



**AFRICAN CENTRE FOR DEMOCRACY AND HUMAN RIGHTS STUDIES**

**CONTRIBUTION TO SHADOW REPORT**

**THEMATIC AREA: HUMAN RIGHTS**

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## **INTRODUCTION**

The aim of this report is to provide an insight into the achievements made in terms of promoting the implementation of the Solemn Declaration on Gender Equality in Africa (SDGEA) with reference to rights of women. The report will focus mainly on the activities implemented in The Gambia for the period under review with some reference to regional or continental interventions

The African Centre for Democracy and human Rights Studies (ACDHRS) is a pan-African Non-Governmental Organisation (NGO) mandated to promote and ensure the adherence to human rights principles on our continent through human rights education and training, capacity building and awareness-creation, networking, research, and publication. Priority is also given to improving gender relations. Given this background, the Centre has been mandated to act as a focal point together with WILDAF to work towards improving the rights of women. Based in The Gambia, the ACDHRS has used The Gambia as its first point of contact taking advantage of proximity. Hence, the greater part of this report will centre on the Gambia. However an attempt will be made to report on some continental interventions carried out collaboratively with partners in the area of gender

The NGO Forum organised bi-annually provides a window of opportunity to bring NGOs together to share experiences and learn from each other in the area of human rights in general and gender in particular. Hence the impact of this Forum goes beyond gender.

## **METHODOLOGY**

In preparing this report, the Articles of focus will be considered singly in order to establish the gains made in that area as well indicating the Actions, Targets and indicators as available. Information will be culled from Reports and records available from the relevant institutions. Effort will be made to follow the guide lines in terms of providing reference to some of the mechanisms in place to address some of these gender issues.

## **OPERATIONAL ARTICLES**

### **ARTICLE 3**

Launch within the next year a campaign for systematic prohibition of child soldiers and abuses of girl children as wives and sex slaves in violation of their Rights as enshrined in the African Charter on Rights of the child.,

### **ARTICLE 4**

Initiate, launch and engage within two years sustained public campaign against gender based violations as well as the problem of trafficking in women and girls: Reinforcing legal mechanisms that will protect women at the national level and end impunity of crimes against women in a manner that will change and positively alter the attitude and behaviour of the African Society.

### **ARTICLE; 9**

Undertake to sign and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa by the end of 2004 and to support the launching of public campaigns aimed at ensuring entry into force by 2005 and usher in an era of domestication and implementation of the Protocol as well as other national regional and continental instruments on gender equality by all states Parties.

## ARTICLE THREE- INTERVENTIONS

TARGET CHILDREN – with emphasis on Girls

ACTION –Mechanisms

There is a select **Committee on Women and Children at the National Assembly** charged with the responsibility of ensuring the welfare of children and women

**The Child Protection Alliance** is also a body charged with the responsibility of the welfare of the Child by ensuring that the provisions of The African Charter on the Rights and Welfare of the Child are adhered to This body functions as an NGO and supports and coordinates activities such as the children's Parliament and other local and international initiatives geared towards improving the welfare of the child.

Other mechanisms include:

- Children's Act
- Children's Court

In the Gambia the incidence of child soldier does not apply. Nonetheless there are other areas in which child's welfare needs attention consequently provision has been made to respond to these gaps particularly the girl child. Cognisant of this fact some the mechanisms outlined above were put in place. In the past, analysis showed that a limited number of girls attended school due to economic and socio- cultural factors such as domestic roles poverty , early marriage.

Remarkable efforts have been made in addressing this situation. In the area of education, there has been significant progress in enrolment as access to education has increased by virtue of the various mechanisms instituted. Mechanisms put in place include free lower basic education for all. In this regard parity has been achieved at the lower Basic level. To further provide education for all children, there ha been efforts to synchronise the Madrasas (Islamic / Arabic) school curriculum with the conventional system in a bid to empower all children. All girls in Regions five and Six were given full scholarships from grade Seven to grade Twelve These regions were considered as the deprived areas and so lacked basic infrastructure for development to occur.

At the Upper basic level, fees are being paid by His Excellency the President, through his foundation the called President's Empowerment For Girls Education Programme (PEGEP) The Foundation caters for girls solely across the country providing books from the curriculum unit as well as uniforms. There is also contribution towards the fees of Girls in the Senior School. Where the cost has been and can be a prohibitive factor.

There are indications that all these have had a positive impact on girls' education. In 2000/01 academic year the enrolment of girls in Lower Basic (primary) school was 74,730 compared to 82,103 for boys. By the 2004/05 academic year girls' enrolment had grown to 92,185 an average annual growth rate of 5.4% compared to 1.9% growth rate for boys. At the Upper Basic (Junior secondary) level, although girls are still fewer than boys, girls' enrolment grew at a rate of 11.7% nearly doubling the rate of growth of boys. This rapid growth is attributed to the scholarship programme. Significant growth levels are also experienced at the Senior Secondary level.

	2000/01		2004/05		AAG rate	
	Boys	Girls	Boys	Girls	Boys	Girls
<b>LBS</b>	82103	74730	88582	92185	1.9%	5.4%
<b>UBS</b>	23710	17304	30133	26892	6.2%	11.7%
<b>SSS</b>	9322	5843	16740	11795	15.8%	19.2%

The higher growth rates for girls at all levels have a direct impact on gender parity which is both an MDG and EFA goal. Between 2000 and 2004 gender parity has increased from 0.91 to 1.04 indicating that girls now out number boys by 4%. This has been achieved at the lower school level while parity at both UBS and SSS level have improved significantly.

Access

<b>Gender Parity</b>		
Level	2000/01	2004/05
Lower Basic (Primary)	0.91	1.04
Upper Basic (Junior Secondary)	0.72	0.88
Senior Secondary (High)	0.62	0.70

These tables indicate the strides made in improving the welfare of the Child particularly the girl child. Though children in the Gambia have not been exposed to war yet other rights such as education for the girl child remains a challenge that needs addressing. Thus if girls are empowered through education, the incidence of sex slaves and early marriage will be minimized considerably. Currently the claim can be made that due to all these intervention, research has shown that the incidence of early marriage has reduced and so has polygamy. These could be related to the increased number of girls being educated and or financial constraints.

In responding to Article three, the Gambia has made considerable strides, though there are gaps that need to be addressed for continued

#### **ARTICLE 4 and 9**

Articles 4 and 9 will be dealt with collectively as the issues over lap.

Close examination of these Articles indicate the need to address the issue of Gender based violence, the problem of trafficking in women and girls, change of attitude , ratification and domestication of the Protocol and mention the measures or mechanisms put in place for the realization of gender equality by state parties .

The African Centre initiated the Public campaign that resulted in the full ratification without reservation of the Protocol. Since this ratification the Gambia Government has instituted various mechanisms geared towards the domestication of the Protocol though some of these mechanisms were in existence before the ratification, nonetheless listed are some of these bodies established to support women’s empowerment.

#### **MECHANISMS**

National Women’s Council- This is like a national Assembly for Women  
 Women’s Bureau-. The Bureau is charged with the responsibility of assisting council to monitor , evaluate and review policies , programmes, projects, bills or existing regulations to effectively address women’s issues.

Gender Focal Points have been established in all line Departments- for effective mainstreaming of gender at all levels

Cabinet Committee on Gender - Chaired by His Excellency the President

Gender Unit at the Department of state for Education

Policies

Women's Policy. – There is the National Women's Policy for the Advancement of Women (1999-2009) .This policy was initiated to give direction to addressing gender issues. A mid term review of this policy was conducted and steps are being taken to formulate a Gender Policy for the next policy period.

Legal Framework

In terms of legal protection, the Gambia signed and ratified the CEDAW, the Protocol on Women and the SDGEA Concerted efforts are now being made towards the full implementation and domestication of all of these instruments In ensuring full implementation of the provisions of these instruments a **Women's Bill** has been drafted after extensive consultations with civil society and all stake holders. The African Centre participated as a key partner at the consultations thus providing an opportunity to popularize the Protocol and call attention to adherence to the rights of women

Projects

At national level, most government projects incorporate gender perspective as well as women's economic empowerment and skills training His Excellency the President has also been making a clear effort to appoint or nominate women to high profile positions at both national and international levels. More women are now participating in public life as well as the private sector compared to previous years. The table below shows a representation of women in public life

**Table: Representation of women in public life**

Position	Total Number of Women & Men	Number of Women	Number of Men	Percentage of Women
Solicitor General	1	0	1	0
Deputy Solicitor General	1	1	0	100
High Court Judges	5	4	1	80* (approx)
Court of Appeal Judges	3	0	3	0
Magistrates	10	3	7	30* (approx)
Judicial Secretary	1	0	1	0
Director of Public Prosecution	1	0	1	0
Lawyers at the Attorney General's Chambers Criminal Division	8	3	5	35* (approx)
Lawyers at the Attorney General's Chambers Civil Division	4	0	4	0
Lawyers at the Drafting Division	1	0	1	0
Curator of Inter estates	1	1	0	100
Registrar of Companies	1	1	0	100

**Table: Showing the composition of the National Assembly.**

Positions	Total men and women	Number of women	Number of men
Member of the National Assembly (elected)	48	2	46
Speaker (nominated)	1	1	0
Deputy speaker (nominated)	1	0	1
Other Nominated Members	3	2	1
<b>TOTAL</b>	<b>53</b>	<b>5</b>	<b>48</b>

No doubt the men clearly out number the women this is an indication of the gaps that need attention

Within the current Administration women holding the positions of Permanent Secretary and Deputy Permanent Secretary:

- 2 Permanent Secretaries,
- 4 Deputy Permanent Secretaries, several Principal Secretaries,

4 Executive Directors and numerous female Technical Directors in various institutions. Though efforts have been made to empower women the gaps still exist

It must be noted , that NGOs and Civil society have instituted projects that are also geared towards addressing gender issues as away of complimenting Government's efforts.

In collaboration with Action Aid The Gambia, The African Centre has established Mediation Centers which are geared towards the promotion of peace in the communities. With this project women have been trained as mediators. Apart from using women as in decision making position, the project serves the dual purpose of bringing justice to the doorstep of the poor particularly women. Women are now able to talk about domestic violence, rape and sexual violations in a less threatening environment, and get redress almost immediately.

### **Gender – based violence**

Efforts have been made to bring to the fore the incidence of gender based violence. Sensitization workshops have been conducted by the African Centre as well as other NGOs to call attention to this phenomena country wide. The African Centre is working collaboratively with government NGOs and civil society. For instance, during International Women's Day celebration in 2007 activities were organized highlighting gender – based violence. A symposium was organized in collaboration with the Gambia Press Union (GPU) to discuss this phenomenon. Other programmers on the agenda included broad cast on state radio and television using the local languages. The objective was awareness creation, making women aware of their rights and the need to come forward and reveal such violations rather than suffer in silence.

## **Trafficking of Women**

There is no anti-trafficking legislation but when this occurs investigation is made and the victims are protected. Presently, law enforcers have participated in anti-trafficking sections.

## **Capacity – Building for Stake holders**

The need for capacity building for all stakeholders is essential. Cognizant of this fact the African Centre has been active in this area. Recently a sensitization workshop was conducted for National Assembly Members (Parliamentarians) As law makers, knowledge of the Protocol and similar international instruments is critical to enable them support and legislate for women. Similar sensitisation workshops are planned for legal practitioners and other stakeholders. All of these efforts are geared towards raising awareness and popularizing the Protocol in order to ensure its full domestication. It is when the Law makers understand the Protocol that they would be empowered to pass laws that would address violations such as gender- based violence No doubt further training and capacity building efforts are required to support the mainstreaming of gender at all levels.

## **Monitoring**

The Gender Action team, a coalition of NGOs and members of civil society working in Gender was established under the auspices of the African Centre. This is a body that maintains a supervisory and monitoring role in relation to gender. This fledging institution has now developed and adopted its constitution as well as elected Officers who would take over the management of the organization. It is hoped that this would be a pressure group. This body would also undertake activities in collaboration with the Centre in areas where there are gaps.

## **Continental / International Interventions**

The African Commission on Human and Peoples' Rights (ACHPR)  
As mentioned earlier the African Centre collaborates with a network of partners One of its main partners is the African Commission on Human and Peoples' Rights( ACHPR) which is an arm of the African Union (AU). The African Centre acts as the implementing partner and enjoys and observer status. In this regard the African Centre benefits from the expertise of the Commissioners who are usually integral part of the NGO forum earlier alluded to.

## **African Union Gender Directorate (AUGD)**

In furthering the course of Women in Africa the Centre also collaborates with the African Union Gender Directorate. In collaboration with the AUGD the African Centre co- coordinated implemented a regional training for women on HIV/Aids in Tunis in 2007.

## **Spanish Leadership Training**

The African Centre through the Spanish co-operation is offering training to build the capacity of young girls in the sub-region on leadership and gender

## **Challenges**

A key challenge has been the lack of adequate data on gender and women in the Gambia. UNICEF funds a survey called the MISC which provides some statistics. However more effort is needed in this direction to measure or assess the impact of interventions

There is need for more concerted effort in raising awareness for social and policy change.

Ensuring that all government, private sector policies and projects are gender friendly

Bringing about a change of attitude

Advocate for research to inform policies and programme

Advocate for gender budgeting

Lack of financial support to support initiatives

## **Conclusion**

The African Centre is committed to improving the rights and status of women in the Gambia and the continent though interventions seem to focus on the Gambia because of proximity moving further a field on a large scale will require funding which is not currently unavailable. Mechanisms must be put in place to provide the necessary support.

## **Recommendations**

Provision of funds to ensure a more effective network

Establish a system for network members to meet and collectively strategies

Establish a forum for sharing of good practices in a region

## Bibliography

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