeh appointed five nominated members, including the speaker. The presidential and National Assembly elections were declared partially free and fair; irregularities included underage voting, voting by noncitizens, and biased media coverage. Individuals representing political parties or running as independents could freely declare their candidacy, if their nominations were approved according to the rules of the independent electoral commission. Political parties generally operated without restriction; however, police sometimes refused to issue permits for opposition parties to hold public meetings [...]¹⁹

COIS: We will include the information from the source as suggested by the reviewer if it is still relevant when the Gambia report is next updated.

Paragraph 13.03

13.03 The Freedom House report, *Freedom in the World 2011*, The Gambia, covering events in 2010, published on 16 May 2011, stated that “Throughout 2010, Jammeh sought to tighten his grip on power ahead of the 2011 presidential elections. In a tour of the country in July 2010, the president threatened to withhold government services to voters who fail to support him in the 2011 elections. In a July celebration of the 1994 coup that brought him to power, Jammeh declared that he would rule The Gambia for as long as he wished.” [35a]

The highlighted source also includes the following information which is recommended for inclusion:

[...] The Gambia is not an electoral democracy. The 2006 presidential election was marred by serious government repression of the media and the opposition. The ruling party swept the 2007 legislative elections, taking 42 of 46 seats. The president is elected by popular vote for unlimited five-year terms. Of the 53 members of the unicameral National Assembly, 48 are elected by popular vote and the remainder are appointed by the president; members serve five-year terms. The president and the ruling APRC are in clear control, and opposition involvement is largely symbolic.²⁰

COIS: We will include the information from the source as suggested by the reviewer if it is still relevant when the Gambia report is next updated.

Additional recommended sources of information which report on freedom of expression in The Gambia include:

- [Jollofnews, 'Only God Can Remove Me,' Says Gambia's Jammeh, 19/07/2011](#)
- [Committee to Protect Journalists \(CPJ\), Gambia bans only independent radio station airing news, 14/01/2011](#)

COIS: Thank you. We will consider using information from these sources for the next update.

Freedom of association and assembly

¹⁹ U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011, section 3.

²⁰ Freedom House, Country Report: Gambia, The (2011), 16/05/2011, Political rights and civil liberties.

Only information from one source is included in this section. Additional sources of information that report on freedom of association and which should be considered for inclusion are:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [International Federation for Human Rights \(FIDH\), Release of six trade unionists and journalists, 11/09/2009](#)

COIS: Thank you for the sources. We will look to diversify the source base for this section in the next update.

Opposition groups and political activists

Given the prevalence of this particular group of asylum claimants in the UK, it is surprising that such limited information is included here and only from one source, especially in light of the COI available in the public domain on this issue.

Paragraph 13.09

13.09 [The USSD Human Rights Report 2010](#) noted "Political parties generally operated without restriction; however, police sometimes refused to issue permits for opposition parties to hold public meetings...

"Individuals representing political parties or running as independents could freely declare their candidacy, if their nominations were approved according to the rules of the independent electoral commission." [2a] (Section 3)

The highlighted source also includes the following information which is recommended for inclusion:

[...] During the year there were credible reports that the government held civilians based on their political views or associations, and some were held incommunicado for prolonged periods. There were about 20 political prisoners in detention at year's end.

For example, United Democratic Party (UDP) supporter Kanyiba Kanyi, who was arrested by men believed to be state security agents and held without charge shortly before the 2006 presidential elections, remained in prison at year's end. The government has not permitted access to Kanyi by international humanitarian organizations or his lawyer. In 2008 Kanyi's lawyer, who maintained Kanyi was being held by the NIA, filed an application to force the state to comply with the 2006 high court rulings to free him. In July 2009 the judge presiding over the case returned the case file to the Office of the Chief Justice in an apparent attempt to recuse himself from the trial; the judge provided no explanation for the return of the case file. Kanyi reportedly was sighted by a relative in March 2008 at the Royal Victoria Hospital, where he was being escorted by wardens from Mile 2 Central Prison.

The whereabouts of Chief Ebrima Manneh, who also was arrested without charge in 2006, remained unknown at year's end. The government denied Manneh was in its custody (see section 1.b.) [...] ²¹

[...] Observers believed the government monitored citizens engaged in activities that it deemed objectionable [...] ²²

COIS: Thank you. We will look to diversify the sources on the this subject for the next update.

End of sub-section 'Opposition groups and political activists'

It is recommended that additional links be included to sections '8. Security forces – Torture', '11. Prison conditions' and '13. Political affiliation – Freedom of political expression' of the COIS report.

COIS: We will add the links as suggested by the reviewer for the next update.

²¹ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1e.

²² [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1f.

Additional recommended sources of information which report on the treatment of perceived or real political opponents in The Gambia include:

- [Jollofnews, We cannot change the world by keeping quiet, 26/07/2011](#)
- [Amnesty International, Gambia must drop treason charges against activists, 22/07/2011](#)
- [Amnesty International, Arrests in Gambia for distributing t-shirts, 20/06/2011](#)
- [Gambia News, Gambian ex-minister accused of plot against govt, 16/06/2011](#)
- [Amnesty International, Gambia frees opposition leader, 16/12/2010](#)
- [World Organisation Against Torture \(OMCT\), Steadfast in Protest; Annual Report 2010; The Gambia, 13/09/2010](#)
- [Immigration and Refugee Board Canada, Treatment of members and supporters of the United Democratic Party \(UDP\) \(2006 - March 2010\), 31/03/2010](#)
- [BBC News, Gambia charges over 'plot to oust Jammeh', 18/03/2010](#)
- [BBC News, Gambia row over wave of arrests, 11/03/2010](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009, para. 11](#)
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)

COIS: thank you for these sources.

14. Freedom of speech and media

Overview

Paragraph 14.02

14.02 [The Freedom House \(FH\) report, *Freedom of the Press 2010*](#), The Gambia, covering events from 1 January 2009 to 31 December 2009 stated that “A revised 2005 Press Law guarantees the right of citizens to obtain information and prohibits censorship. However, there are broad restrictions on any content that is ‘contrary to the principles of Islam or offensive to other religions and sects.’” The report added that “Media outlets are occasionally fined or warned for broadcasting ‘un-Islamic material,’ resulting in self-censorship and the arrest of journalists.” [35b]

The highlighted source also includes the following information which is recommended for inclusion:

[...] The press continued to operate under enormous strains in 2009 due to legal and extralegal intimidation of journalists and media outlets, as well as complete impunity for past abuses.

Article 34 of the constitution provides for freedoms of the press and of expression, but the government does not respect these rights in practice. Constitutional protections are undermined by other legislation, primarily the Newspaper Amendment Act and a criminal code amendment, both passed in 2004. The latter established the publication of false information as an offense carrying stiff

penalties, and mandated harsh punishments for sedition and libel. These provisions have given the authorities great discretion in silencing dissent [...]²³

COIS: We will look to include this additional information if still relevant when the report is updated.

Paragraph 14.03

At paragraph 14.03 the “United Nations (UN) Human Rights Council” is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. See above.

COIS: Thank you. We will amend in the next update.

The original source continues with the following which is recommended for inclusion:

[...] 23. The right to freedom of expression is, however, not absolute. In addition to the limitations to the rights enshrined in the Constitution the Criminal Code creates the offences of criminal libel and sedition. Civil libel is also regulated by the common law and is therefore applicable in The Gambia by virtue of section 3 of the Law of England Application Act and section 7 of the Constitution [...]²⁴

COIS: Thank you, we will add to the next update.

Paragraph 14.07

14.07 When describing President Yahya A.J.J. Jammeh’s attitude toward the media, a **Reporters sans Frontières’ (RSF) press release on *Predators of press freedom*, dated 2 May 2009** stated:

“A 29-year-old army sergeant when he seized power in 1994, Yahya Jammeh boasts of his contempt for journalists. His palace guard and intelligence services enforce repressive policies. His first few years as president were marked by extraordinary aggressiveness towards those who questioned his style of government... The president usually takes full responsibility for the behaviour of his security services although Gambia is the headquarters of the African Commission on Human and People’s Rights. He continues to insist that: ‘If I want to shut down a newspaper, I will.’” [18a] (p2)

The highlighted source also includes the following information which is recommended for inclusion:

[...] Arrests, threats and bomb attacks were all used to silence the media in this small English-speaking country that is an enclave within Senegal.²⁵

COIS: We will include the information from the source as suggested by the reviewer if it is still relevant when the report is next updated.

Additional recommended sources of information which provide an overview on freedom of speech and the media in The Gambia include:

- [Article 19, Gambia: Free speech & journalist security still under threat, 22/07/2011](#)
- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [International Press Institute, Africa Overview: Familiar Problems Overshadow Areas of Progress, 02/05/2011](#)

²³ [Freedom House, Freedom of the Press: Gambia, The \(2010\), 30/09/2010.](#)

²⁴ [UN Human Rights Council, National report submitted in accordance with paragraph 15 \(a\) of the Annex to Human Rights Council resolution 5/1* Gambia, 20/01/2011](#), Section IV, para. 23.

²⁵ [Reporters sans Frontières \(RSF\), Predators of press freedom, 02/05/2009.](#)

- [Committee to Protect Journalists, Jammeh to news media: I set limits on press freedom, 23/03/2011](#)

COIS: Thank you.

Newspapers, Radio, Internet, and Television

Paragraph 14.08

14.08 The FH report *Freedom of the Press 2010, The Gambia*, stated:

"The Gambia has eight private newspapers and nine private radio stations. While many are subject to official pressure, the private media continued to criticize the government and cover opposition viewpoints in 2009. However, most businesses avoid advertising with them for fear of government reprisals... The government owns the *Gambia Daily* newspaper, a national radio station, and the only national television station. Political news coverage at these outlets generally toes the official line... About 7.6 percent of the population was able to access the internet in 2009." [35b]

The highlighted source also includes the following information which is recommended for inclusion:

[...] Foreign news was rebroadcast on several local radio stations. The government did not interfere with access to foreign cable or satellite television news broadcasts, which were generally available to most citizens.

[...] Since its launch in 2006, *Freedom Newspaper*, an online news site that is often critical of the government, has periodically been blocked by the authorities.²⁶

COIS: We will include the information from the additional sources as suggested by the reviewer if it is still relevant when the report is next updated

Paragraph 14.09

14.09 The British Broadcasting Corporation (BBC) *Country Profile on The Gambia*, updated 4 May 2011 stated:

"Gambia's private media face severe restrictions, with radio stations and newspapers having to pay large licence fees. A commission with wide-ranging powers, from issuing licences to jailing journalists, was set up under a 2002 media law. It was seen by critics as a threat to press freedom. Further legislation introduced in late 2004 provided jail terms for journalists found guilty of libel or sedition. Deyda Hydara, one of the press law's leading critics and the editor of private newspaper *The Point*, was shot dead days after the law was passed." [6a]

The highlighted source also includes the following information which is recommended for inclusion:

State-run Radio Gambia broadcasts tightly-controlled news, which is also relayed by private radio stations. Radio France Internationale is available via an FM relay.
The government operates the only national television station.

The press

[Daily Observer](#) - private

The Independent - private, bi-weekly

[Foroyaa](#) - private, bi-weekly

[The Point](#) - private, daily

Television

Gambia Television - state-run, single-channel national service

Premium TV Network - private satellite channel

Radio

²⁶ [Freedom House, Freedom of the Press: Gambia, The \(2010\), 30/09/2010.](#)

Radio Gambia - national broadcaster, programmes in English and vernacular languages
Radio 1 FM - private, music-based
West Coast Radio - private
City Limits Radio - private

Internet
Gambianow.com - private²⁷

COIS: We will include the information from the additional sources as suggested by the reviewer if it is still relevant when the report is next updated.

Paragraph 14.10

14.10 In January 2011 Taranga FM, a community radio station based in Sinchu Alhagie village, southwest of Banjul, and the only independent radio station that had continued to broadcast news bulletins, was shut down by the authorities. An article by the [Committee to Protect Journalists \(CPJ\) on 14 January 2011](#) noted that "Journalists told CPJ the ban was in reprisal for the station's 'news review' program in which local newspaper stories were read on the air in English and local languages. It was unclear what story or stories prompted the ban." The article added "Several independent news outlets have been shuttered by the government in recent years, including Citizen FM, 9 JUNE 2011 THE GAMBIA The main text of this COI Report contains the most up to date publicly available information as at 9 June 2011 33 Radio 1 FM, a local bureau of Senegalese station Sud FM, and *The Independent* newspaper, according to CPJ research." [16a]

The highlighted source also includes the following information which is recommended for inclusion:

[...] With a small independent press corps weakened by years of government intimidation and repression, the Gambia counts only a handful of private radio stations, which mostly cover sports and entertainment, and a few independent newspapers operating under intense self-censorship. The government operates a television and radio network known as GRTS, which broadcasts only officially approved news. Arrests, torture, physical and verbal intimidation, arbitrary closures of news outlets, repressive legislation, and unsolved murder and disappearance of journalists have forced dozens of independent journalists to flee into exile.

"With the closure of Taranga FM, the Gambia confirms its status as one of Africa's most censored countries," said CPJ Africa Advocacy Coordinator Mohamed Keita. "Radio is a vital source of news in Africa, but listeners in the Gambia can now hear only a government mouthpiece. The authorities should restore Taranga FM and all independent broadcasts to return to air." [...] ²⁸

COIS: We will include the information from the additional sources as suggested by the reviewer if it is still relevant when the report is next updated.

Additional recommended sources of information which provide an overview on the availability, circulation and access of newspapers, radio, internet, and television in The Gambia include:

➤ [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)

COIS: We referred to information from the Freedom House *Freedom of the Press* 2010 report for the section on 'Newspapers, Radio, Internet, and Television' of the Gambia report and although consulted, did not consider that the Freedom House, *Country Report: Gambia, The (2011), 16/05/2011* had any additional information relevant to that section, albeit it is a more recent document.

²⁷ [BBC News, The Gambia Country Profile, Last updated 04/05/2011 \[Last accessed: 21/07/2011\]](#), Media.

²⁸ [Committee to Protect Journalists \(CPJ\), Gambia bans only independent radio station airing news, 14/01/2011.](#)

Both the Freedom House Country Report and Press Freedom Reports will be consulted when researching the section on Freedom of speech and media in the next update.

Journalists

Paragraph 14.12

An error was noted in the reference for this source; it should be corrected to state “[2a] (Section 2a)”.

COIS: Thank you. This will be corrected in the next report update.

Paragraph 14.15

14.15 On 3 February 2011, *Daily News* journalist Saikou Ceesay was reportedly threatened outside his home after he was believed to have published an article in the *Daily News* denouncing the opening of a scam private university in The Gambia, which aimed to swindle money from prospective students. He managed to escape into the safety of his home. The police opened an investigation. (The International Federation for Human Rights (FIDH), 9 February 2011) [44a]

The original source did report that Saikou Ceesay managed to escape and enter his house, but continued by stating that

According to the information received, on February 3, 2011 at 11 p.m., as Mr. Saikou Ceesay was approaching the door of his house he was stopped by Mr. Dinesh Shukla, President of the American International University for West Africa, and two other men. Mr. Shukla acted in a threatening and aggressive manner. Mr. Saikou Ceesay successfully escaped and entered his house. He has been in hiding since then. **He has been in hiding since then** [Emphasis added] [...] ²⁹

This information should also be included in the COIS report.

COIS: Thank you. We will include the additional text assuming it is still relevant, etc in the next review.

Paragraph 14.15

An error was noted in the reference following “Committee to Protect Journalists (CPJ)” ; it should be corrected to state “[16]”.

COIS: Information in paragraph 14.15 came from The International Federation for Human Rights (FIDH), 9 February 2011) [44a] and not from the Committee to Protect Journalists (CPJ) [16] as suggested and is correct in the report.

Paragraph 14.15

A link to the following source should also be included since it also details attacks, threats, detention and murders against journalists: [Freedom House, Freedom of the Press: Gambia, The \(2010\), 30/09/2010](#).

The following sources also document specific attacks, arbitrary arrests and detention of journalists: [Amnesty International](#) – Gambia search, [Jollofnews](#) – Human Rights

COIS: Thank you. We are grateful for the recommendations and will consider them for the next update.

End of sub-section ‘Journalists’

²⁹ [The International Federation for Human Rights \(FIDH\), Threats against Daily News journalist Saikou Ceesay, 09/02/2011](#), Description of the situation.

It is recommended that this section includes the following links to sections '8. Security forces – Torture', '8. Security forces – Arbitrary arrest and detention' and '11. Prison conditions' of the COIS report.

COIS: We will add the links as suggested by the reviewer for the next update.

Additional recommended sources of information which provide an overview of the treatment of journalists include:

- [International Federation for Human Rights \(FIDH\)/World organisation Against Torture \(OMCT\), Climate of fear amongst the community of human rights defenders, 22/07/2011](#)
- [Amnesty International, Gambia must drop treason charges against activists, 22/07/2011](#)
- [Article 19, Gambia: Free speech & journalist security still under threat, 22/07/2011](#)
- [Amnesty International, Annual Report 2011: Gambia, 13/05/2011](#), Freedom of expression – journalists
- [World Organisation Against Torture \(OMCT\), Steadfast in Protest; Annual Report 2010; The Gambia, 13/09/2010](#)
- [Amnesty International, "Freedom Day" in The Gambia is a travesty, 22/07/2010](#)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), paras. 9-10 and 27-32
- [Amnesty International, Submission to the UN Universal Periodic Review: Seventh session of the UPR Working Group of the Human Rights Council, February 2010, 01/09/2009](#)

COIS: Thank you.

15. Human rights institutions, organisations and activists

Paragraph 15.04

An error was noted in the reference for this source; it should be corrected to state "[44b]".

COIS: We will amend this in the next review.

Paragraph 15.07

15.07 [In January 2011, WLUML reported that the trial continued.](#) [58b]

The original source provides some useful background information which should also be included in the COIS report:

[...] In May 2010, the Presidency set up a commission of investigation into the allegation that GAMCOTRAP had been mis-managing donor funds from an organization called Yolocamba Solidaridad. The Coalition for Human Rights in the Gambia states that "After careful investigation, the various reports and documents, the Committee had concluded that allegations of abuse were unfounded. But, after presenting her findings, the commission was dissolved and some of its members dismissed by the Gambian government. A second committee was then established, but while the GAMCOTRAP [was] awaiting the conclusions of this second investigation, the two women

were arrested and imprisoned." Dr. Touray and Ms. Bojang-Sissoho were released on bail on 20 October, and their trial continues.³⁰

COIS: We will include this in the next update.

End of section '15. Human rights institutions, organisations and activists'

It is recommended that this section includes additional links to sections '8. Security forces – Torture', '8. Security forces – Arbitrary arrest and detention' and '11. Prison conditions' of the COIS report.

COIS: We will add the links as suggested by the reviewer for the next update.

Additional recommended sources of information which provide an account of the situation and treatment of human rights defenders include:

- [International Federation for Human Rights \(FIDH\), Climate of fear amongst the community of human rights defenders, 22/07/2011](#)
- [Amnesty International, Gambia must drop treason charges against activists, 22/07/2011](#)
- [Article 19, Gambia: Free speech & journalist security still under threat, 22/07/2011](#)
- [Amnesty International, Annual Report 2011: Gambia, 13/05/2011](#), Human rights defenders
- [Amnesty International, Human rights defender detained in Gambia, 12/03/2010](#)
- [UN Office of the High Commissioner for Human Rights, "Are human rights defenders still safe in the Gambia?" question human rights experts, 09/10/2009](#)

COIS: Thank you.

16. Corruption

Paragraph 16.02

16.02 The [Freedom House report, *Freedom in the World 2011*](#), The Gambia, covering events in 2010, published on 16 May 2011, stated, "Official corruption remains a serious problem, although President Yahya Jammeh's recent focus on economic development policies has led to increased anticorruption efforts, including the establishment of an Anti-Corruption Commission. In March 2010, the government prosecuted and dismissed several high ranking security officials for corruption and drug-related charges." [35a]

The original source continues with the following which is recommended for inclusion:

[... The constitution provides for an independent judiciary, but the courts are hampered by corruption and executive influence [...]³¹

COIS: We will include this if it is still relevant when the report is next updated.

Paragraph 16.03

³⁰ [Women Living Under Muslim Laws \(WLUML\), UPDATE: Gambia: Trial continues of WHRDs Dr. Isatou Touray & Amie Bojang-Sissoho, 12/01/2011.](#)

³¹ [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#), Political rights and civil liberties.

16.03 The [US Department of State Country Report on Human Rights Practices 2010, The Gambia](#), published on 8 April 2011 (USSD Human Rights Report 2010), stated:

"The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. The World Bank's Worldwide Governance Indicators reflected that corruption was a serious problem.

"The president spoke against corruption on numerous occasions during the year [2010], and on July 22 formally enunciated a policy of 'zero tolerance for drugs and corruption.' The financial intelligence unit, which was established in 2009, is responsible for combating corruption.

"During the year [2010] the government prosecuted several senior police, military, and civilian officials for corruption. For example, on March 2, former inspector general of police Ensa Badjie, former commander of the military police unit of the army Lieutenant-Colonel Mam Matarr Secka, and Major Kuluteh Manneh were dismissed from their positions; they had been detained on numerous criminal charges including corruption, abuse of office, involvement in drug related crimes and armed robbery. Their trial continued at year's end." [2a] (Section 4)

The same source also stated that these two individuals had told their lawyer that

On August 5, former inspector general of police Ensa Badjie and former commander of the military police unit of the army Lieutenant-Colonel Mam Matarr Secka, who were on trial for corruption, abuse of office, and drug-related offenses, told their lawyer state security agents **severely tortured them** [Emphasis added] [...] ³²

This information should be also included in the COIS report.

COIS: Presumably linked to section 8, the subsection on human rights violations... We will include the information from the additional sources as suggested by the reviewer if it is still relevant when the report is next updated.

17. Freedom of religion

Paragraph 17.03

17.03 [The Foreign and Commonwealth Office \(FCO\) Country Profile on The Gambia](#), updated 26 April 2010, stated that "The Gambia is predominantly Muslim, but there is a significant Christian community and indigenous beliefs are also practised. Religious tolerance is good." [4a]

The highlighted source is regularly updated, it is therefore suggested that the paragraph is amended to reflect this as follows:

17.03 The Foreign and Commonwealth Office (FCO) [Country Profile on The Gambia](#), **which is regularly updated (last updated: 18/07/2011)** ~~updated 26 April 2010~~, stated that "The Gambia is predominantly Muslim, but there is a significant Christian community and indigenous beliefs are also practised. Religious tolerance is good." [4a] **[Emphasis added to show new entry]**

COIS: Thank you, this is a sensible suggestion and we will adopt it in the next report update.

Additional recommended sources of information include the following:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [U.S. Department of State, Background Note The Gambia, 22/04/2011](#)

COIS: Thank you.

³² [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1c.

18. Ethnic groups

Overview

Paragraph 18.02

18.02 The population of Gambia as at July 2010 was estimated to be 1,824,158. Banjul, the Capital has an estimated population of around 50,000. The Mandinka made up the largest ethnic group in Gambia at 42 per cent followed by Fula 18 per cent, Wolof 16 per cent, Jola 10 per cent and the Serahuli 9 per cent. Other groups made up 4 per cent. (CIA World Factbook, last updated 6 May 2011) [3a] (People)

The highlighted reference “[3a] (People)” refers to the CIA World Factbook, which is, according to its website, updated weekly; a fact that should be noted in this section of the COI Report. According to its latest edition, as of July 2011 the Gambian population was estimated at 1,797,860, with 435,000 (2009 figures) living in Banjul, the capital.³³ It should be made clear in this paragraph that the figure that is referred to in the COIS report of 50,000 refers to Banjul city, which is located on an island, whilst the greater Banjul area has a population of 435,000 and includes the Kombo Sr. Mary Division – see below.

Greater Banjul Area consists of the City of Banjul (St. Mary’s Island) and the agglomeration of Kanifing Municipal Council (KMC) sometimes called (Kombo St. Mary Division). Occupying an area of 93 sq. km (less than 1% of Gambia’s land area), Greater Banjul Area is home to a population of 357,000 (26% of the country’s population)... Banjul’s population peaked in 1983 at 45,000.³⁴

COIS: As above, we are aware that the CIA World Factbook is updated regularly – though we don’t think it is weekly – and will adopt the suggestion referring to such sources put forward by the reviewers. We will amend the population figures in light of updates. Figures on urban demography are more relevant to the geography section than here.

Paragraph 18.04

18.04 The Minority Rights Group International (MRGI) Profile on Gambian ethnic groups, accessed 22 March 2011, stated “The peoples of Gambia comprise two major linguistic groups. Dominant Mandinka agriculturalists... and traders who speak West Atlantic languages. Speakers of Manding include the pastoralist Fula as well as Wolof and Jola cultivators, albeit as a second language. Although each people has its own language, Mandinka serves as a lingua franca, with Wolof often performing that role in Banjul. English is the official language.” [50a]

The highlighted source contains additional information that should be included in the COIS report as follows:

[...] Jammeh’s opponents have noted his reliance on Jola support in the 2001 and 2006 elections, including at least the perception (if not reality) of cheating through enlistment of Diola kinsmen in Senegal. While Jola immigration from the Casamance is welcome, it has been made clear that further Wolof immigration from northern Senegal is not desired. Moreover, it is widely believed that Jolas have been favoured in recruitment into the army. This enhanced politicization of ethnicity in The Gambia could pose a risk to Jammeh’s own ethnic group, which comprises a mere ten per cent of the population. Moreover, there are some indications that particular Jola sub-groups, notably the Karoninka from the Karone islands in the Casamance, are starting to assert a separate identity [...]³⁵

³³ CIA, *The World Factbook, Population: Gambia, The*, Last updated 12/07/2011.

³⁴ Columbia University, *The Atlas of The Gambia, Undated* [Last accessed: 24/08/2011].

³⁵ Minority Rights Group (MRG), *World Directory of Minorities and Indigenous Peoples, Undated* [Last accessed: 22/07/2011], Current state of minorities and indigenous peoples.

COIS: We will include the information from the additional sources as suggested by the reviewer if it is still relevant when the report is next updated.

Mandinka

Paragraph 18.05

The reviewers have not previously come across the source "OneGambia". After a detailed search on the website of this source no information could be found on the author of the website, how the information is collected or from where it is sourced, which raises questions about the validity of the information. It is highly recommended that a caveat be included in the COIS report recommending caution when using this source and that further research should be undertaken to corroborate the information found.

COIS: We have found this source broadly consistent with other sources but accept the point that is not transparent in why it is providing information and how and where it originates. We will look to find more reliable and transparent alternative source.

Paragraph 18.06

Information from the source "The Joshua Project" should be handled with extreme caution since according to its [Purpose and Mission](#) found on its website,

Joshua Project is a research initiative seeking to highlight the ethnic people groups of the world with the least followers of Christ. Accurate, regularly updated ethnic people group information is critical for understanding and completing the Great Commission. Jesus said in Matthew 24:14 *"This gospel of the kingdom shall be preached in the whole world as a testimony to all the nations, and then the end will come."* Jesus directly links His return to the fulfillment of the Great Commission. While no one knows the date or time of His return, we do know that this gospel of the kingdom must be preached to all the nations first. Revelation 5:9 and 7:9-10 show that there will be some from every tribe, tongue, nation and people before the Throne [...] Joshua Project gathers, integrates and shares people group information to encourage pioneer church-planting movements among every ethnic group and to facilitate effective coordination of mission agency efforts. Joshua Project compiles the work of numerous missions researchers to develop a list of all ethnic peoples that is as complete as possible.³⁶

Given the mandate of this organisation, it is highly recommended that this information be removed, or at the very least that a caveat be included in the COIS report recommending caution when using this source and that further research should be undertaken to corroborate the information found on its website.

COIS: Though the source may have bias (we assume the reviewers are unaware of clear examples of inaccuracy or partiality?), we judge it to be generally accurate on background information and broadly consistent with other sources. However, we will look to find information from another source, as is COI research best practice, to make sure the background information is robust, and provide information about the source itself.

Paragraph 18.07

The reviewers have not previously come across the source "Mandinka People". After a detailed search on the website no information could be found on how the information is collected or from

³⁶ [The Joshua Project, Joshua Project: Purpose and Mission, Undated](#) [Last accessed: 22/07/2011].

where it is sourced, which raises questions about the validity of the information. Under the 'Team' section of the website it becomes apparent that this is another group set up to convert people to Christianity, in this case the Mandinkas from The Gambia.³⁷ It is highly recommended that this information be removed, or at the very least that a caveat be included in the COIS report recommending caution when using this source and that further research should be undertaken to corroborate the information found on its website.

COIS: We will review the source, and look to use information which is sourced more transparently.

In addition, an error was noted in the reference for this source; it should be corrected to state "[52b]".

COIS: We think the source is correctly cited.

Additional sources of information which provide information on the Mandinka include:

- [Minority Rights Group \(MRG\), World Directory of Minorities and Indigenous Peoples, Undated](#) [Last accessed: 22/07/2011], Peoples
- [Taal, Ebou Momar, Senegambian Ethnic Groups: Common Origins and Cultural Affinities Factors and Forces of National Unity, Peace and Stability, in The Point, 22/04/2010](#)
- Kea, Pamela 2010. Land, Labour and Entrustment: West African Female Farmers and the Politics of Difference. Leiden: African Social Studies Series, Brill. (Chapter 3 focuses on the Mandinka).
- [Refugee Documentation Centre, The Gambia: Situation of the Mandinka ethnic group in the Gambia, in particular treatment by the government/government agents, 13/03/2009](#)
- [Colley, Ebrima, Ethnic Groups and the Caste System, in WOW.gm, 14/05/2007](#)

COIS: Thank you.

Fula (Fulakunda, Fulani)

Paragraph 18.11

The reviewers have not previously come across the source "Africa Guide". After a detailed search on the website of this organisation no information could be found on the author of the website, how the information is collected or from where it is sourced, which raises questions about the validity of the information. The information provided from paragraph 18.11 is, according to 'Africa Guide' taken from 'Africa Imports', which is, according to its website "the largest supplier of African products in the US".³⁸ It is highly recommended that a caveat be included in the COIS report recommending caution when using this source and that further research should be undertaken to corroborate the information found on its website.

COIS: We will review the source and look to use a more transparent alternative(s).

Paragraph 18.11

In order to make the paragraph more user-friendly, the information included by Minority Rights Group should be moved to the previous paragraph 18.10 since it comes from the same source.

³⁷ [The Mandinka, Mandinka Team, December 2010.](#)

³⁸ [Africa Imports, Who we are, Undated](#) [Last accessed: 22/07/2011].

COIS: Thank you. We will take this into account in the next review. .

Paragraph 18.12

Please refer to the above comment and recommendation on p. 31 regarding the use of the source “OneGambia” in COIS reports.

Additional sources of information which provide information on the Fula include:

- [Minority Rights Group \(MRG\), World Directory of Minorities and Indigenous Peoples, Undated](#)
[Last accessed: 22/07/2011], Peoples
- [Taal, Ebou Momar, Senegambian Ethnic Groups: Common Origins and Cultural Affinities Factors and Forces of National Unity, Peace and Stability, in The Point, 22/04/2010](#)
- [Colley, Ebrima, Ethnic Groups and the Caste System, in WOW.gm, 14/05/2007](#)

COIS: Thank you.

Wolof

Paragraph 18.13

Please refer to the above comment and recommendation on p. 11 regarding the use of the source “Access Gambia” in COIS reports.

COIS: As above.

Paragraph 18.14

Please refer to the above comment and recommendation on p. 31 regarding the use of the source “OneGambia”, on p. 31 regarding “The Joshua Project” and on p. 33 regarding “Africa Guide” in COIS reports.

COIS: As above,

Paragraph 18.14

The reviewers have not previously come across the source “Everyculture”. After a detailed search on the website of this organisation no information could be found on the author of the website, how the information is collected or from where it is sourced, which raises questions about the validity of the information. It is highly recommended that a caveat be included in the COIS report recommending caution when using this source and that further research should be undertaken to corroborate the information found.

COIS: As our responses on OneGambia and Access Gambia, we will review the use of this source and look to find a transparent and reliable alternative.

End of paragraph 18.14

The three sources listed here should be moved to the bottom of section ‘18.Ethnic groups – Overview’ of the COIS report, including the following additional source, which provides further information on the different ethnic groups in The Gambia:

COIS: We will change as suggested for the next report update.

- [Minority Rights Group \(MRG\), World Directory of Minorities and Indigenous Peoples, Undated](#) [Last accessed: 22/07/2011], Peoples

The following source is recommended for inclusion in this section which lists the various languages and dialects that are spoken in The Gambia: [Ethnologue, Languages of Gambia, 2009](#) [Last accessed: 28/07/2011] (print edition cited as Lewis, M. Paul (ed.), 2009. Ethnologue: Languages of the World, Sixteenth edition. Dallas, Tex.: SIL International).

Additional sources of information which provide information on the Wolof include:

- [Minority Rights Group \(MRG\), World Directory of Minorities and Indigenous Peoples, Undated](#) [Last accessed: 22/07/2011], Peoples
- [Taal, Ebou Momar, Senegambian Ethnic Groups: Common Origins and Cultural Affinities Factors and Forces of National Unity, Peace and Stability, in The Point, 22/04/2010](#)
- [Colley, Ebrima, Ethnic Groups and the Caste System, in WOW.gm, 14/05/2007](#)
- [University of Kent: The Centre for Social Anthropology and Computing, Society – Wolof, Undated](#) [Last accessed: 26/08/2011]

COIS: Thank you.

19. Lesbian, Gay, Bisexual and Transgender (LGBT) persons

Legal rights

Paragraphs 19.01-19.02

These paragraphs cited The International Lesbian Gay, Bisexual, Trans and Intersex Association (ILGA) publication on State-sponsored Homophobia, *A world survey of laws prohibiting same sex activity between consenting adults*, updated May 2010. In May 2011, the ILGA published its latest report "State-sponsored Homophobia. A world survey of laws prohibiting same sex activity between consenting adults". The excerpts and source reference in the COIS report should be amended accordingly.

COIS: We will use the most up to date version when the report is next revised.

Treatment by, and attitude of, state authority

Paragraphs 19.05-19.12

The following source provides details of an additional incident not included in the COI Report in which persons were arrested for homosexuality conduct:

- [The International Herald Tribune, Gambia arrests two Spanish men for "homosexual proposals", 02/06/2008](#)

Additional recommended sources of information which provide information on the treatment of LGBT people by the state include:

- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 8
- [International Gay & Lesbian Human Rights Commission \(IGLHRC\), Submission to the Universal Periodic Review at the Human Rights Council, 31/08/2009](#)
- [Coalition of African Lesbians, LGBT denied housing – Gambia, 23/05/2009](#)

Additional recommended sources of information which provide information on the treatment of LGBT people by society include:

- [Isatou Toura, Sexuality and Women's Sexual Rights in the Gambia, in Institute of Development Studies \(IDS\) Bulletin Volume 37 Number 5 October 2006](#), Lesbianism (p. 82)

COIS: Thank you.

20. Disability

Paragraphs 20.01 and 20.02

Only one source is cited in these two paragraphs that make up the section: the 2010 U.S. State Department report. Additional sources which provide useful information on the situation for persons living with a disability in the Gambia include:

- [FOROYAA Newspaper \(Serrekunda\), Some Political Parties Sideline Disability Issues, 22/06/2011](#)
- [UN Human Rights Council, National report submitted in accordance with paragraph 15 \(a\) of the Annex to Human Rights Council resolution 5/1*, 20/01/2010](#), X. Challenge and constraints, H. Persons with disabilities, paragraph 96 ff.
- [UN Human Rights Council, Compilation Prepared by the Office of the High Commissioner for Human Rights, in Accordance with Paragraph 15 \(B\) of the Annex to Human Rights Council Resolution 5/1; Gambia \[A/HRC/WG.6/7/GMB/2\] 13/11/2009](#) paragraphs 18, 19
- [LandMine Monitor report, The Gambia, 2009](#), Victim Assistance p.440
- [US Social Security Administration, Social Security Programs Throughout the World, 2008-2009, August 2009](#)
- [FOROYAA Newspaper \(Serrekunda\), Gambia: National Disability Study Report, 06/06/2009](#)

COIS: Thank you.

21. Women

Overview

End of sub-section 'Overview'

It is recommended that the two links to sub-sections 'Social and economic rights' and 'Violence against women' be deleted since this provides the impression that only those sections document women's human rights violations.

COIS: The researcher will change as suggested for the next report update.

The following additional source provides a useful overview on the human rights situation for women:

- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), paras. 3 and 4

COIS: Thank you.

Legal rights

Paragraph 21.02

An error is noted in the referencing to this source; it should state “[10a] (Rights of women 28)”.

COIS: We will amend, if the source is retained, in the next report update.

Political rights

Paragraph 21.05

The actual source of this excerpt is not the International Federation For Human Rights, as stated and referenced in this paragraph and in Annex E of the COIS report. The information is taken from [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#). Relevant amendments should be made.

COIS: The information was produced by a coalition of NGOs which participated in the campaign “Africa for women's rights: ratify and respect!”. The campaign was established by FIDH in 2009 and the report covering the continent, including Gambia - <http://www.fidh.org/IMG/pdf/dossierofclaims0803eng.pdf> - was published by FIDH. The sourcing is clearly a little convoluted – we do refer to the coalition <http://www.africa4womensrights.org/post/2010/03/05/Dossier-of-Claims%3A-Gambia> <http://www.fidh.org/IMG/pdf/dossierofclaims0803eng.pdf> in the source annex. Further explanation is perhaps required.

Social and economic rights

Paragraph 21.06

21.06 The [SIGI Country Profile on The Gambia, accessed 31 March 2011](#), noted:

“Women also face discrimination in regard to parental authority. Sharia considers husbands to be the natural head of the family; as such, they have sole responsibility for matters concerning the raising of children.

“Women's rights with regard to inheritance depend on the law applied. Sharia provides for detailed and complex calculations of inheritance shares, whereby women may inherit from their father, mother, husband or children and, under certain conditions, from other family members. However, their shares are generally only half of that to which men are entitled. Christian women and female children can receive properties under the wills of their husbands or fathers, but may also find themselves disadvantaged. Their law of inheritance permits husbands, if they so choose, to will away all property and leave nothing for their wives and children. Gambian law offers no protection to women in such cases. Under customary law, wives are not entitled to the property of their husband unless – and until – they agree to let themselves be inherited by the husband's family. In effect, such women are treated as a form of property to be inherited along with the rest of their husbands' assets.” [28a]

The highlighted source also includes the following relevant information which is recommended for inclusion:

[...] Women in the Gambia have very few ownership rights. Concerning access to land, only a small proportion of women have titles to land property. The problem is especially acute in rural areas: traditional and cultural practices allow women to have the right to usufruct over land but forbid them from owning it. All women, whether married or single, have access to property other than land. The law does not discriminate against women in the area of access to bank loans or credit facilities, but women in the Gambia face several obstacles in this area. For example, most financial institutions will not grant credit facilities unless the applicant has adequate security or collateral: in most cases, they will insist on property in the form of land. Since access to land is problematic for Gambian women, so is access to credit. Because of tradition and cultural practices, rural women are, strictly speaking, thereby effectively denied access to loans and credit [...]³⁹

COIS: As pointed out by the reviewer, this is useful information that the researcher will include this in the next update of the Gambia report.

Paragraph 21.07

As above, the actual source of this excerpt is not the International Federation For Human Rights, as stated and referenced in this paragraph and in Annex E of the COIS report. The information is taken from [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#). Relevant amendments should be made.

COIS: As above.

End of sub-section 'Social and economic rights'

It is recommended that an additional link is included here to section '18. Ethnic groups' in the COIS report.

COIS: Will do.

Access to education and employment

Paragraph 21.10

As above, the actual source of this excerpt is not the International Federation For Human Rights, as stated and referenced in this paragraph and in Annex E of the COIS report. The information is taken from [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#). Relevant amendments should be made.

The 'Dossier of Claims: Gambia' also includes the following information which should be added to this sub-section:

[...] Enrollment of girls in schools is extremely low, especially at secondary and higher levels, and dropout rates are high, in part due to the high number of girls employed as domestic servants and the high prevalence of early marriages, as well as traditional views of women's roles. In 2005, the illiteracy rate for women was estimated at 65.8% [...]⁴⁰

COIS: As above. If this information isn't already covered in Children, we will look to add and/or link to Children.

³⁹ [Social Institutions and Gender Index \(SIGI\), Gender equality and social institutions in Gambia, The, Undated](#) [Last accessed: 29/07/2011], Ownership rights.

⁴⁰ [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#), Obstacles to access to education and employment.

Additional sources of information:

- Kea, Pamela 2007. 'Girl farm labour and double shift schooling in The Gambia: The paradox of development intervention', *Canadian Journal of African Studies / Review Canadienne des etudes africaines* 41(2). (Girls' education)
- [Food and Agriculture Organization of the United Nations, Undated](#) [Last accessed: 30/08/2011]

COIS: Thank you.

Marriage and divorce

Paragraph 21.11 End of sub-section 'Marriage and divorce'

In order that the link provided under paragraph 21.11 "See also Section 22: Children – Underage/forced marriage" is not missed, it is recommended that it is placed at the end of this sub-section.

COIS: The researcher will add the link as suggested by the reviewer, for the next update.

Paragraph 21.12

21.12 [The USSD Human Rights Report 2010](#) stated:

"Marriages often were arranged and, depending on the ethnic group, polygyny was practiced. Women in polygynous unions had problems with property and other rights arising from the marriage. They also had the option to divorce, but no legal right to disapprove or be notified in advance of subsequent marriages by their husbands. ~~The women's bureau under the Office of the Vice President oversees programs to ensure the legal rights of women. Active women's rights groups existed.~~" [2a] (Section 6)

The above struck-through text should be deleted since it is not pertinent to 'marriage and divorce'.

COIS: We will amend.

The highlighted source also includes the following relevant information which is recommended for inclusion:

[...] The judicial system recognizes customary, Sharia (Islamic), and general law. Customary law covers marriage and divorce for non-Muslims, inheritance, land tenure, tribal and clan leadership, and other traditional and social relations. Customary law recognizes the rights of all citizens regardless of age, gender, and religion. It does not call for discrimination, but women are expected to show respect for their husbands and children for their parents.

Sharia was employed primarily in Muslim marriage and divorce matters; it favored men in its provisions⁴¹

[...] Sharia is applied in marriage, divorce, and inheritance cases for Muslims, who make up more than 90 percent of the population. Women normally received a lower proportion of assets distributed through inheritance than males. The churches concerned and the office of the attorney general settled Christian and civil marriage and divorce issues [...]⁴²

COIS: Thank you, we will add this.

Paragraph 21.13 and 21.14

⁴¹ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 1e.

⁴² [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 6.

Please refer to the above comment and recommendation on p. 11 regarding the use of the source “Access Gambia” in COIS reports. Moreover, the intended purpose of including the following excerpt under paragraph 21.14 is not clear since it explains how marriage proposals are supposedly held:

21.14 The Access Gambia website described the marriage process for Muslims as a relatively simple affair:

“If a man is interested in getting married to a woman, after informing his parents, then male representatives (uncles, brothers, close relatives) of the groom are then sent to the woman’s house. They present some Kola nuts & express the groom’s interest. If the woman’s representatives agree then they set a date for the wedding & announce this to all relatives. Usually such weddings are held at a Mosque of Jaka but could just as well be held in the woman’s home.” [29e] (Weddings in Gambia)

Other, more relevant, information found on that specific webpage appears more suitable for this section of the COIS report:

[...] It should be noted that a wedding can take place even if the groom and bride are outside the country and living in different continents for that matter. Furthermore there is virtually no engagement period as it is simply announced a week or less before the wedding date, though arrangements would have taken place one or two weeks prior.

If a Christian woman and a Muslim man are to wed then it could be possible to have a ceremony in the Mosque and a civil ceremony in Banjul at the registry office.

[...] In Gambia, unions among people of the Moslem faith, usually follows certain traditional Islamic tradition with an infusion of ethnic customs and practices. It is an elaborate ceremonial tradition with its own rules and forms of etiquette. Although men marry at a somewhat later age, most women marry between the ages of 14-20 (20-30 in urban areas). The wedding is mainly an arrangement between two families and not between individuals, especially when it is a case of a second or third wife, although today in most of the country the couple to be wed is consulted and their wishes respected. However, great importance is still placed on marrying within the social group [...]⁴³

COIS: As above. We will review this source and section in the next update, seeking a more transparent alternative source.

The following recommended additional sources provide further information on the rights of Gambian women in relation to marriage, family life, divorce and inheritance:

- [Social Institutions and Gender Index \(SIGI\), Gender equality and social institutions in Gambia, The, Undated](#) [Last accessed: 29/07/2011]
- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [Africa 4 Women’s Rights, Dossier of Claims: Gambia, 05/03/2010](#), In Law
- [UN Human Rights Council, National report submitted in accordance with paragraph 15 \(a\) of the Annex to Human Rights Council resolution 5/1*, Gambia, 20/01/2010](#), para. 91
- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), Divorce (para. 14), Enjoyment of property (para. 15)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 7 and paras. 24-25

⁴³ [Access Gambia, Weddings in Gambia, Undated](#) [Last accessed: 09/08/2011]

COIS: Thank you.

Violence against women

Paragraph 21.15

As above, the actual source of this excerpt is not the International Federation For Human Rights, as stated and referenced in this paragraph and in Annex E of the COIS report. The information is taken from [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#). Relevant amendments should be made.

COIS: As noted previously regarding this source.

Paragraph 21.16

21.16 The [USSD Human Rights Report 2010](#) stated that "Domestic violence, including spousal abuse, was a widespread problem; however, it was underreported due to the stigma surrounding such violence. There was no law prohibiting domestic violence; however, cases of domestic violence could be prosecuted under laws prohibiting rape, spousal rape, and assault. There have been no prosecutions because cases of domestic violence are often settled through counseling and dialogue with family elders." [2a] (Section 6)

The highlighted source also included the following relevant information which is recommended for inclusion in this sub-section:

[...] There are no shelters or hotlines for victims. One of the leading women's rights NGOs in the country, GAMCOTRAP, has included gender-based violence in its training modules for combating FGM. Police generally considered reports of spousal rape to be domestic issues outside of their jurisdiction.

[...] The law prohibits sexual harassment and provides for a one-year mandatory prison sentence for offenders; however, sexual harassment remained a problem, although no cases were reported during the year [...]⁴⁴

COIS: As pointed out by the reviewer this is useful information. We will add this to the next update of the Gambia report.

Paragraph 21.18

At paragraph 21.18, the "United Nations (UN) Human Rights Council" is again wrongly identified as the author of the report *National report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1 – Gambia*. See above.

An error has been noted in the reference for this source; it should state "[11a] para. 80].

COIS: As noted previously.

Paragraph 21.20

The sentence following the excerpt included at paragraph 21.20 should also be added to the COIS report since it reports that women have limited recourse to effective state protection:

[...] And human rights instruments and national laws offer little to no protection or recourse to wives and women that suffer such abuse from husbands and other males, including relatives. Add to this

⁴⁴ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 6.

the numerous unreported cases of rape, sexual harassment and sexual imposition, sometimes by men in positions of authority against women professionals, with impunity [...]⁴⁵

COIS: As pointed out by the reviewer this is useful information. The researcher will include this for the next update of the Gambia report.

End of sub-section 'Violence against women'

It is recommended that an additional link is added to section '21. Women – Rape' in the COIS report. In addition, in order that the link provided under paragraph 21.18 "See also Section 22 Children – Female Genital Mutilation (FGM) and Underage/forced marriage" is not missed, it is recommended that it is placed at the end of this sub-section.

COIS: Rape is a subsection of women, not another section – so both should be read together by users.

We will provide a link to the relevant parts of section on children.

Additional recommended sources are listed below, which include useful information on the prevalence of violence against women and the response by the Gambian authorities:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), Domestic violence (paras. 7 and 8)
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 19 and 20
- [Foroyaa Newspaper \(Serrekunda\), Female Lawyers' President On Laws On Violence Against Women, 14/10/2009](#)
- [Isatou Toura, Sexuality and Women's Sexual Rights in the Gambia, in Institute of Development Studies \(IDS\) Bulletin Volume 37 Number 5 October 2006](#), FGM (p. 78 and 79) and Sexual abuse (p. 81)

| COIS: Thank you. .

Rape

End of sub-section 'Rape'

It is recommended that an additional link is added to section '21. Women – Violence against women' of the COIS report.

COIS: We will add further links.

The following recommended sources provide further information on the prevalence of rape against women:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)

⁴⁵ [The Gambia Echo, Guest Editorial: Violence against Women \(wife-beating\): A Bastion of Male-domination that must End, 04/03/2010](#)

- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), Rape (paras. 9 and 10)

COIS: Thank you.

Government and non-governmental organisation (NGO) assistance

Paragraph 21.24

The sentence following the excerpt included at paragraph 21.24 should also be included in the COIS report

[...] Add to this the numerous unreported cases of rape, sexual harassment and sexual imposition, sometimes by men in positions of authority against women professionals, with impunity [...] ⁴⁶

COIS: As pointed out by the reviewer this is useful information. The researcher will consider adding this for the next update of the Gambia report.

End of sub-section 'Government and non-governmental organisation (NGO) assistance

It is recommended that an additional link is added to section '16. Corruption' of the COIS report.

COIS: It is not clear why – please explain.

Health and welfare

Only one source has been included in this section. The following additional sources provide further information on maternal health care in The Gambia:

- [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#), Obstacles to access to health
- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#)

COIS: Thank you.

22. Children

Overview

Paragraph 22.03

This paragraph only contains a link to a February 2011 UNICEF report, which “provides statistical data on children’s economic and social issues”. It is recommended that the following information is added to the paragraph in order to improve access to this information given the large report case owners otherwise would have to scroll through:

The following tables found in the report might be of interest. The numbers in brackets relate to the page number where the statistical data for The Gambia can be located:

Table 1 Basic Indicators, e.g. mortality rates [p. 89]

Table 2 Nutrition [p. 93]

Table 3 Health [p. 97]

Table 4 HIV and AIDS [p. 101]

⁴⁶ [The Gambia Echo, Guest Editorial: Violence against Women \(wife-beating\): A Bastion of Male-domination that must End, 04/03/2010](#)

Table 5 Education [p. 105]
 Table 6 Demographic Indicators [p. 105]
 Table 7 Economic Indicators [p.109]
 Table 8 Women [p. 117]
 Table 9 Child Protection [p. 121]
 Table 10 The rate of progress [p. 127]
 Table 11 Adolescents [p. 131]
 Table 12 Equity [p. 135]

COIS: As pointed out by the reviewer this is useful information. The researcher will consider including this for the next update of the Gambia report if still relevant.

Legal rights

Paragraph 22.08

22.08 The US Department of State *Country Report on Human Rights Practices 2010, The Gambia, published on 8 April 2011* (USDD Human Rights Report 2010), stated, "There are no laws against forced marriage, and in many villages, especially Bajakunda, young girls were forced to marry at a young age." [2a] (Section 6)

The highlighted source also noted the following with regards to the availability of laws to protect children:

[...] The law does not prohibit female genital mutilation (FGM), and the practice remained widespread [...]⁴⁷

COIS: This additional information on FGM suggested by the reviewer can be located in the subsection 'Female Genital Mutilation (FGM) (Para 22.20)'. We will consider adding this to the section on Legal rights as recommended, or cross reference to that section.

Violence against children

Paragraphs 22.11 & 22.14

An extract from the Childs Rights Information Network (CRIN), *United Nations compilation of National Reports submitted for Gambia's Universal Periodic Review*, dated 10 February 2010, stated:

This reference to the source material quoted is incorrect and should be amended as follows:

An extract from the Childs Rights Information Network (CRIN) document featuring child-rights issues from reports submitted to the first Universal Periodic Review, found under 'Compilation of UN information', dated 10 February 2010, stated:

COIS: Thank you. In future, we will go to the original sources.

The following source which documents the prevalence of corporal punishment in The Gambia should be included in this sub-section of the COIS report:

- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 21

Underage/Forced marriage

⁴⁷ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 6, Children.

Only two sources are included in this sub-section. It is recommended that the following sources are considered for inclusion:

- [Social Institutions and Gender Index \(SIGI\), Gender equality and social institutions in Gambia, The, Undated](#) [Last accessed: 29/07/2011]
- [UN Human Rights Council, National report submitted in accordance with paragraph 15 \(a\) of the Annex to Human Rights Council resolution 5/1* Gambia, 20/01/2011](#), Section X, D, para. 90 and E, para. 92
- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), para. 13

COIS: Thank you. We will consider these.

Female Genital Mutilation (FGM)

Paragraph 22.20

22.20 The USSD Human Rights Report 2010 stated “The law does not prohibit female genital mutilation (FGM), and the practice remained widespread.” [2a] (Section 6) [The United Nations report, Legislation to Address the Issue of Female Genital Mutilation \(FGM\), 21 May 2009](#), stated:

The reference to the second source material quoted is incorrect and should be amended as follows:

The report prepared by the Executive Director of the Inter-African Committee on Traditional Practices for the UN Expert Group Meeting on good practices in legislation to address harmful practices against women, dated 21 May 2009, stated:

COIS: Thank you we will amend this for the next update of the report.

Paragraph 22.21

22.21 [The USSD Human Rights Report 2010](#) noted that “FGM was less frequent among educated and urban groups. Some religious leaders publicly defended the practice. There were reports of health complications, including deaths, associated with FGM; however, no accurate statistics were available. Several NGOs [Non-Governmental Organisations] conducted public education programs to discourage the practice and spoke out against FGM in the media.” [2a] (Section 6)

The highlighted source also mentioned the difficulties faced by anti-FGM activists, which should be included in the COIS report:

[...] On October 3, two prominent gender activists and anti-FGM campaigners were arrested and charged with stealing 30,000 euros (\$40,200) granted by the Spanish nongovernmental organization (NGO) Yolocamba Solidaridad. Dr. Isatou Touray, Executive Director of the NGO Gambia Committee on Traditional Practices Affecting the Lives and Circumstances of Women and Children (GAMCOTRAP), and the agency's Program Coordinator, Mrs. Amie Bojang Sissoho, were denied bail and spent eight days in prison custody before their trial could proceed. The charges of theft were reportedly based on the findings of an investigation panel that looked into GAMCOTRAP's management of the Yolocamba grant. A previous panel set up by the Office of the President in May concluded that the allegations of mismanagement were unfounded. A number of women circumcisers who worked with GAMCOTRAP in its campaign to end FGM were brought in by the authorities to testify. The case was still before the courts at year's end [...]⁴⁸

⁴⁸ [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 5.

COIS: It is not clear whether this additional information is relevant, since the motivation for the arrests are not explained, only inferred. However, the researcher will consider this information when next updating the Gambia report.

Paragraph 22.22

The source is no longer accessible since the web link now states “This account has been suspended”. It is therefore recommended that the article and any reference to its source be deleted from the COIS report.

COIS: We will review the source and if it continues to be inaccessible remove it.

Additional recommended sources that report on the widespread prevalence of FGM in The Gambia include:

- [Social Institutions and Gender Index \(SIGI\), Gender equality and social institutions in Gambia, The, Undated](#) [Last accessed: 29/07/2011]
- [Today Newspaper, GAMBIA: GAMCOTRAP Wants Security Agents To Stop FGM, 22/04/2010](#)
- [Africa 4 Women’s Rights, Dossier of Claims: Gambia, 05/03/2010](#), Violence
- [Sexual Rights Initiative, Report on Gambia to the 7th Round of the Universal Periodic Review – February 2010, 23/11/2009](#), paras. 5 and 6
- [UN Human Rights Council, SUMMARY PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 \(C\) OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 – Gambia, 02/11/2009](#), para. 18
- [AllAfrica, GAMBIA: 75 Percent of Women Are Subject to FGM - Says Gamcotrap Coordinator, 21/03/2008](#)
- Hernlund, Y. and Shell-Duncan 2007. ‘Contingency, context, and change: negotiating female genital cutting in The Gambia and Senegal.’ *Africa Today*, 53: 42-57
- Hernlund, Y. and Shell-Duncan 2007. *Transcultural Bodies: Female Genital Cutting in Global Context*. Piscataway, N.J.: Rutgers University Press
- [Isatou Toura, Sexuality and Women’s Sexual Rights in the Gambia, in Institute of Development Studies \(IDS\) Bulletin Volume 37 Number 5 October 2006](#), FGM, pages 78 and 79

COIS: Thank you.

Child labour

Paragraph 22.25

22.25 The US Department of Labor (USDOL) report *2009 Findings on the Worst Forms of Child Labor, The Gambia*, covering the period March 2009 to February 2010, published on 15 December 2010 stated that “Children in The Gambia are exploited in the worst forms of child labor, many of them in street vending, domestic service, commercial sexual exploitation and agriculture. Working girls engage in street vending, selling food items such as sweets, water, and fruits for their parents. Working boys are found hauling items, sweeping, and collecting taxi or bus fares.” [53a] (p260)

The highlighted source also includes the following information which details particular instances of child labour in The Gambia, which is recommended for inclusion in the COIS report:

[...] Children working on the streets are exposed to a variety of risks, which may include severe weather, accidents caused by proximity to vehicles, and vulnerability to criminal elements. Domestic and agricultural work may expose children to unsafe and unhealthy conditions as well. Child domestic servants may be required to work long hours and be vulnerable to physical and sexual exploitation by their employer. Agricultural labor may involve using potentially dangerous machinery and tools, carrying heavy loads, and applying harmful pesticides. Children in The Gambia have been known to sell drugs for their parents, especially cannabis.¹⁸⁹⁴ The practice of sending boys to Koranic teachers to receive education is a tradition in The Gambia.¹⁸⁹⁵ This may include a vocational or apprenticeship component. While some of these boys, known locally as almudos, receive lessons, many are forced to beg by their teachers for money and food.¹⁸⁹⁶ The commercial sexual exploitation of children, including prostitution and child sex tourism, continues to be a serious problem in The Gambia.¹⁸⁹⁷ [...]⁴⁹

COIS: As pointed out by the reviewer this is useful information. We will consider including this for the next update of the Gambia report.

Paragraph 22.26

22.26 The USSD Human Rights Report 2010 added:

"Child labor was a problem, although the constitution prohibits economic exploitation of children under 16 years of age, and the law prohibits exploitative labor or hazardous employment of children under the age of 18. The Children's Act also sets the minimum age for light work at 16 years and for apprenticeship in the informal sector at 12 years. Most children completed their formal education by the age of 14 and then began work. Child labor protection does not extend to the performance of customary chores on family farms or petty trading. Child labor in informal sectors is difficult to regulate, and laws implicitly apply only to the formal sector. Rising school fees prohibited many families from sending their children to school, resulting in an increase in child labor." [2a] (Section 7d)

The highlighted source also includes the following information, which is recommended for inclusion in the COIS report:

[...] The Department of Labor is responsible for enforcing child labor laws and conventions on the worst forms of child labor. Employee labor cards, which include a person's age, were registered with the labor commissioner, who was authorized to enforce child labor laws; however, enforcement inspections rarely took place. The law incorporates International Labor Organization provisions outlawing child prostitution and pornography. There were no specific actions by the government to prevent or combat child labor during the year [...]⁵⁰

COIS: As pointed out by the reviewer this is useful information. We will include this for the next update of the Gambia report if still relevant.

Childcare and protection

Paragraph 22.31

The source is no longer accessible since the web link now states "This account has been suspended". It is therefore recommended that the article and any reference to its source be deleted from the COIS report.

COIS: We will review the source and if it continues to be inaccessible remove it.

⁴⁹ U.S. Department of Labor, 2009 Findings on the Worst Forms of Child Labor, 15/12/2010, p. 260.

⁵⁰ U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011, section 7d.

End of sub-section 'Childcare and protection'

Links to the following sections of the COIS report should be included here: '22. Children – Violence against children, '22. Children – Underage/Forced marriage', '22.Children – Female Genital Mutilation (FGM), '22. Children - Child labour', and '22. Children – Street children'.

COIS: We will add additional cross-references.

An additional recommended source of statistical information for inclusion in this section is:

- [UNICEF, The State of the World's Children 2011: Adolescence - An Age of Opportunity, February 2011](#), Table 9 Child Protection, p. 121

COIS: we will add statistical information in the next update.

Street children

An additional source recommended for inclusion in this section is:

- [U.S. Department of Labor, 2009 Findings on the Worst Forms of Child Labor, 15/12/2010](#), p. 262

COIS: Thank you.

Education

Paragraph 22.37

22.37 [The United Nations Children's Fund \(UNICEF\) noted on their website](#) when referring to primary school years in The Gambia, accessed 17 May 2011 that:

"The formal system of education in The Gambia consists of six years of primary (lower basic) and three years of upper basic education. These two levels together constitute 9 years of uninterrupted basic education. Children start school at age 7 and complete basic education at age 16 at which point they are ready to enter Senior Secondary Schools or other Vocational Training provisions depending on their performance in the terminal examination offered at grade 9." [34e]

The highlighted source continues with the following relevant information, which should be included in the COIS report:

[...] Whereas the urban areas are registering nearly universal access to lower basic education, the rural areas are only registering between 55 per cent and 65 per cent GER. Major challenges still remain in improving quality, relevance, retention, and above all improving school infrastructure to realize the Education For All (EFA) and Millennium Development Goals by the year 2015. Gender parity in primary school enrolment has been reached, but sustainability is the challenge. The ratio of boys to girls attending primary school is 103 girls for every 100 boys; however the completion rate is about 74 girls for every 100 boys [...]⁵¹

COIS: We will add this additional information if still relevant.

Paragraph 22.40

As above, the actual source of this excerpt is not the International Federation For Human Rights, as stated and referenced in this paragraph and in Annex E of the COIS report. The information is taken from [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#). Relevant amendments should be made.

⁵¹ UNICEF, Gambia: Primary School Years, Undated [Last accessed: 01/08/2011].

COIS: As noted above.

An additional source of statistical information includes:

- [UNICEF, The State of the World's Children 2011: Adolescence - An Age of Opportunity, February 2011](#), Table 5 Education, p. 105

COIS: Thank you.

Health and Welfare

The following sources provide useful information in relation to basic health services available to children:

- [UNICEF, The State of the World's Children 2011: Adolescence - An Age of Opportunity, February 2011](#), Table 1 Basic Indicators, p. 89 and Table 3 Health, p. 97
- [Human Resources for Health Country Profile – The Gambia, March 2009](#), p. 21 ff

These sources detail HIV prevalence rates amongst children, deaths of children due to AIDS and the estimated number of orphans due to AIDS:

- [UNICEF, The State of the World's Children 2011: Adolescence - An Age of Opportunity, February 2011](#), Table 4 HIV and AIDS, p. 1010
- [U.S. Department of Labor, 2009 Findings on the Worst Forms of Child Labor, 15/12/2010](#), p. 262 (street children)
- [World Health Organisation, Epidemiological Fact Sheet on HIV/AIDS and Sexually Transmitted Infections, July 2008](#)

COIS: Thank you.

23. Trafficking

This whole section contains information from a very limited range of sources, namely the annual trafficking and child labour reports by the U.S. Department of State and the U.S. Department of Labour respectively. The following additional sources which include information about trafficking of children and women from The Gambia are recommended for inclusion:

- [Freedom House, Country Report: Gambia, The \(2011\), 16/05/2011](#)
- [U.S. Department of State, 2010 Human Rights Reports: The Gambia, 08/04/2011](#), section 6 – Women and Children. Despite the above comment, this source contains information that is deemed useful for this particular section of the COIS report.
- [Africa 4 Women's Rights, Dossier of Claims: Gambia, 05/03/2010](#), In Practice – Violence
- [Isatou Toura, Sexuality and Women's Sexual Rights in the Gambia, in Institute of Development Studies \(IDS\) Bulletin Volume 37 Number 5 October 2006](#), Trafficking in women (p.82)

COIS: Thank you.

Overview

Paragraph 23.01

This source is outdated. The latest annual trafficking report by the U.S. Department of State was published in June 2011 and now places The Gambia under Tier 2 Watchlist or “2WL”, which relates to the following:

TIER 2 WATCH LIST

Countries whose governments do not fully comply with the TVPA’s minimum standards, but are making significant efforts to bring themselves into compliance with those standards AND:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year⁵²

The COIS report should be amended immediately to reflect the down-grading of The Gambia’s tier placement.

COIS: The Gambia COI Report was published on 9 June 2011. The United States Department of State, 2011 Trafficking in Persons (TIP) Report - The Gambia was published on the 27 June 2011.

United States Department of State, 2011 Trafficking in Persons Report - The Gambia, 27 June 2011, available at: <http://www.unhcr.org/refworld/docid/4e12ee4028.html>

We do not think it necessary to update the COI Report immediately because of this change in status, nor is it practical for us given available resources. The information in the 2010 version of the US State Department TiP report reflects a poor situation. The TiP indicates a deterioration but not a huge change. Invariably reports are released, countries changes between report updates and to issue a revised report every time this happens is impractical and is something users understand.

We do have other means of notifying UKBA users of changes, significant or minor, via our request service and other documents if needs be. We will notify UKBA decision makers of the new report.

Paragraph 23.02

23.02 The US Department of Labor (USDOL) report *2009 Findings on the Worst Forms of Child Labor, The Gambia* covering the period March 2009 to February 2010, published on 15 December 2010 stated that:

“The trafficking of children is specifically prohibited under multiple Gambian laws. Under the Children’s Act, which typically takes precedence over other legislation, child trafficking offenses are punishable by life imprisonment. The Tourism Offenses Act of 2003 prohibits child prostitution, trafficking, and pornography. The Children’s Act and Trafficking in Persons Act prohibit promoting child prostitution and procuring a child for sexual exploitation in The Gambia. Additionally, the Children’s Act prohibits the procurement, use, or offering of a child for the production or trafficking of drugs.” [53a] (p261)

The highlighted source further provides the following information which is recommended for inclusion:

⁵² [U.S. Department of State, Tier Placements, 27/06/2011](http://www.state.gov/tiprpt/country/2011/06/20110601.htm)

[...] Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.¹⁸⁹⁸ Boys from Senegal are trafficked to The Gambia for forced begging, and Gambian boys are trafficked to Senegal for this purpose as well.¹⁸⁹⁹ Gambian girls are trafficked to Senegal for domestic service.¹⁹⁰⁰ Within The Gambia, children are trafficked for domestic service and commercial sexual exploitation, including in the tourism industry.¹⁸⁹⁸ Boys from Senegal are trafficked to The Gambia for forced begging, and Gambian boys are trafficked to Senegal for this purpose as well.¹⁸⁹⁹ Gambian girls are trafficked to Senegal for domestic service.¹⁹⁰⁰ [...] ⁵³

COIS: Thank you, we will add this.

Paragraph 23.03

This source is outdated. The latest annual trafficking report by the U.S. Department of State was published in June 2011 and now states the following:

[...] The Gambia is a source, transit, and destination country for children and women subjected forced labor and sex trafficking. Within The Gambia, women and girls and, to a lesser extent, boys are subjected to sex trafficking and domestic servitude. In the past, boys attending Koranic schools run by teachers known as *marabouts* were often forced to beg in the streets, but the Government of The Gambia reports that an increasing number of *marabouts* now force children into street vending, where they are more difficult to identify. Women, girls, and boys from West African countries – mainly Senegal, Sierra Leone, Liberia, Ghana, Nigeria, Guinea, Guinea Bissau, and Benin – are recruited for exploitation in the sex trade in The Gambia, in particular to meet the demands of European tourists seeking sex with children. Observers believe organized networks use travel agencies to promote child sex tourism, though none have been uncovered. There are reports that Europe-bound smuggling operations transiting Cape Verde and the Canary Islands using fishing boat include trafficking victims, but these reports may be based on a failure to distinguish human trafficking from the separate crime of migrant smuggling. The Government of The Gambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these efforts, the government did not demonstrate increasing efforts to address human trafficking over the previous year; therefore, The Gambia is placed on Tier 2 Watch List. The Gambian government failed to use its adequate anti-trafficking legal framework to investigate or prosecute any suspected trafficking cases during the reporting period. While it began to designate staff to serve on the National Agency Against Trafficking in Persons, it did not complete efforts to bring this agency into formal existence, as mandated by a 2007 law. The government claimed to monitor boys in street vending and unaccompanied girls in resorts known to be destinations of sex tourists, though it did not identify or provide protective services to any victims among these populations [...] ⁵⁴

The COIS report should be amended immediately to reflect the down-grading of The Gambia's tier placement.

COIS: As above.

Prevention

Paragraph 23.04

This source is outdated. The latest annual trafficking report by the U.S. Department of State was published in June 2011 and now states the following:

⁵³ [U.S. Department of Labor, 2009 Findings on the Worst Forms of Child Labor, 15/12/2010](#), p. 260.

⁵⁴ [U.S. Department of State, Trafficking in Persons Report 2011: Country Narratives: Countries G through M, 27/06/2011](#), The Gambia (Tier 2 Watch List).

[...] The government made limited efforts to prevent trafficking during the year. The Department of Social Welfare reports rescuing 19 street children who were at risk of being trafficked, and with assistance from an international NGO, repatriating 14 of these children to Mali, Guinea, Senegal, and Mauritania. Child sex tourism was a problem in The Gambia. The Tourism Security Unit (TSU) and The Gambia Tourism Authority claimed it compiled a list of suspected pedophiles and traffickers, though only one was identified during the year, a child sex tourist from Norway arrested in December 2010 for sexually exploiting six boys. Authorities report removing unattended children from resort areas, in accordance with a policy to combat child sex tourism, but this effort did not lead to the referral of any child trafficking victims to protective services or the apprehension of any traffickers. Members of the National Task Force for Combating Trafficking in Persons, which the government disbanded during the previous reporting year, continued to informally share information among themselves, but did not report taking any additional action. The Ministry of Justice began to recruit staff for the newly forming National Agency Against Trafficking in Persons, mandated by the 2007 Trafficking in Persons Act; a new Board of Directors was appointed in January 2011 and met twice since that time. The Agency has not yet entered into formal existence, and the government did not release the approximately \$36,000 it budgeted for it during the previous year; this amount has been re-allocated for 2011. The government provided anti-trafficking training to Gambian troops before their deployment abroad on international peacekeeping missions [...]⁵⁵

The COIS report should be amended immediately to reflect the down-grading of The Gambia's tier placement.

COIS: As above.

Prosecution

Paragraph 23.07

This source is outdated. The latest annual trafficking report by the U.S. Department of State was published in June 2011 and now states the following:

[...] The Government of The Gambia's anti-trafficking law enforcement efforts decreased during the reporting period. The Gambia prohibits all forms of trafficking through its October 2007 Trafficking in Persons Act, and in October 2010, The Gambian National Assembly approved an amendment to increase prescribed penalties to 50 years' to life imprisonment for all forms of trafficking. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The Gambia's 2005 Children's Act also prohibits child trafficking, though it does not include forced labor in its definition of trafficking, prescribing a penalty of life imprisonment, and the 2003 Tourism Offenses Act explicitly prohibits child sex trafficking, prescribing a penalty of 10 years' imprisonment. The government failed to convict any trafficking offenders during the year, though it reported initiating a prosecution of *amarabout* arrested in March 2011 for transporting boys to Senegal for forced begging. Authorities often conflated trafficking with migrant smuggling. No law enforcement officials were investigated, prosecuted, or convicted for involvement in human trafficking, although an international organization reported suspicions that an official of The Gambian Embassy in Mauritania was complicit in a case of cross-border child trafficking between Mauritania and Sierra Leone [...]⁵⁶

The COIS report should be amended immediately to reflect the down-grading of The Gambia's tier placement.

COIS: As above.

⁵⁵ [U.S. Department of State, Trafficking in Persons Report 2011: Country Narratives: Countries G through M, 27/06/2011](#), The Gambia (Tier 2 Watch List), Prevention.

⁵⁶ [U.S. Department of State, Trafficking in Persons Report 2011: Country Narratives: Countries G through M, 27/06/2011](#), The Gambia (Tier 2 Watch List), Prosecution.

The following source, used elsewhere in this section, highlights the lack of prosecution against traffickers in The Gambia and should be included in this sub-section:

➤ [U.S. Department of Labor, 2009 Findings on the Worst Forms of Child Labor, 15/12/2010](#), p. 262.

COIS: Thank you. We will consider this for the next update.

Protection

Paragraphs 23.09 and 23.10

This source is outdated. The latest annual trafficking report by the U.S. Department of State was published in June 2011 and now states the following:

[...] The Gambian government undertook inadequate efforts to protect trafficking victims during the year. Although it claimed to monitor the activities of children in Koranic schools who were forced into street vending, it did not rescue or provide services to any victims of forced street vending. The government repatriated seven Gambian children who had been found on the streets in Senegal, but made no efforts to determine whether they were victims of trafficking. In March 2011, the Department of Social Welfare repatriated 20 children who had been forced to beg in Senegal and provided them with protective services. The government operated a 24-hour hotline and allocated approximately \$11,500 toward running a shelter and drop-in center that were available to trafficking victims; six boys who were victims of child sex tourism and 20 children repatriated from Senegal received medical screening and counseling at the shelter before being returned to their families. The Department of Social Welfare continued to maintain an electronic child protection database, which includes information on trafficking cases. No victims assisted in the investigation of trafficking offenses, but six boys served as witnesses in the trial of a suspected child sex tourist. The Trafficking in Persons Act allowed foreign victims to obtain temporary residence visas for the duration of legal proceedings, though the government did not offer long-term legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. It is not known whether any victims were detained, fined, or jailed for unlawful acts committed as a result of being trafficked. Police conducted raids of brothels and detained or deported individuals in prostitution without employing efforts to identify trafficking victims among the population. The government provided staff to assist an NGO in conducting two three-day anti-trafficking training seminars for law enforcement officers and stakeholders in the tourism industry [...]⁵⁷

The COIS report should be amended immediately to reflect the down-grading of The Gambia's tier placement.

COIS: As above.

End of section '23. Trafficking'

It is recommended that the following links to sections '8. Security Forces', '16. Corruption', '21. Women' and '22. Children' in the COIS report be added here.

COIS: Will consider adding further cross-references in the next update.

24. Medical Issues

As per the general comments above, it is recommended that for all online sources included in this section, the date of publication is cited in addition to the date the source was accessed. Where this information is not available, the date should be cited as 'undated' in order to alert users to the potential lack of currency of the information. For example at paragraph 24.01 the information on the

⁵⁷ [U.S. Department of State, Trafficking in Persons Report 2011: Country Narratives: Countries G through M, 27/06/2011](#), The Gambia (Tier 2 Watch List), Protection.

website of 'The Commonwealth of Nations network' should be cited as 'undated' as should the 'Access Gambia' webpage on health care at paragraph 24.06.

COIS: It is our general practice to do this. We will make sure this is the case in future for this report.

Overview of availability of medical treatment and drugs

Paragraphs 24.04 and 24.07

In addition to the information included on maternal mortality rates at 24.04 and 24.07, information on the availability of Caesarean section operations in Gambia as found in the following article may also be of use:

- [Inter Press Service, Health and Medicine; Needing Surgery Should Not Be a Death Sentence, 12/03/2011](#)

The following source is also useful on maternal health care:

- [Jammeh A, Sundby J, Vangen S. , Barriers to emergency obstetric care services in perinatal deaths in rural Gambia: a qualitative in-depth interview study, 30/06/2011](#) [Abstract of article]

COIS: Thank you.

Paragraph 24.05

Whilst one excerpt in this section at paragraph 24.05 from the WHO reports on the 'shortage of health personnel at all levels', it is considered that the available information on this issue in the public domain reports a more serious situation that this one excerpt implies. See for example:

- [UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Gambia \[A/HRC/14/6\], 24/03/2010](#), paragraph 22
- [IRIN News, GAMBIA: Health worker flight, 11/12/2008](#)

COIS: Thank you for this.

Paragraph 24.06

This paragraph is an excerpt from the "Access Gambia" website which describes Gambia's public health system. See p. 11 above for a number of concerns about the reliability and currency of this information. The following recommended report, in addition to providing information on the country's health system, provides data on the health workforce, service provision and distribution:

- [Human Resources for Health Country Profile – The Gambia, March 2009](#)

COIS: As above. Thank you for the source.

HIV/AIDS – Anti-retroviral treatment

Paragraphs 24.10 - 24.13

Limited information is included this section, which is indicative of the lack of information in the public domain on this issue. However, whilst statistics are provided for the numbers of persons living with HIV, no information is provided as to the estimated number of people receiving Anti-Retroviral Therapy. The following sources of information on this point are recommended:

- [UNAIDS, Epidemiological Fact Sheet on HIV and AIDS, 2009](#)
- [World Health Organisation, Epidemiological Fact Sheet on HIV/AIDS and Sexually Transmitted Infections, July 2008](#), p 12

COIS: Thank you.

Such statistical information is required in order to put the information cited at paragraph 24.13 into context, which refers to the commitment of the director of the National AIDS Secretariat to promote the right of all to access HIV treatment, care and support services, without providing any details of the nature or scale of treatment available. Indeed, given that this source is no longer accessible since the web link now states “This account has been suspended”, it is further recommended that this article and any reference to its source be deleted from the COIS report.

COIS: We will review this source and, if it remains inaccessible, remove it from the next review.

Mental Health

Paragraph 24.14

Paragraph 24.14 is an excerpt from the ‘World Health Organisation (WHO) Situation Analysis of The Gambia’ webpage accessed on 14 May 2011. This webpage is undated but it appears that the information is a summary of a report found on the same page, ‘[Gambia Country Summary: Effective and humane mental health treatment and care for all](#)’. Although not clearly dated, it would appear from the URL of this document that this report was published on 7 May 2007. The reference for this report should be amended as such. This report also provides useful information on the ‘Contextual Factors Influencing Mental Health Needs and Services’, the ‘Burden of Mental Disorders and Treatment Gap’, the ‘Mental Health System’ including statistics on human resources, mental health facilities and resources, and a description of services at each level of care.

COIS: Thank you, we will amend.

Additional sources of information which report on mental health provision in the Gambia include:

- [The Daily Observer \(Banjul\), Gambia: WHO Regional Director On World Mental Day, 11/10/2010](#)
- [Global Initiative on Psychiatry, Tanka Tanka Psychiatric Hospital- The Gambia, May 2009](#)
- [World Health Organisation, Report on prevalence and treatment of epilepsy in African countries, 2004](#), Gambia excerpt (p. 35)

COIS: Thank you.

25. Freedom of movement

Paragraph 25.03

Given the size of the report referenced in this paragraph, in order to improve user-friendliness it is recommended that the page number should be added to the reference to state “[45a] (p87)”.

COIS: Will do.

Exit and return

Paragraph 25.05

The source of this excerpt is a “FCO email to UK Border Agency dated 2 February 2011, Entry and exit procedures”, of which a copy is available upon request to the COIS. According to paragraph viii in the ‘Preface’ section of the COIS report, “Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request”. It is not clear however how long it might take to request such a copy. Ideally, the full document should be attached as an Annex to the country report, which would provide equal access to the information and increase transparency.

COIS: We should be able to provide any FCO material within 5 working days of it being requested.

We accept the general point about transparency and will consider adding FCO material as annex in future reports.

26. Citizenship and nationality

Paragraph 26.03

The source of this excerpt is a “Letter from The Gambia High Commission, London, dated 19 May 2010”, a copy of which is available upon request to the COIS. According to paragraph viii in the ‘Preface’ section of the COIS report, “Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request”. Again, it is unclear how long it might take to request such a copy. Ideally, the full document should be attached as an Annex to the country report, which would provide equal access to the information and increase transparency.

COIS: As above.

End of section '26. Citizenship and nationality

The following source provides useful and more current information on citizenship and nationality in The Gambia:

➤ [Open Society Foundations, Citizenship Law in Africa: A Comparative Study, October 2010](#)

COIS: Thank you.

Annex A

CHRONOLOGY OF MAJOR EVENTS

Source British Broadcasting Corporation (BBC) Timeline, updated 19 April 2011 [6d] unless otherwise stated.

1889 Present boundaries of The Gambia set by agreement between Britain and France.

1894 The Gambia becomes a British protectorate.

1965 The Gambia becomes independent with Dawda Jawara as prime minister.

1970 The Gambia becomes a republic following a referendum; Jawara elected president.

1981 Five hundred people are killed as Senegalese troops help suppress a coup.

1982 The Gambia and Senegal form a loose confederation called Senegambia.

1989 Senegambia confederation collapses.

1991 The Gambia and Senegal sign friendship treaty.

1994 Jawara ousted in coup led by Lieutenant Yahya Jammeh.

1996 New multiparty constitution promulgated, but three major political parties remain prohibited from taking part in elections; Jammeh elected president.

1998 A British human rights group, Article Nineteen, accuses the Gambian government of harassing opposition activists and journalists.

2000

January Government says it has foiled a military coup.

April At least 12 people are shot dead during student demonstrations against the alleged torture and murder of a student the previous month.

June Ousainou Darboe, leader of the main opposition United Democratic Party, and 20 of his supporters are charged with the murder of an activist of the ruling Alliance for Patriotic Reorientation and Construction.

July Nine soldiers and businessmen charged with treason in connection with an alleged plot to overthrow the government.

July President Jammeh lifts the ban on the political parties he overthrew in his military coup of 1994.

2001

September Military court sentences former head of the presidential guard Lieutenant Landing Sanneh to 16 years in prison for conspiracy in an alleged plot against Jammeh.

October Jammeh wins a second term. Foreign observers give the poll a clean bill of health in spite of rising tension ahead of the vote.

2002

January Ruling Alliance for Patriotic Reorientation and Construction sweeps parliamentary elections boycotted by the opposition amid widespread voter apathy.

May Opposition MPs and journalists condemn a new media law, passed by parliament, as draconian and

intended to muzzle the independent press.

2004

February President Jammeh announces the discovery of large reserves of oil.

December New press law provides for the jailing of journalists found guilty of libel, sedition. Days later a critic of the law, prominent editor Deyda Hydara, is shot dead.

2005

March Ministers and civil servants are sacked and more than 30 senior officials are arrested over corruption allegations.

October Dispute with neighbouring Senegal over ferry tariffs on the border leads to a transport blockade. The economies of both countries suffer. Nigerian President Olusegun Obasanjo brokers talks to resolve the issue.

2006

March Government says a planned military coup has been foiled.

July Head of the independent electoral commission Ndondi Njai is sacked. The opposition complains that many non-Gambians have illegally registered to vote.

August Thousands flee into Gambia from Senegal's southern Casamance region to escape fighting between Senegalese troops and Casamance separatists.

September Jammeh wins a third term.

2007

January Ruling Alliance for Patriotic Reorientation and Construction (APRC) wins parliamentary elections, retaining a tight grip on parliament.

February UN development envoy Fadza Gwaradzimba is expelled for criticizing the president's assertion that he can cure AIDS.

April Ten ex-army officers are sentenced to prison for plotting a coup.

2008

May President Yahya Jammeh tells a rally that he would "cut off the head" of any homosexual found in The Gambia, prompting an outcry from international gay rights campaigners.

2009

March Amnesty International says hundreds have been kidnapped during a government campaign against witchcraft.

August Six journalists are jailed for publishing a statement criticising the president. They are later pardoned.

2010

July Eight men, including a former army chief, are sentenced to death for their part in an alleged coup plot in 2009.

October Death penalty introduced for possession of cocaine or heroin in a bid to discourage international drug trafficking.

November Gambia cuts ties with Iran, after Nigeria says it intercepts a shipment of Iranian arms destined for Gambia.

2011

June Gambian Authorities have accused a group, headed by former minister Amadou Janneh, of plotting to overthrow the government. (Economist Intelligence Unit July 1, 2011) Dated Accessed: 22 August 2011.

Additional Information:

Huges, Arnold and David Perfect. 2006. A Political History of the Gambia, 1816-1994. University of Rochester Press.

Annex B

POLITICAL ORGANISATIONS

Political organisations in The Gambia as noted by Jane's Security Country Risk Assessment report, updated 27 July 2010 included:

Alliance for Patriotic Re-Oriented and Construction (APRC)

"Formed in 1996, the APRC was the junta-sponsored ruling party and is led by former Armed Forces Provisional Ruling Council (AFPRC) chairman and president, Yahya Jammeh. Support is drawn from former radical elements and defectors from three parties proscribed until 2001. The APRC won 33 of 45 elected seats in the National Assembly in 1997, increasing this to 45 of 48 in 2002 when it ran unopposed in 33 constituencies. The party's majority was reduced to 42 seats following elections in January 2007. In the council elections of January 2008, the APRC secured 101 seats out of 114. Jammeh was re-elected president in 2006 with just over 67 per cent of the vote." [7d]

United Democratic Party (UDP)

"The UDP has been the main opposition party since 1996 and is led by lawyer Ousainou Darboe. It is a moderate centrist party, whose support is strongest in parts of former People's Progressive Party (PPP) and National Convention Party (NCP) territory, such as North Bank Division and Lower River Division. The party won seven seats in the National Assembly in 1997 but boycotted the January 2002 elections...

"The UDP contested the January 2007 legislative election alone, registering candidates in 29 of 48 constituencies but winning just four seats from the rural Mandinka central regions. It is now the official opposition in parliament but is far from challenging the APRC. The UDP was the largest of the opposition parties in the local elections of January 2008, registering candidates in 29 of 114 wards, but won just three councillor seats nationwide." [7d]

National Reconciliation Party (NRP)

"The NRP is a small opposition party formed in 1996. It is a moderate centrist party and is led by Hamat Bah. The party has limited popular support. The party had two seats in the National Assembly from 1997 but boycotted the 2002 legislative elections. Bah contested the presidential election of October 2001, opting to stay outside of the UDP-led opposition coalition, and finished third with 7.8 per cent of the vote.

"The NRP joined the UDP in breaking from its NADD [National Alliance for Democracy and Development] partners in February 2006. The UDP alliance did not last into 2007, when the NRP contested eight constituencies in rural east-central Gambia. However, the party failed to win any of these constituencies. In the January 2008 council elections, it won just one seat nationwide." [7d]

People's Democratic Organisation for Independence and Socialism (PDOIS)

"The PDOIS is a leftist opposition organisation founded in 1986. It was not banned in July 1994 and is led by Sidia Jatta. The PDOIS had one seat in the National Assembly from 1996, which it increased to three in 2002, thereby becoming the only opposition party represented there. PDOIS member Halifa Sallah was thereafter leader of the opposition in parliament. 9 JUNE 2011 THE GAMBIA The main text of this COI Report contains the most up to date publicly available information as at 9 June 2011 77

"Jatta contested the 2001 presidential elections as the PDOIS candidate, finishing fifth with three per cent of the vote. The PDOIS was a founder member of the NADD coalition in 2005-06, with Sallah chosen in March 2006 as the NADD presidential candidate. However, Sallah only secured 5.98 per cent of the vote.

"Sallah lost his seat in Serrekunda Central following the parliamentary polls of January 2007, when Jatta was the only PDOIS or NADD candidate to win a seat, in the far east. In the local elections of January 2008, the NADD registered four candidates among the 114 wards, thereby being a minor opposition presence. It won one councillor seat nationwide." [7d]

National Democratic Action Party (NDAM)

"The NDAM was a break-away group from the UDP after its boycott of the 2002 legislative elections. The NDAM, which is led by Lamine Waa Juwara, was a founder member of the NADD coalition in 2005 and stayed with the alliance in 2006. Waa Juwara appears to be quite popular individually but the party has no obvious geographical area of support outside of the urban west, where it is beaten by the APRC. It has no seats in the Assembly and did not contest the 2008 local elections." [7d]

People's Progressive Party (PPP)

"The PPP was the ruling party between 1962 and 1994. It is led by Omar Jallow, replacing former president Sir Dawda Kairaba Jawara, who rallied to support Jammeh from 2006. The PPP is a moderate centrist party with broad national following. Despite the legalisation of the party's activity in July 2001, the PPP united behind the UDP's Darboe in his challenge to Jammeh in the October [2006] presidential election.

“The PPP was a founder member of the NADD coalition in 2005 and remained with the alliance against the UDP in 2006. It won no seats in the 2007 legislative election. Most of the PPP’s old support base now backs the UDP.” [7d]

The Central Intelligence Agency (CIA) World Factbook, last updated 12 July 2011, also noted the following Political organisations and their leaders:

Gambia People’s Democratic Party (GPDP)

Leader: Henry GOMEZ

National Alliance for Democracy and Development (NADD)

Leader: Halifa SALLAH

National Convention Party (NCP)

Leader: Sheriff DIBBA [3a] (Government)

Parties listed in CIA World Factbook (<https://www.cia.gov/library/publications/the-world-factbook/geos/ga.html>) Last updated August 16, 2011. Accessed August 22, 2011.

Political Parties and Leaders

Alliance for Patriotic Reorientation and Construction or APRC [Yahya A. J. J. JAMMEH] (the ruling party);

Gambia People’s Democratic Party or GPDP [Henry GOMEZ]; National Alliance for Democracy and

Development or NADD [Halifa SALLAH]; National Convention Party or NCP [Sheriff DIBBA]; National

Reconciliation Party or NRP [Hamat N. K. BAH]; People’s Democratic Organization for Independence and

Socialism or PDOIS [Halifa SALLAH]; United Democratic Party or UDP [Ousainou DARBOE]

Political pressure groups and leaders:

National Environment Agency or NEA; West African Peace Building Network-Gambian Chapter or WANEB-GAMBIA;

Youth Employment Network Gambia or YENGambia

COIS: thank you.

Annex C

PROMINENT PEOPLE

The Economist Intelligence Unit (EIU) *Country Report: The Gambia*, listed the following prominent people and the

Yahya Jammeh

The EIU report in July is after the publication date of the COIS Gambia report. COIS will check for the latest published EIU report when preparing the next update of the Gambia report.

Comment [O1]: More recent report available July 2011

positions held: **President**

Vice-president & minister for women's affairs

Isatou Njie Saidy

Secretary general & head of the civil service

Njogou Lamin Bah

Key Ministers:

Agriculture

Khalifa Kambi

Minister of Basic & secondary education

Fatou Lamin-Faye

Minister of Culture & tourism

Fatou Jobe-Njie

Minister of Education, research, science & technology

Mariama Sarr-Ceesay

Minister of Energy

Ousman Jammeh

Minister of Finance & economic affairs

Mambury Njie

Minister of Fisheries, water resources & National Assembly matters

Lamin Kaba Bajo

Minister of Foreign affairs & international co-operation

Mamadou Tangara

Minister of Forestry & the environment

Jato Sillah

Minister of Health & social welfare

Fatim Badjie

Minister of Information & communication infrastructure

Alhaji Abdoulie Cham

Minister of Interior & NGO affairs

Ousman Sonko

Minister of Justice & attorney-general

Edward Gomez

Minister of Local government & lands

Pierre Tamba

Minister of Secretary-general & head of civil service

Njogou Lamin Bah

Minister of Trade, employment & regional integration

Abdou Kolley

Minister of Works, construction & infrastructure

Yusupha Kah

Youth & sports

Sheriff Gomez [60a] (Political structure)

Annex D

LIST OF ABBREVIATIONS ACHPR

AI

APRC

CEDAW

CIA

CPI

CPJ

CRC

CRIN

ECOMOG

EU

FCO

FAWEGAM

FGM

FIDH

FH

GAMCOTRAP

GDP

GNA

GPF

HIV/AIDS

ICRC

IDP

ILGA

IRMT

MRGI

NCCE

NDEA

NIA

NSS

NGO

OHCHR

RSF

STC

TB

TI

UDP

UN

[UNDP](#)

UNHCHR

UNHCR

UNICEF

USCRI

USSD

WHO

African Commission on Human and Peoples' Rights

Amnesty International

Alliance for Patriotic Reorientation and Construction (Gambia)

Committee on the Elimination of All Forms of Discrimination Against Women

Central Intelligence Agency

Corruption Perceptions Index

Committee to Protect Journalists

Convention on the Rights of the Child

Childs Rights Information Network

Economic Community of West African States Monitoring Group

European Union

Foreign and Commonwealth Office (UK)

Forum for African Women Educationalists The Gambia

Female Genital Mutilation

International Federation for Human Rights

Freedom House

The Gambia Committee on Traditional Practices affecting the health of women and children

Gross Domestic Product

Gambia National Army

Gambia Police Force

Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome

International Committee for Red Cross

Internally Displaced Person

International Lesbian and Gay Association

International Records Management Trust

Minority Rights Group International

National Council for Civic Education

National Drug Enforcement Agency

National Intelligence Agency (Gambia)

National Security Service (Gambia)

Non Governmental Organisation

Office of the High Commissioner for Human Rights

Reporters sans Frontières

Save The Children

Tuberculosis

Transparency International

United Democratic Party (Gambia)

United Nations

[United Nations Development Programme](#)

United Nations High Commissioner for Human Rights

United Nations High Commissioner for Refugees

United Nations Children's Fund

U.S. Committee for Refugees and Immigrants

United States State Department

World Health Organization

Annex E

In order to improve the accuracy of referencing to source material, the following changes are suggested, presented below as 'tracked changes'. It is further recommended that sources are listed in alphabetical order to increase accessibility and user-friendliness.

REFERENCES TO SOURCE MATERIAL

The Home Office is not responsible for the content of external websites.

1 Europa World Online <http://www.europaworld.com> (Subscription)

a The Gambia, Country Profile: Public Holidays

Date accessed 3 February 2011

b The Gambia, Country Profile: Location, Climate, Language, Religion, Flag, Capital date

Date accessed 3 February 2011

c The Gambia, Country Profile: Constitution and Government

Date accessed 15 March 2011

2 US Department of State (USSD) <http://www.state.gov>

a Country Report on human rights practices – 2010: The Gambia. Published by the Bureau of Democracy, Human Rights, and Labor, 8 April 2011

<http://www.state.gov/g/drl/rls/hrrpt/2010/af/154348.htm>

Date accessed 11 April 2011

b Background note: The Gambia, updated 22 April 2011. *Published by the Bureau of African Affairs*

<http://www.state.gov/r/pa/ei/bgn/5459.htm>

Date accessed 1 June 2011

c ~~United States Department of State~~, 2010 Report on International Religious Freedom - Gambia, The. *Published by the Bureau of Democracy, Human Rights, and Labor*, 17 November 2010

<http://www.state.gov/g/drl/rls/irf/2010/148692.htm>

Date accessed 8 March 2011

d ~~Trafficking in Persons Report 2010~~ – The Gambia, Tier placements. *Published by the Office to monitor and combat trafficking in persons*, ~~published~~ 14 June 2010

<http://www.state.gov/g/tip/rls/tiprpt/2010/142755.htm>

Date accessed 7 April 2011

COIS: The most recent published US Trafficking in Persons Report noted by the reviewer was published after the COIS Gambia report. We will check for the latest published when preparing the next update of the Gambia report.

e ~~Trafficking in Persons Report 2010~~ – The Gambia, Country Narratives: Countries G Through M. *Published by the Office to monitor and combat trafficking in persons*, ~~published~~ 14 June 2010

<http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>

Date accessed 7 April 2011

COIS: The most recent published US Trafficking in Persons Report noted by the reviewer was published after the COIS Gambia report. The researcher will check for the latest published when preparing the next update of the Gambia report.

f Country Report on human rights practices – 2009: The Gambia. Published by the Bureau of Democracy, Human Rights, and Labor, 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/af/135955.htm>

Date accessed 12 April 2011

g ~~International Travel Information~~ Gambia, The, Country Specific Information. *Published by the Bureau of Consular Affairs*, 8 October 2010

http://travel.state.gov/travel/cis_pa_tw/cis/cis_1121.html#medical

Date accessed 12 April 2011

COIS: We will check for the latest report before the next Gambia update.

Comment [L&S2]: New annual report out for 2011 (27/06/2011):
<http://www.state.gov/g/tip/rls/tiprpt/2011/164228.htm>

Comment [L&S3]: New annual report out for 2011 (27/06/2011):
<http://www.state.gov/g/tip/rls/tiprpt/2011/164232.htm>

Comment [L&S4]: New one out: 01/06/2011.

h [Medical Information. Published by the](#) Embassy of the United States, Banjul, The Gambia, U.S. Citizen Services, updated 29 September 2010

http://banjul.usembassy.gov/medical_information.html

Date accessed 8 April 2011

3 Central Intelligence Agency (CIA) <https://www.cia.gov>

a [The](#) World Factbook: Gambia, The, updated 17 May 2011

<https://www.cia.gov/library/publications/the-world-factbook/geos/ga.html>

Date accessed 20 May 2011

Comment [L&S5]: New one out: 12/07/2011. According to the website, the World Factbook is updated weekly.

4 Foreign & Commonwealth Office <http://www.fco.gov.uk/>

a Country Profile: Gambia, updated 26 April 2010

<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/sub-saharan-africa/gambia?profile=all>

Date accessed 3 February 2011

Comment [L&S6]: New one out: 18/07/2011

b Letter from The Gambia High Commission, London, dated 19 May 2010 (Available in hard copy only)

Date accessed 3 February 2011

c FCO email to UK Border Agency dated 2 February 2011, Entry and exit procedures. Available on request

5 Amnesty International www.amnesty.org

a [Annual](#) Report 2011: The state of the world's human rights, Gambia, 13 May 2011

<http://amnesty.org/en/region/gambia/report-2011>

Date accessed 19 May 2011

b [Annual](#) Report 2009: The state of the world's human rights, Gambia, 28 May 2009

<http://report2009.amnesty.org/en/regions/africa/gambia>

Date accessed 12 April 2011

c [Annual](#) Report 2010: The state of the world's human rights, Gambia, 27 May 2010 (accessed via Refworld)

<http://www.unhcr.org/refworld/country,COI,AMNESTY,,GMB,,4c03a82ac,0.html>

Date accessed 12 April 2011

6 British Broadcasting Corporation (BBC) <http://news.bbc.co.uk/>

a The Gambia country profile, updated 4 May 2011

http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1032156.stm

Date accessed 5 May 2011

b Gambia ex-military chiefs charged over 'coup plot', 18 June 2010

<http://www.bbc.co.uk/news/10354204>

Date accessed 21 March 2011

c Africa's lesbians demand change, 27 February 2008

<http://news.bbc.co.uk/1/hi/world/africa/7266646.stm>

Date accessed 30 March 2011

d Timeline: The Gambia, updated 19 April 2011

http://news.bbc.co.uk/1/hi/world/africa/country_profiles/1032207.stm

Date accessed 3 May 2011

7 IHS (Information Handling Services), Jane's <http://www2.janes.com> (Subscription)

a Security Assessment – West Africa: The Gambia, Security - Infrastructure, updated 19 July 2010

Date accessed 3 February 2011

b Security Assessment – West Africa: The Gambia, Security and Foreign Forces, updated 27 July 2010

c Security Assessment – West Africa: The Gambia, Defence - Armed Forces, updated 22 June 2010

Date accessed 24 February 2011

d Security Assessment – West Africa: The Gambia, Internal Affairs – Political Parties, updated 27 July 2010

Date accessed 24 February 2011

8 World Bank Group <http://www.worldbank.org/>

a Country Brief: The Gambia, updated April 2011

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/GAMBIAEXTN/0,,menuPK:351648~pagePK:141132~piPK:141107~theSitePK:351626,00.html>

Date accessed 1 June 2011

9 The Joshua Project <http://www.joshuaproject.net>

a People-in-Country Profile, Mandinka, Sose of Gambia, *nd*

<http://www.joshuaproject.net/people-profile.php> Please note that no direct web link exists. In order to get to the information on the 'Mandinka', select 'Gambia' under "Step 1 – Select a Country", then select 'Mandinka, Sose' under "Step 2 – Select a People"

Date accessed 24 March 2011

10 The National Council for Civic Education (NCCE) <http://www.ncce.gm/>

a Constitution of the Republic of The Gambia, 1997. Reprinted 2002

<http://www.ncce.gm/files/constitution.pdf>

Date accessed 15 March 2011

11 United Nations <http://www.un.org/>

a National report submitted in accordance with paragraph 15 (a) of the Annex to Human Rights Council resolution 5/1*, Gambia, A/HRC/WG.6/7/GMB/1, 20 January 2010 (accessed via Refworld)

<http://www.unhcr.org/refworld/pdfid/4b66e7d02.pdf>

Date accessed 3 February 2011

b Treaty Collection Chapter IV Human Rights: Gambia - Convention on the Elimination of All Forms of Discrimination against Women, Status as at: 31 March 2011. Last accessed: 31/03/2011

http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

Date accessed 31 March 2011

c Treaty Collection Chapter IV Human Rights: Gambia – The Convention on the Rights of the Child (CRC), Status as at: 4 April 2011. Last accessed: 04/04/2011

http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en

Date accessed 4 April 2011

d Gambia and UN Treaty Bodies, Most recent concluding observations

<http://www.ohchr.org/EN/countries/AfricaRegion/Pages/GMIndex.aspx>

Date accessed 31 March 2011

e Legislation to Address the Issue of Female Genital Mutilation (FGM), 21 May 2009

[http://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20Berhane%20Ras-Work%20revised .pdf](http://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20Berhane%20Ras-Work%20revised.pdf)

Date accessed 17 May 2011

12 ukgambians.com <http://www.ukgambians.net/index.html>

a Useful information, nd

http://www.ukgambians.net/stories/gam_admin.htm

Date accessed 5 May 2011

13 Department of State for Trade, Industry and Employment (DOSTIE) <http://www.gambia.gm/>

a Map of Gambia, nd

<http://www.gambia.gm/Statistics/images/THGAMBIA.gif>

Date accessed 3 February 2011

14 Jollofnews <http://www.jollofnews.com>

a Mile 2 prisons congested, infested with mosquitoes, 15 April 2010

<http://www.jollofnews.com/mile-2-prisons-congested-infested-with-mosquitoes.html>

Date accessed 16 March 2011

15 Commonwealth of Nations <http://www.commonwealth-of-nations.org/>

a Ministry of Health and Social Welfare, nd

[http://www.commonwealth-of-nations.org/Gambia%60The/Organisation/Government/Government Ministries/Ministry of Health and Social Welfare](http://www.commonwealth-of-nations.org/Gambia%60The/Organisation/Government/Government%20Ministries/Ministry%20of%20Health%20and%20Social%20Welfare)

Date accessed 5 May 2011

16 Committee to Protect Journalists (CPJ) <http://cpj.org>

a Gambia bans only independent radio station airing news, 14 January 2011

<http://www.cpj.org/2011/01/gambia-bans-only-independent-radio-station-airing.php>

Date accessed 4 March 2011

b ECOWAS court orders Gambia to pay tortured journalist, 17 December 2010

Comment [07]: This changes with every time access this website. Better to include also date of access

Comment [08]: This changes with every time access this website. Better to include also date of access

Comment [09]: This paper has not been produced by the UN but rather by an expert of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children

<http://cpi.org/2010/12/ecowas-court-orders-gambia-to-compensate-tortured.php>

Date accessed 4 March 2011

c Attacks on the Press 2010 – Africa Developments: The Gambia, 15 February 2011

<http://www.cpi.org/2011/02/attacks-on-the-press-2010-africa-developments.php>

Date accessed 4 March 2011

17 International Federation of Journalists (IFJ) <http://www.ifj.org/en>

a Africa: Gambia – latest news articles

<http://africa.ifj.org/en/articles?search=gambia>

Date accessed?

18 Reporters sans Frontières (RSF) <http://www.rsf.org>

a Predators of press freedom, 2 May ~~2010~~ 2009, ~~Yahya Jammeh Gambia President~~ (accessed via Reporter ohne Grenzen)

<http://www.reporter-ohne-grenzen.de/fileadmin/rte/pics/Feinde/PF.pdf>

Date accessed 12 April 2011

19 Transparency International <http://www.transparency.org>

a Corruption Perceptions Index 2010, Undated

http://www.transparency.org/policy_research/surveys_indices/cpi/2010/results

Date accessed 15 April 2011

20 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) <http://ilga.org>

a State-sponsored Homophobia. A world survey of laws prohibiting same sex activity between consenting adults, updated May 2010

http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2010.pdf

Date accessed 30 March 2011

Comment [O10]: New report already out. Published May 2011:
http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2011.pdf

21 Today Newspaper <http://today.gm/hi/>

a New project to combat FGM, other harmful traditional practices, 18 May 2010

<http://today.gm/hi/general/2052.html>

Date accessed 6 April 2011

Comment [O11]: Unable to access any of these websites (last accessed: 19/07/2011) and following message appears "This account has been suspended": <http://today.gm/cgi-sys/suspendedpage.cgi>

b Children require right start to life, 24 November 2009

http://today.gm/hi/news/children_require_right_start_to_life.html

Date accessed 6 April 2011

c Government reaffirms commitment to HIV treatment, care and support services, 28 June 2010

<http://today.gm/hi/news/2346.html>

Date accessed 18 April 2011

d HIV/AIDS threat still real, WHO Country Rep warns, 5 January 2011

<http://today.gm/hi/news/2933.html>

Date accessed 6 May 2011

22 Africa Guide <http://www.africaguide.com#>

a African People & Culture, Fulani, *nd*

<http://www.africaguide.com/culture/tribes/fulani.htm>

Date accessed 25 March 2011

Comment [O12]: Information is actually provided by *Africa Imports* and not Africa Guide:
<http://africaimports.com/fulanigroup.asp?url=>

23 University of Texas in Austin <http://www.lib.utexas.edu>

a Perry-Castañeda Library Map Collection: Gambia Maps, Undated, updated 16 April 2009

<http://www.lib.utexas.edu/maps/gambia.html>

Date accessed 3 February 2011

24 Freedom Newspaper <http://www.freedomnewspaper.com/>

a Jammeh Threatens To Sack Gay And Lesbian Soldiers In Gambia, 7 December 2009

<http://www.freedomnewspaper.com/Homepage/tabid/36/mid/367/newsid367/4714/Breaking-News-Gambia-Jammeh-Threatens-To-Sack-Gay-And-Lesbian-Soldiers-In-Gambia/Default.aspx>

Date accessed 30 March 2011

b UDP welcomes another batch of APRC defectors as over 800 APRC supporters in Sami Constituency defected to the UDP, 28 February 2011

<http://www.freedomnewspaper.com/Homepage/tabid/36/mid/367/newsid367/5966/Breaking-News-Gambia--UDP-Welcomes-Another-Batch-Of-APRC-Defectors/Default.aspx>

Date accessed 6 May 2011

25 Human Rights Watch <http://www.hrw.org>

a Fear for Life, 30 November 2010

<http://www.hrw.org/en/reports/2010/11/30/fear-life>

Date accessed 24 May 2011

26 Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

a AFRICA: Crackdowns on gays make the closet safer, 19 January 2010

<http://www.irinnews.org/report.aspx?ReportId=87793>

Date accessed 30 March 2011

b Gambia: Mob violence and murder feared after President's gay beheading threat, 12 June 2008 (accessed via Refworld)

<http://www.unhcr.org/refworld/country,,IRIN,,GMB,,48522c0f1e,0.html>

Date accessed 31 March 2011

c GAMBIA: Reaching the FGM/C tipping point, 18 June 2009

<http://www.irinnews.org/Report.aspx?ReportId=84895>

Date accessed 6 April 2011

d GAMBIA: Street children persist despite crackdown, 4 June 2009

<http://www.irinnews.org/Report.aspx?ReportId=84713>

Date accessed 6 April 2011

e In-depth: Razor's Edge – The Controversy of Female Genital Mutilation, 1 March 2005

<http://www.irinnews.org/InDepthMain.aspx?InDepthId=15&ReportId=62462>

Date accessed 20 May 2011

27 International Gay & Lesbian Human Rights Commission (IGLHRC) <http://www.iglhrc.org>

a Gambia: Human Rights and Homophobia, 24 July 2009

<http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/resourcecenter/943.html>

Date accessed 31 March 2011

28 The Social Institutions and Gender Index (SIGI) <http://genderindex.org>

a Gender Equality and Social Institutions in The Gambia, *nd*

<http://genderindex.org/country/gambia>

Date accessed 31 March 2011

29 Access Gambia <http://www.accessgambia.com>

a Gambia History Page, *nd*

<http://www.accessgambia.com/information/history.html>

Date accessed 23 February 2011

b Gambia Police Force, *nd*

<http://www.accessgambia.com/information/police.html>

Date accessed 24 February 2011

c (Wollof) Wolof Tribe in Gambia, *nd*

<http://www.accessgambia.com/information/wolof.html>

Date accessed 25 March 2011

d Gambian Muslims & Islamic Practices, *nd*

<http://www.accessgambia.com/information/muslims-islam.html>

Date accessed 4 April 2011

e Weddings in Gambia, *nd*

<http://www.accessgambia.com/information/weddings.html>

Date accessed 4 April 2011

f Bantaba in Gambia, *nd*

<http://www.accessgambia.com/information/bantaba.html>

Date accessed 5 April 2011

g FGM – Female Genital Mutilation in Gambia, *nd*

<http://www.accessgambia.com/information/female-circumcision-fgm.html>

Date accessed 6 April 2011

h Gambia's Health Care System, *nd*

<http://www.accessgambia.com/information/health-care.html>

Date accessed 8 April 2011

30 Everyculture <http://www.everyculture.com/>

a Gambia, *nd*

<http://www.everyculture.com/Cr-Ga/Gambia.html>

Date accessed 5 May 2011

31 United States Office of Personnel Management <http://www.opm.gov/>

a Citizenship Laws of the World, ~~March 2001~~ Gambia, March 2001 (accessed via www.multiplecitizenship.com)
http://www.multiplecitizenship.com/wscl/ws_THE_GAMBIA.html

Date accessed 4 May 2011

32 The Gambia Echo <http://www.thegambiaecho.com/>

a Guest Editorial, Violence against Women (wife beating): A Bastion of Male-domination that must end, by Professor Abdoulaye Saine of the Miami University in Oxford, Ohio, 4 March 2010

<http://www.thegambiaecho.com/Homepage/tabid/36/articleType/ArticleView/articleId/1831/Default.aspx>

Date accessed 4 April 2011

33 Coalition to Stop the Use of Child Soldiers <http://www.child-soldiers.org/home>

a Child Soldiers Global Report 2008: The Gambia, Undated

<http://www.childsoldiersglobalreport.org/content/gambia>

Date accessed 19 April 2011

34 United Nations Children's Fund (UNICEF) <http://www.unicef.org>

a The State of the world's children 2011, Adolescence An Age of Opportunity, February 2011

http://www.unicef.org/sowc2011/pdfs/SOWC-2011-Main-Report_EN_02092011.pdf

Date accessed 5 April 2011

b 'One-stop' clinic helps new mothers keep their children healthy in Gambia, 11 January 2007

http://www.unicef.org/infobycountry/gambia_38012.html

Date accessed 7 April 2011

c At a glance: Gambia, Statistics, updated 2 March 2010

http://www.unicef.org/infobycountry/gambia_statistics.html

Date accessed 8 April 2011

d A public pledge to end Female Genital Mutilation and Cutting in Gambia, 22 June 2009

http://www.unicef.org/infobycountry/gambia_50064.html

Date accessed 17 May 2011

e The Gambia: Primary school years, *nd*

http://www.unicef.org/gambia/children_1270.html

Date accessed 17 May 2011

f ~~At a glance: Gambia~~, 'Progress for Children': Simple measures produce a rise in Gambian birth registration, 18 December 2007

http://www.unicef.org/infobycountry/gambia_42233.html

Date accessed 7 April 2011

35 Freedom House <http://www.freedomhouse.org/>

a Freedom in the World 2011: The Gambia, 16 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8041>

Date accessed 20 May 2011

b Freedom of the Press 2010: The Gambia, ~~30 September~~ April 2010

<http://www.freedomhouse.org/template.cfm?page=251&year=2010>

<http://www.freedomhouse.org/template.cfm?page=251&country=7826&year=2010>

Date accessed 4 March 2011

Comment [O13]: New survey and map out for 2011:
<http://www.freedomhouse.org/template.cfm?page=668> [last accessed 28/07/2011]

36 Coalition of African Lesbians (CAL)

http://cal.org.za/index.php?option=com_content&view=frontpage&Itemid=1

a Gambia, Undated

http://cal.org.za/index.php?searchword=gambia&ordering=&searchphrase=all&Itemid=1&option=com_search

. This web link provides access to articles written by or published on its website by the Coalition of African Lesbians, relating to The Gambia

Date accessed 5 May 2011

Comment [O14]: This is not linking to one single article or report but to a search result for 'Gambia'

37 AllAfrica <http://allafrica.com/>

a Gambia: Detention Without Trial or Disappearance Without Trace, 31 December 2010

<http://allafrica.com/stories/201012310698.html>

Date accessed 16 March 2011

b Gambia: Fawegam Organises Bantaba On Violence Against Girls, 15 December 2009

<http://allafrica.com/stories/200912150927.html>

Date accessed 5 April 2011

c Gambia: Changed Image of the "Almudus", 22 March 2010

<http://allafrica.com/stories/201003230592.html>

Date accessed 7 April 2011

d Gambia: Death penalty alive and well, 15 December 2010

<http://allafrica.com/stories/201012150134.html>

Date accessed 5 May 2011

38 World Health Organisation (WHO) www.who.int

a ~~Country Brief: the Gambia~~, Country Cooperation Strategy at a glance, [The Gambia](#), updated April 2009

http://www.who.int/countryfocus/cooperation_strategy/ccsbrief_gmb_en.pdf

Date accessed 8 April 2011

b The Gambia, Situational Analysis, *nd*

http://www.who.int/mental_health/policy/country/thegambia/en/index.html

Date accessed 14 May 2011

c Mental Health Atlas 2005, The Gambia

http://www.who.int/mental_health/evidence/atlas/profiles_countries_e_i.pdf

Date accessed 20 May 2011

39 Pink News <http://www.pinknews.co.uk>

a Dutchman fined for gay "indecentcy" in Gambia, 6 January 2009

<http://www.pinknews.co.uk/news/articles/2005-10290.html/>

Date accessed 30 March 2011

40 Gambia News <http://www.gambianow.com>

a Gambia: UNICEF campaigns for birth registration in Gambia, 15 June 2007

http://www.gambianow.com/news/General/Gambia_UNICEF_campaigns_for_birth_registration_in_Gambia.html

Date accessed 7 April 2011

b Gambia News: Critics challenge Jammeh's HIV/AIDS treatment claims, 19 January 2010

<http://www.gambianow.com/news/News/Critics-challenge-Jammehs-HIV-AIDS-treatment-claims.html>

Date accessed 8 April 2011

c Gambia News : Gambian justice minister issues threats against journalists, rights defenders, 13 January 2011

<http://www.gambianow.com/news/News/Gambian-justice-minister-issues-threats-against-journalists-right.html>

Date accessed 6 May 2011

d Gambia News : Gambian president roars at gays, 31 December 2009

<http://www.gambianow.com/news/News/Gambian-president-roars-at-gays.html>

Date accessed 31 March 2011

e Gambia News : Gambia police declare zero tolerance for gender-based violence, 14 January 2010

<http://www.gambianow.com/news/News/Gambia-police-declare-zero-tolerance-for-gender-based-violence.html>

Date accessed 5 April 2011

41 Child Rights Information Network (CRIN) <http://www.crin.org>

a GAMBIA: Child Rights References in the Universal Periodic Review, [10 February 2010](#)

<http://www.crin.org/resources/infodetail.asp?id=22139#aa>

Date accessed 4 April 2011

42 United Nations Programme on AIDS (UNAIDS) <http://www.unaids.org>

a ~~Country Responses: Gambia~~, [2008 HIV and AIDS Estimates \(2009\), Undated](#)

<http://www.unaids.org/en/CountryResponses/Countries/gambia.asp>

Date accessed 4 April 2011

b The National Aids Secretariat (Nas), The Gambia Joint United Nations Programme on Aids (Unaids) report on The Gambia National Aids Spending Assessment 2007 and 2008 [Level and Flow of Resources and Expenditures to Confront ~~Hiv~~HIV/Aids](#), published October 2009

http://data.unaids.org/pub/Report/2010/gambia_2010_country_progress_report_en.pdf

Date accessed 1 June 2011

43 The International Federation of Red Cross and Red Crescent Societies <http://www.ifrc.org>

a West Africa: Thousands of volunteers mobilized to launch a final assault on polio, 28 April 2010

<http://www.ifrc.org/en/news-and-media/news-stories/africa/gambia/west-africa-thousands-of-volunteers-mobilized-to-launch-a-final-assault-on-polio/>

Date accessed April 2011

44 The International Federation for Human Rights (FIDH) <http://www.fidh.org/-english->

a Threats against Daily News journalist Saikou Ceesay - GMB 001/ 0211 / OBS 015, 9 February 2011

http://www.fidh.org/IMG/article_PDF/article_a9070.pdf

Date accessed 4 March 2011

b "We will not Participate in the 46th Session of the African Commission on Human and Peoples' Rights to be held in the Gambia", 10 November 2009

<http://www.fidh.org/We-will-not-Participate-in-the-46th-Session-of>

Date accessed 15 March 2011

c Dossier of Claims: Gambia, 5 March 2010 (accessed via Africa For Women's Rights)

<http://www.africa4womensrights.org/post/2010/03/05/Dossier-of-Claims%3A-Gambia>

Date accessed 16 May 2011

Comment [O15]: It seems like this report was actually written by Africa For Women's Rights

45 U.S. Committee for Refugees and Immigrants (USCRI) <http://www.refugees.org/>

a World Refugee Survey 2008, covering 2007

http://www.uscritefugees.org/2010Website/5_Resources/5_5_Refugee_Warehousing/5_5_4_Archived_World_Refugee_Surveys/5_5_4_6_World_Refugee_Survey_2008/Country%20Updates/Congo-Kinshasa%20to%20India.pdf

Date accessed 4 May 2011

46 Totel Pty Ltd <http://www.totel.com.au>

a Gambia - Telecoms Market Overview & Statistics, 17 March 2009 [http://www.totel.com.au/african-](http://www.totel.com.au/african-telecommunications-research.asp?cid=GMSource)

[telecommunications-research.asp?cid=GMSource](http://www.totel.com.au/african-telecommunications-research.asp?cid=GMSource)

Date accessed 3 February 2011

Comment [O16]: There is no direct link to the actual country page for Gambia

47 Hands off Cain <http://www.handsoffcain.info/>

a Gambia abolishes death penalty for drug-related offences, 4 April 2011

<http://www.handsoffcain.info/news/index.php?iddocumento=15304634>

Date accessed 4 May 2011

48 International Records Management Trust (IRMT) <http://www.irmt.org/>

a Legal and Judicial Records and Information Systems in The Gambia, December 2001

[http://www.irmt.org/documents/research_reports/case_studies/legal_judicial_rec_case_studies/gambia/IRMT](http://www.irmt.org/documents/research_reports/case_studies/legal_judicial_rec_case_studies/gambia/IRMT_Legal_CS_Gambia.pdf)

[T Legal CS Gambia.pdf](http://www.irmt.org/documents/research_reports/case_studies/legal_judicial_rec_case_studies/gambia/IRMT_Legal_CS_Gambia.pdf)

Date accessed 3 March 2011

49 Independent Electoral Commission (IEC) <http://www.iec.gm>

a Political Parties: ~~The Gambia~~, undated

<http://www.iec.gm/political-parties>

Date accessed 16 March 2011

b Elections Decree, (Decree 78 of 1996)

http://www.iec.gm/files/images/Elections_Decree_78_of_1996.pdf

Date accessed 16 March 2011

50 Minority Rights Group International (MRGI) <http://www.minorityrights.org>

a ~~World Directory of Minorities and Indigenous Peoples~~: Gambia Overview, *nd*

<http://www.minorityrights.org/4153/gambia/gambia-overview.html>

Date accessed 22 March 2011

51 OneGambia <http://www.onegambia.com>

a The Main Ethnic Groups of The Gambia and their Relationship to Slavery, *nd*

<http://www.onegambia.com/tribes.php>

Date accessed 24 March 2011

52 Mandinka people <http://www.mandinkapeople.org/>

a Who are the Mandinka People?, *nd*

<http://www.mandinkapeople.org/>

Date accessed 24 March 2011

b Mandinka Beliefs, *nd*

<http://www.mandinkapeople.org/beliefs.htm>

Date accessed 24 March 2011

53 US Department of Labor <http://www.dol.gov/>

a 2009 Findings on the Worst Forms of Child Labor: The Gambia, 15 December 2010

<http://www.dol.gov/ilab/programs/ocft/pdf/2009OCFTreport.pdf>

Date accessed 16 May 2011

54 Republic of The Gambia Ministry of Justice (MoJ) <http://www.moj.gov.gm>

a Welcome page

<http://www.moj.gov.gm>

Date accessed 4 May 2011

55 Institute of Development Studies (IDS) <http://www.ids.ac.uk>

a IDS Bulletin Volume 37 Number 5 October 2006 - Bulletin: Sexuality and Women's Sexual Rights in the Gambia, October 2006 (accessed via B-Fair Project)

<http://www.b-fair.net/wp-content/uploads/2010/12/DOWNLOAD-THE-ARTICLE.pdf>

Date accessed 16 May 2011

56 The Point <http://thepoint.gm>

a Violence against children, are Gambian children at risk?, 23 November 2010

<http://thepoint.gm/africa/gambia/article/violence-against-children-are-gambian-children-at-risk>

Date accessed 5 April 2011

b Presidential Election set for November 24, 31 March 2011

<http://thepoint.gm/africa/gambia/article/presidential-election-set-for-november-24>

Date accessed 6 May 2011

c 20 years for Tamba and Fofana, 24 May 2011

<http://thepoint.gm/africa/gambia/article/20-years-for-tamba-and-fofana>

Date accessed 1 June 2011

57 Front Line <http://humanrightsdefenders.org/>

a The Gambia: UPDATE-Conviction of human rights defender Mr Edwin Nebolisa Nwakaeme upheld, 23 December 2010

<http://humanrightsdefenders.org/node/14117>

Date accessed 14 April 2011

58 Women Living Under Muslim Laws (WLUML) <http://www.wluml.org>

a URGENT: Gambia: Women's rights defenders Isatou Touray and Amie Bojang-Sissoho arrested and detained, 14 October 2010

<http://www.wluml.org/node/6707>

Date accessed 14 April 2011

b UPDATE: Gambia: Trial continues of WHRDs Dr. Isatou Touray & Amie Bojang-Sissoho, 12 January 2011

<http://www.wluml.org/node/6883>

Date accessed 14 April 2011

59 World Organisation Against Torture (OMCT) <http://www.omct.org>

a Gambia: Preliminary findings of a fact-finding mission confirm the existence of a climate of fear for human rights defenders, 18 May 2010

<http://www.omct.org/human-rights-defenders/urgent-interventions/gambia/2010/05/d20708/>

Date accessed 15 April 2011

60 The Economist Intelligence Unit (EIU) <http://www.eiu.com/> (subscription)

a The Gambia: Country Report, ~~July 2011~~ April 2011

Date accessed 4 May 2011

b The Gambia: Country Report, October 2010

Date accessed 16 May 2011

COIS: thanks for the above annotations. The substantive points have been addressed in the main narrative of the review.