



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fourth to seventh periodic reports of the Gambia*

I. Introduction

1. The Committee considered the combined fourth to seventh periodic reports of the Gambia¹ at its 2862nd and 2863rd meetings,² held on 22 and 23 January 2025, and adopted the present concluding observations at its 2876th meeting, held on 31 January 2025.
2. The Committee welcomes the submission of the combined fourth to seventh periodic reports of the State party, under the simplified reporting procedure,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress made by the State party, in particular the legislative amendments criminalizing child marriage and child betrothal, the establishment of the Children's National Assembly of the Gambia and four Children's Courts, the increase in the birth registration and primary school completion rates and the decrease in the maternal and child mortality rates.
4. The Committee also welcomes the ratification of, or accession to, the following instruments:
 - (a) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2019;
 - (b) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2018;
 - (c) Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, in 2018;
 - (d) International Convention for the Protection of All Persons from Enforced Disappearance, in 2018;
 - (e) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2018;

* Adopted by the Committee at its ninety-eighth session (13–31 January 2025).

¹ [CRC/C/GMB/4-7](#).

² See [CRC/C/SR.2862](#) and [CRC/C/SR.2863](#).

³ [CRC/C/GMB/QPR/4-7](#).



- (f) Convention on the Rights of Persons with Disabilities, in 2015;
- (g) United Nations Convention against Corruption, in 2015.

III. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: data collection (para. 12); abuse, neglect, sexual abuse and exploitation (para. 23); children deprived of a family environment (para. 28); health (para. 32); education (para. 39); and administration of child justice (para. 45).

6. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Legislation

7. The Committee welcomes the 2016 amendments to the Children's Act 2005, which criminalized child marriage and child betrothal, and that further amendments in line with the Convention, including on female genital mutilation and child labour, are being considered by the State party, with commitment to their enforcement. The Committee reiterates that the State party should continue to fully align the Children's Act with the Convention, provide adequate resources, establish a monitoring mechanism and intensify the dissemination of the Children's Act to ensure its effective implementation. Furthermore, it invites the State party to ensure that customary and "personal" sharia laws are interpreted and applied in accordance with the Convention, including in relation to the prohibition of child marriage, inheritance for children born to unmarried parents and other provisions of the Children's Act, and that professionals working on children's issues and for children receive pre-service training on the Children's Act.

Comprehensive policy and strategy

8. While noting the information provided by the State party that the National Child Protection Strategy and Plan of Action had been revised to complement the National Social Protection Policy 2015–2025, the Committee notes with concern that the National Children's Policy and the National Child Protection Strategy and Plan of Action have not been reviewed or updated since their expiry in 2020. The Committee urges the State party to accelerate the development and adoption of an updated national children's policy and an updated national child protection strategy and plan of action in partnership with civil society organizations and to allocate adequate human, technical and financial resources for their effective implementation.

Coordination

9. While noting the establishment, in 2019, of the Ministry of Gender, Children and Social Welfare, with a dedicated directorate for children's affairs, the Committee reiterates that the State party should endow that body with the resources necessary to

coordinate the implementation of the Convention across all aspects of child protection and at all levels.

Allocation of resources

10. While noting the State party's plans to develop child-friendly budgeting by adopting a public finance strategy, the Committee regrets the lack of available data to measure budget allocations and expenditures on children. Recalling its general comment No. 19 (2016) and its previous recommendations,⁴ the Committee recommends that the State party increase its allocations to social sectors, establish a child-friendly budgeting process, with clear allocations for children, including those in vulnerable situations, specific indicators and monitoring and evaluation systems, and strengthen measures to combat corruption.

Data collection

11. While noting the launch of the Gender Management Information System in 2022 and of the Gambia Social Registry Information System in 2020, which both address child-protection issues, the Committee is deeply concerned about the absence of a data collection system covering all areas of the Convention.

12. The Committee recalls its general comment No. 5 (2003) and urges the State party to establish a comprehensive data collection and management system, with disaggregated data covering all areas of the Convention and its Optional Protocols, as previously recommended,⁵ and to seek the technical support of the United Nations Children's Fund (UNICEF). It also recommends that the State party strengthen evidence generation and data collection to enhance child rights monitoring across various domains of the Convention.

Access to justice and remedy

13. The Committee recommends that the State party:

(a) Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, foster care systems and alternative care and detention settings for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;

(b) Raise awareness among children of their right to file a complaint under existing mechanisms;

(c) Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention;

(d) Ensure the greater inclusion of children in transitional justice mechanisms in order to integrate their perspectives into the national justice, healing and reconciliation efforts and align legislation with international standards on child rights and transitional justice, particularly regarding accountability for crimes against children.

Independent monitoring

14. While welcoming the establishment in 2019 of the National Human Rights Commission, which was accredited an "A" status in 2022 by the Global Alliance of National Human Rights Institutions for its compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Committee recommends that the State party:

⁴ CRC/C/GMB/CO/2-3, para. 14.

⁵ Ibid., para. 16.

- (a) Strengthen funding and resources for the National Human Rights Commission to enhance its capacity to address violations of children's rights effectively in all settings;
- (b) Ensure that the complaint procedure is confidential and child-friendly;
- (c) Raise awareness regarding the mandate of the National Human Rights Commission and the related reporting channels and referral mechanisms.

Dissemination, awareness-raising and training

15. The Committee encourages the State party to pursue training and awareness-raising initiatives, particularly in rural areas, to evaluate their impact on the knowledge of the Convention and its Optional Protocols among children, their parents and professionals working with and for children and to integrate human rights and children's rights into school curricula and professional training, including pre-service training for State actors.

Children's rights and the business sector

16. The Committee notes with concern that, while child sexual exploitation and abuse in tourism exists in the State party, particularly targeting children living in poverty, the private sector remains largely unaware of its obligations regarding children's rights, that the Code of Conduct agreed to by all hotels and tourism outfits in 2006 requires updates and that there is no specific legislation, policy or action plan dedicated to business and human rights. Recalling its general comment No. 16 (2013) and the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State party adapt and disseminate its legislative framework, establish a comprehensive national action plan on business and human rights and enhance awareness-raising efforts, training for the private sector and international cooperation with a view to preventing child sexual exploitation and abuse in the context of travel and tourism.

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

17. The Committee notes with concern persisting discrimination against girls, children with disabilities, children of unmarried parents, children living in poverty, working children, children with albinism, children in street situations, children living in rural areas, refugee children, lesbian, gay, bisexual, transgender and intersex children and other children in vulnerable situations. Recalling its previous recommendations,⁶ the Committee urges the State party:

- (a) To ensure that no discriminative provisions against girls and women are applied;
- (b) To ensure that children of unmarried parents can benefit from a donation from their Muslim fathers, including by reviewing the Births, Deaths and Marriages Registration Act 1990;
- (c) To ensure access to essential services, including education and healthcare, for all children in situations of vulnerability, including children with disabilities;
- (d) To address, as a matter of priority, the situation of children in the most marginalized or disadvantaged situations and, in coordination with civil society organizations and traditional and religious leaders, formulate and implement a comprehensive anti-discrimination strategy with clear targets and a monitoring and evaluation mechanism to modify and eliminate negative attitudes and practices and change deep-rooted stereotypes against children in vulnerable situations.

⁶ Ibid., para. 30.

Best interests of the child

18. The Committee notes that the Children's Act 2005 provides for the best interests of the child as a primary consideration. Recalling its general comment No. 14 (2013) and its previous recommendations,⁷ the Committee recommends that the State party develop guidelines and build the capacity of all relevant officials to apply that principle and ensure that it is consistently interpreted and applied in all proceedings, policies and programmes concerning children.

Respect for the views of the child

19. The Committee notes favourably that it is mandatory under the Children's Act 2005 for the views of the child to be taken into consideration, particularly for children above 12 years of age, and welcomes the establishment, in 2019, of the Children's National Assembly of the Gambia. Recalling its general comment No. 12 (2009) and its previous recommendations,⁸ the Committee recommends that the State party intensify programmes and awareness-raising activities to promote the meaningful and empowered participation of all children in the family, community, schools and care and judicial systems and in community child protection committees, with particular attention to girls and children in vulnerable situations, and provide opportunities and platforms for children to express themselves, especially on issues affecting them, ensuring that their views are given due weight.

C. Civil and political rights (arts. 7, 8 and 13–17)

Birth registration, name and nationality

20. The Committee welcomes the establishment of the Civil Registration and Vital Statistics system and the birth registration campaigns, awareness-raising initiatives and special measures with regard to children of non-Gambian parents, which have led to an increase in birth registration. The Committee notes with concern, however, that birth registration remains low, with 59 per cent of children under 5 years of age registered in 2019, and that the majority of children under 5 years of age do not have birth certificates. Recalling its previous recommendations,⁹ the Committee urges the State party:

- (a) To expeditiously finalize the adoption of the amendments to the Births, Deaths and Marriages Registration Act 1990 to interlink the civil registration, vital statistics and health systems and align the civil registration system with international standards;
- (b) To implement a digital birth registration system;
- (c) To ensure the complete and immediate birth registration of all children, with particular attention to children under 5 years of age, children of unmarried parents and children of non-Gambian parents;
- (d) To provide a birth certificate for every registered birth and ensure that all children without a birth certificate have access to essential services;
- (e) To ensure the issuance of a birth certificate and an identification card and access to nationality for foundlings living in its territory;
- (f) To facilitate the naturalization process for children living in a protracted refugee situation to ensure their access to rights;
- (g) To allocate adequate funding to community outreach programmes and media campaigns to raise awareness on the importance and process of birth registration.

⁷ Ibid., para. 32.

⁸ Ibid., paras. 34 and 38.

⁹ Ibid., para. 36.

Access to appropriate information and right to privacy

21. The Committee notes the adoption of the Access to Information Act 2021 and recommends that the State party ensure:

(a) The effective implementation of the Access to Information Act 2021 and the acceleration of the adoption of the Criminal Offences Bill 2022 and the Cybercrime Bill 2023 to solidify the legal framework supporting the right to access to information and to protect the privacy of children in the media, including social media;

(b) The effective monitoring of the information accessible to children, the scheduling of television programmes inappropriate for children outside of prime time and an increase in the number of libraries, particularly in rural areas;

(c) Access to the Internet for all children across the country, including those living in rural and remote areas and for the most vulnerable and marginalized groups.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)

Abuse, neglect, sexual abuse and exploitation

22. The Committee welcomes the establishment of various governmental entities to deal with cases of violence against children, including the community child protection committees, the Tundol Binko/Bajeni Gokh monitoring and reporting mechanisms for child protection and gender-based violence, the Orange Centre, providing shelter, security and medical and psychological support for child victims, and the toll-free helpline (199). It also notes the establishment of a 24-hour court service for tourism-related offences, including offences relating to the sexual abuse and exploitation of children in tourism (Tourism Offence Act, as amended in 2014, sect. 24). The Committee is seriously concerned, however, that, according to the Multiple Indicator Cluster Survey conducted by UNICEF in 2018, nearly 90 per cent of children experience different forms of violence, including sexual, gender-based and domestic violence, that girls and children with disabilities are particularly vulnerable to such violence and that sexual exploitation and abuse online and in travel and tourism are serious concerns. It is also concerned about the following:

(a) The insufficient implementation of the Sexual Offences Act 2013 and the Domestic Violence Act 2013 and the absence of a legal framework to protect children from sexual exploitation and abuse online;

(b) The lack of data to assess the prevalence of all forms of violence against children, including online and in travel and tourism;

(c) The lack of a comprehensive and adequately resourced policy for prevention and intervention in cases of violence;

(d) The insufficiency of coordination in the protection system and the lack of sustainable resource allocation and monitoring for protection, coupled with insufficient training for law enforcement and judicial officials, which impede the protection of children from violence and exploitation, especially in rural areas;

(e) The underdevelopment of support services for child victims;

(f) The lack of confidential, child-friendly complaint mechanisms, including for sexual abuse and exploitation in travel and tourism and in the alternative care system, including informal arrangements;

(g) The lack of data on investigations into and the prosecution of cases of violence against children and their outcomes;

(h) The fact that the court service for tourism-related offences has not been operationalized and that only one tourism-related offence was recorded in 2011;

(i) The absence of a sex offender register.

23. Recalling its general comment No. 13 (2011) and its previous recommendations,¹⁰ the Committee urges the State party:

(a) To expedite the enactment of the new cybercrime bill and ensure the effective enforcement of the legislation to protect children effectively from all forms of violence, including sexual exploitation, online and in travel and tourism;

(b) To undertake a study on the extent, causes and nature of violence against children, including sexual exploitation and abuse, online and in travel and tourism, and, on its basis, develop and implement a comprehensive policy and strategy for prevention and intervention in cases of violence, with particular attention to girls and children with disabilities;

(c) To strengthen the capacity of the protection system to identify and respond in a timely manner to cases of violence and exploitation, including through improved coordination, monitoring, the sustainable allocation of financial, human and technical resources and specialized training for law enforcement, judicial officials, teachers, health professionals and social workers;

(d) To ensure the mandatory reporting of child abuse and neglect, identify focal points to receive such reports in the community and in schools, madrasas, *majalis* and care settings and raise awareness among parents, professionals and children regarding the importance of early detection and intervention for the recovery of child victims;

(e) To ensure that all cases of all forms of violence against children, including sexual abuse, online and in travel and tourism, are promptly investigated, applying a child-friendly and multisectoral approach with the aim of avoiding the revictimization of the child, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate;

(f) To operationalize the court service for tourism-related offences;

(g) To ensure that victims and witnesses of violence have prompt access to comprehensive support, including healthcare and legal and trauma-focused support services, and to ensure their recovery and reintegration and that they are not subjected to revictimization;

(h) To take awareness-raising measures and provide training to relevant professionals to combat all forms of violence against children and address the stigmatization of victims;

(i) To develop and implement a sex offender register to prevent convicted offenders from working with children.

Corporal punishment

24. Noting the zero-tolerance policy on corporal punishment, the Committee recalls its general comment No. 8 (2006) and its previous recommendations¹¹ that the State party amend the Children's Act 2005 explicitly to prohibit corporal punishment in all settings, repeal all legal defences for its use, including the application of the concept of "reasonable chastisement", and promote positive, non-violent and participatory forms of child-rearing and discipline.

Harmful practices

25. The Committee notes as positive the bans on child marriage and female genital mutilation under the amended Children's Act 2005 and the Women's (Amendment) Act 2015. The Committee is concerned, however, about the deep entrenchment of those practices, with half of all girls having undergone female genital mutilation, including 27.3 per cent of girls aged 0–4 years, and one in four young women having married in

¹⁰ CRC/C/GMB/CO/2-3, paras. 44 and 48.

¹¹ Ibid., p. 42.

childhood. It also notes the attempts to repeal the ban on female genital mutilation, such as the Women's (Amendment) Bill 2024, which was rejected on 15 July 2024, and that no conviction on child marriage has been recorded since the enactment of the ban in 2016. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and its previous recommendations,¹² the Committee calls upon the State party to redouble its efforts to prevent, address and eventually eradicate the practices of child marriage and female genital mutilation, ensuring the implementation of the legal ban, including with regard to Muslim marriages, monitoring the progress achieved, providing support and recovery programmes for victims, establishing effective reporting and complaint mechanisms and strengthening awareness-raising, particularly among traditional and religious leaders, on the harmful effects of those practices on girls.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

26. While noting the Child Safeguarding Policy, the family strengthening programmes and the training programme on positive parenting for parents and caregivers, the Committee notes with concern that some children are placed in residential care because their parents are unable to care for them. Recalling its previous recommendations,¹³ the Committee urges the State party:

- (a) To establish social protection systems and strengthen parental training to support families in their child-rearing efforts;
- (b) To work towards the elimination of polygamy in law and practice, while taking measures to prevent its possible harmful effects on children;
- (c) To address the concurrent jurisdiction of the Children's Court and the qadi courts in the areas of maintenance, custody and inheritance;
- (d) To ratify the Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, the Convention on the Law Applicable to Maintenance Obligations and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.

Children deprived of a family environment

27. The Committee notes as positive the introduction of the Gatekeeping Guidelines, the development of the Minimum Standards for Quality Care for Child-Care Centres and Private Residential Care Homes for Children 2023 and the State party's partnership with SOS Children's Villages. The Committee is seriously concerned, however, about:

- (a) The lack of data on the number and situation of children in residential care;
- (b) The absence of a monitoring and control mechanism for care institutions;
- (c) The insufficient quality of care in institutions and the lack of implementation of the Minimum Standards for Quality Care, especially in institutions not partnered with SOS Children's Villages;
- (d) The situation of thousands of children living in Quranic learning centres (*majalis*), particularly with regard to overcrowding, forced labour, inadequate sanitation, sleeping arrangements, access to healthcare and education and the exposure of children to the risks of neglect, abuse and trafficking;

¹² Ibid., paras. 28 and 46.

¹³ Ibid., para. 52.

(e) The absence of an independent complaint mechanism for children in alternative care;

(f) The insufficient support for children leaving care.

28. Recalling the Guidelines for the Alternative Care of Children, the Committee urges the State party:

(a) To conduct a study to assess the number and situation of children in alternative care, including children left without parental care, children with disabilities, children whose parents cannot provide care and children living in boarding schools and *majalis*;

(b) To establish, on the basis of the study, a comprehensive national database to systematically track and monitor all children in alternative care;

(c) To develop policies and programmes to prevent family separation and to facilitate family reintegration when it is in the best interests of the child, establish clear gatekeeping protocols, community-based services and infrastructure and develop training programmes for the enhancement of parenting skills;

(d) To ensure that the lack of material and financial resources, poverty, disability or divorce is never the sole justification for the placement of children in alternative care;

(e) To establish adequate safeguards and clear criteria, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care and to build the capacity of the social protection system and the judiciary to apply such safeguards and criteria;

(f) To ensure that children are separated from their family only if it is in their best interests, after a comprehensive assessment of their situation by the competent authorities, including national courts, and that placement decisions are subject to periodic review;

(g) To develop a deinstitutionalization strategy and action plan, with dedicated resources for its implementation, including the systemic transformation of the childcare and protection systems;

(h) To allocate, in the meantime, adequate human, technical and financial resources to alternative care centres and the relevant child protection services to facilitate the rehabilitation and social reintegration of the children residing within them to the greatest extent possible and to take immediate steps to improve the living conditions in *majalis*;

(i) To implement the Minimum Standards for Quality Care 2023 in all institutions, monitor the quality of care on that basis and conduct regular and substantive reviews of placements;

(j) To establish independent, effective and child-friendly complaint mechanisms for alternative care institutions and address violations of the rights of children living in care, including in *majalis*, notably child labour, violence and trafficking in children;

(k) To ensure adequate support for children leaving care and develop community-based services to help them to start independent lives and to support their integration into the community.

Adoption

29. Noting the plans to develop a register and monitoring framework to monitor the potential abuse of children who are informally adopted within their extended families, the Committee reiterates its previous recommendations¹⁴ that the State party regulate

¹⁴ Ibid., para. 56.

so-called informal adoption and set up an effective mechanism to assess and monitor adoption, including informal adoption.

F. Children with disabilities (art. 23)

30. While welcoming the enactment of the Persons with Disabilities Act 2021 through a participatory process, the Committee is concerned about the lack of recent data on children with disabilities, the high level of discrimination against and stigmatization of children with disabilities and children with albinism, particularly girls, who also face gender-based violence, forced marriage and female genital mutilation, the lack of access to specialized healthcare and rehabilitation services due to the absence of resources and trained personnel, and the insufficient support for parents of children with disabilities. Recalling its general comment No. 9 (2006) and its previous recommendations,¹⁵ the Committee urges the State party to adopt a human rights-based approach to disability and:

(a) To organize the collection of data on children with disabilities, disaggregated by age, sex, ethnicity, nationality, disability and residence, and conduct a study on their situation, including on the violence and deprivation affecting them and, on that basis, develop a policy and strategy on children with disabilities, with the participation of children, allocate adequate resources to its implementation and establish a monitoring and evaluation mechanism;

(b) To address appropriately cases of violence and abuse and strengthen awareness-raising programmes, including campaigns, to combat discrimination and stigmatization and promote a positive image of children with disabilities as rights holders;

(c) To allocate adequate resources to ensure access to quality healthcare, including early identification, intervention and rehabilitation programmes and an adequate number of trained healthcare personnel throughout the country;

(d) To strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in their family environment, including by increasing the availability of community-based services and providing adequate socioeconomic support to parents.

G. Health (arts. 6, 24 and 33)

31. The Committee welcomes the National Health Policy 2022–2030, the drop in the maternal and child mortality rates and an increase in exclusive breastfeeding. The Committee is concerned, however, about:

(a) The maternal mortality rate, which remains high, and the increase in the neonatal and infant mortality rates;

(b) The decrease in the coverage of the third dose of the diphtheria-tetanus-pertussis vaccine;

(c) The lack of early infant HIV diagnosis coverage, contributing to transmission via breastfeeding;

(d) The decline in the early initiation of breastfeeding;

(e) Micronutrient deficiency and the lack of a diversified diet among women and children, along with undernutrition, stunting and wasting, with 20 per cent of child mortality attributable to undernutrition between 2013 and 2018;

(f) The death of 70 children due to acute kidney injury caused by imported pharmaceuticals in August 2022.

¹⁵ Ibid., para. 59.

32. Recalling its general comments No. 3 (2003) and No. 15 (2013), the Committee urges the State party:

- (a) To allocate adequate resources to the health sector, increase the number of trained medical and other health personnel and ensure access to high-quality primary health services in all areas of the country;
- (b) To increase funding for neonatal and infant health and improve access to quality maternal healthcare and emergency obstetric services;
- (c) To strengthen immunization programmes to increase coverage for the diphtheria-tetanus-pertussis vaccine;
- (d) To increase early infant HIV diagnosis and access to treatment for children and women with HIV/AIDS to prevent mother-to-child transmission;
- (e) To allocate adequate resources for the promotion, protection and support of food security and nutrition among children, with a focus on undernutrition, stunting, wasting, micronutrient deficiency, diversified diet and exclusive breastfeeding for babies within the first six months of life, and promote the early initiation of breastfeeding;
- (f) To address appropriately the case of children's deaths due to acute kidney injury, bring to justice those responsible and amend pharmaceutical import licence laws to impose strict accountability and sanctions for importers to prevent unsafe products from reaching children.

Mental health

33. The Committee recommends that the State party:

- (a) Review its legislation, including the Lunatics' Detention Act 1917, in line with international human rights standards, accelerate the adoption of the Mental Health Bill and ensure that the rights of children are mainstreamed therein;
- (b) Collect data on mental health issues, including suicide, among children and adolescents;
- (c) Develop and implement a mental health policy and strategy, with a focus on prevention, the training of professionals, the development of outpatient services and emerging mental health issues in children and adolescents, with specific indicators, timeline and budget;
- (d) Ensure quality mental health services and programmes across the country, including for suicide prevention, and ensure they are accessible for all children;
- (e) Increase the number of psychologists and psychiatrists, including by allocating sufficient budget, and provide quality training for them;
- (f) Raise the awareness of society on the importance of mental health, with a view to encouraging the uptake of mental health services and to ensure that those applying for services are not stigmatized.

Adolescent health

34. Noting that adolescent and sexual reproductive health is one of the objectives of the Gambia Health Policy 2020–2030, the Committee recommends that the State party:

- (a) Ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents, both girls and boys, with a special focus on preventing early pregnancy and sexually transmitted infections;
- (b) Increase access to menstrual hygiene products for adolescent girls so that they can attend school without disruption and address the sociocultural norms that prevent the management of menstruation without stigma;

(c) Improve the knowledge and availability of contraceptives and relevant services with a view to preventing HIV/AIDS and sexually transmitted infections and take measures to reduce the number of adolescent pregnancies;

(d) Strengthen HIV testing, counselling and treatment programmes for adolescents and launch targeted campaigns to fight stigma related to HIV;

(e) Decriminalize abortion, ensure access to safe abortion and post-abortion care services for girls and address the relevant sociocultural barriers, including through information campaigns.

Drug and other substance abuse

35. The Committee is concerned about the rise in drug and other substance abuse, including of the drug mixture “kush”, notably among male adolescents, which has necessitated urgent medical interventions and caused deaths. The Committee recommends that the State party:

(a) Strengthen the collection of data on drug and other substance abuse, including of kush, train healthcare personnel and improve case management;

(b) Develop and fund rehabilitation programmes specifically tailored for children and adolescents affected by drug and other substance addiction and provide appropriate support for parents;

(c) Implement comprehensive education programmes in schools to inform children and adolescents about the dangers of drug and other substance abuse;

(d) Ensure the enforcement of laws for adult offenders, including the application of stricter penalties for the production of drugs and other substances and their sale and distribution to children;

(e) Promote healthy lifestyles, with a focus on preventing and reducing the consumption of harmful substances;

(f) Seek technical support from UNICEF and the United Nations Office on Drugs and Crime.

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

36. While welcoming the Social Registry Information System 2020, the Sustainable Financing Strategy for Social Protection 2023 and the Water, Sanitation and Hygiene Policy and Strategic Plan 2020, the Committee is concerned that 9 in 10 children face multidimensional poverty and that access to safe drinking water and sanitation remains very limited. The Committee calls upon the State party:

(a) To strengthen its measures to end child poverty, including by expanding child-focused social protection programmes and addressing the root causes of child poverty;

(b) To improve access to safe drinking water and sanitation and address open defecation, particularly in rural areas, and to reduce air pollution levels, especially near schools and residential areas, and to seek support from UNICEF in those respects;

(c) To increase the provision of social assistance to children and ensure that it is accessible to all vulnerable and marginalized children across the country.

I. Children’s rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)

37. Noting the environmental protection legislation and policies and welcoming the child rights-based approach to the second nationally determined contribution under the Paris Agreement, the Committee is concerned about the negative effects of water and air pollution on children’s health and the climate change-related risks to children.

Recalling its general comment No. 26 (2023), the Committee recommends that the State party:

- (a) Assess the effects of water and air pollution on children's health, and design and implement, with the participation of children, a well-resourced strategy to remedy the situation;
- (b) Monitor children's environmental health and ensure that health professionals receive training in the diagnosis and treatment of environmentally caused health conditions;
- (c) Increase children's awareness and preparedness for climate change and natural disasters through school curricula and teacher training programmes;
- (d) Ensure that children are involved in developing and implementing the ongoing community-based efforts on food security, the promotion of renewable energy and other climate crisis resilience measures.

J. Education, leisure and cultural activities (arts. 28–31)

Education

38. The Committee welcomes the significant increase in the primary school completion rate in 2022, despite the challenges posed by the coronavirus disease (COVID-19) pandemic. It also welcomes the early childhood education programmes and the re-entry and second chance programmes for children, including for pregnant girls, who have dropped out of school. The Committee is seriously concerned, however, about:

- (a) The challenges in achieving universal primary education, including the low coverage of preschool education, the gaps in infrastructure, including the lack of gender- and disability-friendly water, sanitation and hygiene facilities, and the gaps in educational quality in rural areas;
- (b) The low completion and proficiency rates in secondary education;
- (c) The gaps in the educational quality of madrasas and *majalis*;
- (d) The high dropout rates, especially due to marriage and pregnancy, child labour, financial constraints and remoteness.

39. Recalling its previous recommendations,¹⁶ the Committee urges the State party:

- (a) To ensure equal access to and retention in quality primary and secondary education for all children, with particular attention to girls, children with disabilities and children from rural and remote areas;
- (b) To improve the quality of school education, particularly through targeted literacy and numeracy programmes and strengthened teacher training;
- (c) To align the education in madrasas and *majalis* with the national curriculum and continue efforts to provide support for children in those institutions to transition to mainstream schools;
- (d) To address the reasons for school dropout, strengthen its focus on school retention and provide support to pregnant adolescents and adolescent mothers and assist them in continuing their education, including through re-entry and second chance programmes;
- (e) To continue the efforts to expand early childhood education programmes to all regions in the State party.

¹⁶ CRC/C/GMB/CO/2-3, paras. 69 and 71.

Inclusive education

40. The Committee notes the lack of access to education and to accessible educational infrastructure, especially in rural areas, for children with psychosocial, learning and multiple and severe disabilities and the inadequate and limited access to vocational and tertiary education. The Committee recommends that the State party:

- (a) Pursue the development of an inclusive education system, with specific objectives and timelines;
- (b) Ensure that all children with disabilities have access to inclusive education in mainstream schools and that schools are physically accessible and equipped with trained teachers, accessible infrastructure, including accessible toilets, and adapted teaching materials;
- (c) Increase the number of itinerant teachers and special needs education units of the Ministry of Basic and Secondary Education in order to reach children in remote communities.

K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)

Economic exploitation, including child labour

41. While welcoming the Child Labour Policy 2023, the establishment of the Child Labour Unit within the Ministry of Trade, Industry, Regional Integration and Employment and the enactment of the Labour Act 2023, the Committee remains concerned about the prevalence of child labour. It reiterates that the State party should:

- (a) Undertake research on the extent, nature, root causes and impact of child labour in order to develop preventive and remedial strategies;
- (b) Strengthen labour inspections;
- (c) Ensure that the legal provisions on child labour are enforced effectively and that those who exploit children are duly sanctioned.

Children in street situations

42. Recalling its general comment No. 21 (2017), the Committee reiterates that the State party should address the situation of children in street situations, including *almudos*, in particular by conducting an in-depth study on the causes and scope, providing children in street situations with an adequate means of living and developing prevention programmes in cooperation with Islamic religious education teachers and marabouts.

Trafficking in children

43. The Committee is concerned about children falling victim to trafficking in children for sexual abuse and labour purposes, and it notes the conviction of perpetrators by the Children's Court in Brikama as a step towards ensuring accountability for perpetrators. The Committee recalls its previous recommendations¹⁷ that the State party should ensure the implementation of the anti-trafficking legislation, effectively investigate, prosecute and convict child traffickers, strengthen training for professionals on child- and gender-responsive approaches to handling trafficking cases, pursue awareness-raising efforts and international cooperation and provide accessible services for child victims of trafficking, including legal aid, psychological counselling, family reunification and safe shelters.

¹⁷ Ibid., para. 81.

Administration of child justice

44. The Committee welcomes the establishment of the four Children's Courts. The Committee is concerned, however, that:

- (a) The Children's Courts are not well resourced or child-friendly and that there are no child-friendly spaces for interviewing children in the Courts or police stations;
- (b) The age of criminal responsibility is set at 12 years of age;
- (c) Child offenders are detained together with adult offenders and in inappropriate conditions;
- (d) No alternatives to detention are provided in practice;
- (e) The National Agency for Legal Aid lacks the resources to reach out to vulnerable groups, including children;
- (f) Data on children's interactions with the justice system are scarce.

45. **Recalling its general comment No. 24 (2019) and its previous recommendations,¹⁸ the Committee urges the State party to bring its child justice system fully into line with the Convention and other relevant standards and, in particular:**

- (a) To allocate adequate human, financial and technical resources to the Children's Courts, ensure appropriate training for judges and provide child-friendly spaces for interviewing in the courts and in police stations;**
- (b) To raise the legal age of criminal responsibility to at least 14 years of age;**
- (c) To ensure that detention is used only as a measure of last resort and for the shortest appropriate period of time and is reviewed on a regular basis with a view to release;**
- (d) To ensure, for the few situations where deprivation of liberty is justified as a measure of last resort, that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services;**
- (e) To promote actively non-judicial measures, such as diversion and mediation, for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service, and ensure that health and psychosocial services are provided to such children;**
- (f) To allocate adequate human, financial and technical resources to the National Agency for Legal Aid to ensure the provision of free and specialized legal aid to children in conflict with the law at an early stage of and throughout the legal proceedings and strengthen public awareness of the existence of legal aid;**
- (g) To collect data on children in the child justice system, disaggregated by age, sex, ethnicity, nationality, disability, rural or urban area and the stage of proceedings.**

L. Ratification of the Optional Protocols to the Convention

46. The Committee recommends that the State party ratify the Optional Protocol on a communications procedure.

47. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, given that the related reports have been overdue since 27 September 2021 and 8 April 2012, respectively.

¹⁸ Ibid., para. 83.

M. Cooperation with regional bodies

48. The Committee recommends that the State party continue to cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments.

IV. Implementation and reporting

A. Follow-up and dissemination

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fourth to seventh periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

50. The Committee recommends that the State party establish a standing government structure for implementation, reporting and follow-up and ensure that it has the mandate and adequate human, technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the National Human Rights Commission and civil society.

C. Next report

51. The Committee will establish and communicate the due date of the combined eighth and ninth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The reports should be in compliance with the Committee's harmonized treaty-specific reporting guidelines¹⁹ and should not exceed 21,200 words.²⁰ In the event that reports exceeding the established word limit are submitted, the State party will be asked to shorten the reports. If the State party is not in a position to review and resubmit the reports, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

¹⁹ [CRC/C/58/Rev.3](#).

²⁰ General Assembly resolution 68/268, para. 16.