



**The Gambia's Combined Initial, First, Second, Third,
Fourth and Fifth Reports on the Implementation of the
African Charter on the Rights and Welfare of the Child**

(ACRWC)

Draft for Validation

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EXECUTIVE SUMMARY:

The Gambia signed the African Charter on the Rights and Welfare of the Child (ACRWC) also known as the African Charter, on the 14th day of December 2000.

Article 43 of the Charter requires all State Parties to submit their initial State Party Report within 2 years of ratification of the ACRWC and periodic reports on the implementation of the ACRWC every 3 years on progress made in their respective countries in the implementation of the Charter.

The Gambia however, had not been able to submit its reports to the Committee of Experts on the ACRWC. This was entirely due to various constraints, hence this combined periodic report of 2024.

This combined Initial, First, Second, Third, Fourth and Fifth reports covering the period from 2000 to 2024, will report on the implementation of the ACRWC, examining the giant strides made by the Government of The Gambia since the country's accession to the ACRWC. In terms of domestication of provisions of the African Charter and its application in key sectors such as Health, Education, Social Welfare, the Gambia has been steadily working towards the fulfilment of the Sustainable Development Goals particularly the SDGs that directly impact on children. The report also highlights the key complementary roles played by Civil Society Organizations (CSOs) and international organizations during the period reported.

The report highlights challenges faced in implementation and makes recommendation for the way forward to achieving effective implementation and full realization of children's rights.

This report serves as the combined initial, First, Second, Third, Fourth and Fifth periodic reports on The Gambia's implementation of the (ACRWC), hereinafter referred to as the African Charter. It aims to give an objective assessment and description of the legal, judicial, and administrative measures taken by The Gambia to implement the African Charter. It presents the situation of children in The Gambia, using available data and information as well as existing policies and strategies designed to facilitate progress.

List of Abbreviations and Acronyms

ACRWC-	African Charter on the Rights and Welfare of the Child
UNCRC-	United Nations Convention on the Rights of the Child (CRC)
GBOS-	Gambia Bureau of Statistics
UNDP-	United Nation Development Programme
UNICEF-	United Nations International Children's Fund
PAG-	Pro Advocacy Group
CPA-	Child Protection Alliance,
DHS-	Demographic & Health Survey
DCA-	Directorate of Children's Affairs
GBoS-	Gambia Bureau of Statistics
HDI-	Human Development Index
ILO-	International Labour Organization
LGA-	Local Government Area
MICS-	Multiple Indicator Cluster Survey
UN-	United Nations
UNFPA-	United Nations Population Fund
WHO-	World Health Organization
SIC-	Supreme Islamic Council,
OHCHR	- Office of The High Commission For Human Rights
GCC-	Gambia Christian Council,
AAITG-	Action Aid International- The Gambia,
ACDHR-	African Centre for Democracy and Human Rights,
CF-	Child Fund

FLAG- Female Lawyers Association of the Gambia

GAMCOTRAP- The Gambia Committee on Traditional Practices

ISRA – Institute for Social reform and Action

I. INTRODUCTION

The Gambia has undergone substantial social-political changes since 2017, leading to democratic transition and significant reforms. According to the World Bank, the national poverty rate decreased from 48.6 per cent in 2015 to 45.8 per cent in 2019. This progress, however, was reversed due to the coronavirus (COVID-19) pandemic. In 2022, the poverty rate climbed to 53.4 per cent and inequality registered at 0.33 (Gini coefficient). The global Multidimensional Poverty Index 2023 indicates that 41.7 per cent of the population in the Gambia, including children, are poor across dimensions, in particular in terms of access to water, sanitation and hygiene (WASH), nutrition and education. According to estimates from the Government, by 2027 the poverty rate is expected to improve to its 2015 level of 48 per cent and inequality is expected to decline to 0.28 per cent.

The Gambia is one of the smallest countries in West Africa, with an estimated population of 2.6 million in 2021 and a population density of 203 people per square km, thereby characterized as one of the most densely populated countries in Africa. According to the 2013 census, children aged 0–17 years account for 49.4 per cent of the population. Additionally, the overall prevalence of disability was 1.2 per cent. People with disabilities, especially children and adolescents, have limited access to basic social services. The Gambia is ranked 174 out of 191 countries on the Human Development Index and is among the African countries where children and adolescents are most exposed to the risks of climate change. The country is characterized by low-lying topography, combined with a high dependence on subsistence rain-fed agriculture, inadequate drainage, and rapid urbanization. In 2022, the Gambia experienced the worst flooding in its history, affecting 95,609 people, including children and adolescents.

The National Development Plan (NDP) 2023–2027 articulates commitment towards a democratic transition and the achievement of sustainable development. The Plan seeks to promote collaboration among the Government, the United Nations system and other partners, including civil society organizations, through the new 2024–2028 United Nations Sustainable Development Cooperation Framework (UNSDCF) to advance progress towards the Sustainable Development Goals. The Gambia has also ratified several human rights treaties, including the Convention on the Rights of the Child, and submitted reports to the Committee on the Rights of the Child in 1999 (initial report), 2011 (combined report) and 2025.

In 2025, in its concluding observations of the Gambia, the CRC Committee noted that considerable progress in advancing children's rights in the Gambia had been achieved over the years. However, the concerning global economic outlook, coupled with increased instability in the Sahel region and exposure to climate change and environmental degradation, threatens the economic and social integrity of the Gambia. This calls for risk-informed resilience and adaptive programming.

The Gambia has made considerable gains in promoting maternal and child health. From 2013 to 2020, the maternal mortality rate decreased from 433 to 289 per 100,000 live births, and the child mortality (1–5 years) rate decreased from 20 to 15 per 1,000 live births. In addition, trends at the national level show that there was a decline in adolescent childbearing, from 18 per cent in 2013 to 14 per cent in 2020. Additionally, the country has successfully maintained above 79 per cent immunization coverage of children who received the third dose of diphtheria/tetanus/pertussis (DTP) vaccine. Exclusive breastfeeding increased from 47 per cent in 2013 to 54 per cent in 2020, contributing to a decline in stunting prevalence in children under the age of 5 years from 25 per cent to 18 per cent during the same period.

In 2020, households' access to at least basic water slightly improved, to 81 per cent from 79 per cent in 2015, with the rural population (69 per cent) lagging behind the urban population (88 per cent). During the same period, access to at least basic sanitation remained unchanged, at 47 per cent compared with 46 per cent, and the country has not yet reached the last mile for ending open defecation. The proportion of households with at least basic handwashing facilities also remained unchanged, at 18 per cent in 2020. Schools meeting national WASH standards, including gender- and disability-friendly facilities, account for 83 per cent, although significant disparities remain between urban and rural schools.

The national prevalence of HIV remains stable, at 1.52 per cent in 2020, but is still higher than regional and global averages.

Over the years, there continues to be significant progress in primary school gross enrolment rates. The gross enrolment rate was 93.75% in 2023, an increase from 92.32% in 2022. Important progress has been made in improving access to basic education in The Gambia – more children, especially girls, are now in school than ever before, girls are now outperforming boys in most education indicators because of the remarkable success in the girls' education programs, and most children now have access to a primary school within two kilometers from their homes. Primary school completion rate increased from 79 per cent in 2017 to 96 per cent in 2022. This positive trend has been achieved despite the challenges brought upon by the COVID-19 pandemic. Whilst gender parity at the primary (lower basic) level has been achieved, disparities exist and increase at the senior secondary level, with fewer girls completing their education compared to boys.

Despite the significant progress in enrolment, more than 46,000 children in the country are still out of school and face a potentially challenging future if they grow up without appropriate education or skills.

Most data on child protection covering the areas of birth registration, violence and female genital mutilation (FGM) come from the Multiple Indicator Cluster Survey (MICS 2018). Despite progresses in strengthening the national child protection data system, collecting and analyzing administrative data remains a challenge. According to the 2018 MICS, the birth

registration rate for children under the age of 5 years increased from 52.5 per cent in 2010 to 57.9 per cent in 2018.

Limited availability of quality and disaggregated data remains a challenge in the Gambia, making it difficult to understand the situation of girls, boys and adolescents, especially the most vulnerable, including children with disabilities. Also, the effective tracking of expenditures in the social sectors need to be strengthened, despite positive trends in terms of child-friendly budget allocations, such as in education (14 per cent in 2022 and 17 per cent in 2023).

Critical barriers to advancing child rights have been highlighted to include the following: high levels of poverty and inequity, low enforcement of laws, insufficient public financing for children, and insufficient policy support for reaching the most disadvantaged, limited availability of quality social services, particularly in rural areas, and inadequate motivation and capacity of social service providers and, the persistence of harmful practices especially against girls and limited engagement and participation of communities including adolescents to increase access to and the use of available services and adoption of positive behaviors.

Lessons learnt from the COVID-19 pandemic however, shows that leveraging technology and online platforms can improve adolescent engagement to enhance access to services including digital learning. During the pandemic, adolescents acted as social mobilizers to promote vaccine uptake and preventive behaviors, proving to be drivers of change and contributors to decision-making. Adolescent participation and engagement, especially that of girls, including through the active Children's National Assembly, remain fundamental to realizing the right of adolescents to participate in decision-making.

II. GENERAL MEASURES OF IMPLEMENTATION

Section 8

Measures as may be necessary to give effect to the provisions of the Children's Charter

The Gambia ratified the United Nations Convention on the Rights of the Child (UN CRC) on 3rd August 1990. The Initial Report on the implementation of the UN CRC was prepared in 1997 and submitted to the UN Committee on the Rights of the Child (hereafter referred to as the Committee) in November 1999. The Gambia's initial report was considered, and the Committee adopted its concluding observations at its 749th meeting in October 2001. In 2008, The Gambia prepared her Combined 2nd and 3rd Periodic Report on the UN CRC and later submitted it to the Committee. Subsequently, in June 2014, the Committee held its Presessional Working Group session on The Gambia's Report and was issued with the **List of Issues** in which the Committee requested The Gambia to provide written updated information to the Combined 2nd and 3rd Periodic Report. This was done and submitted to the committee as requested in 2015. In February 2015, the Committee adopted the Concluding Observations on

the Combined 2nd and 3rd Periodic Reports in which it also invited the State party to submit its combined fourth to seventh periodic reports by 6th March 2021. However, since the submission of the Combined Periodic Reports in 2008 and the subsequent written responses to the list of issues in 2015, The Gambia has not submitted another periodic report to the Committee until 2024 when the 4th to 7th combined report was presented to the Committee and concluding observations adopted in 2025.

The Constitution of the Republic of The Gambia 1997 is the Supreme Law of the land and contains provisions on protection of fundamental rights and freedoms of all including children. Chapter four, section 29 of the 1997 Constitution guarantees the rights of children including the right to nationality, to be cared for by their parents, the right to education and for juvenile offenders to be detained separately from adults.

The domestication of the CRC resulted to the enactment of the Children's Act in 2005 which outlines several provisions on the protection children. The Children's Act is currently being repealed to includes emerging issues in child protection that suits the current realities.

The African Charter on the Rights and Welfare of the Child (ACRWC) was ratified in the year 2000. The Charter makes for issues of children relating to the African context. However, this would be the first combined state report since the ratification of the treaty.

Measures taken to realize the rights and welfare of the child in the law of the State Party or in any other international convention or agreement in force in that State.

The most important step forward for children's rights in The Gambia was thus taken by the enactment of a comprehensive legal instrument known as the Children's Act on 21st July 2005 which consolidates all laws relating to the rights and welfare of children. The enactment of this legislation represented a major accomplishment in the implementation of the UN CRC and the African Charter in The Gambia. The Children's (Amendment) Act 2016 prohibiting child marriage and child betrothal was also a breakthrough. The provisions criminalize the two, imposes fine and or imprisonment for anyone convicted under section 24 (2). It complies with Article 21 (2) of the African Charter.

The Act repealed the patchwork of laws existing previously, including the Children and Young Persons Act, Adoption Act of 1992, Maintenance of Children's Act 1988 and amended provisions in the Criminal Code, Criminal Procedure Code (CPC), Wills Act, Prisons Act and Rules, Matrimonial Causes Act, and The Gambia Armed Forces Act.

The Tourism Offences Act 2003 was enacted to prohibit a tourist or any other person from making any sexual advances to a child, having sex with a child, procuring a child for sex, child pornography, sexual exploitation of a child and child trafficking in the tourism industry of The Gambia.

The National Legal Aid Act was enacted to provide for the establishment of a National Agency for Legal Aid (NALA) which is responsible for the administration of the provisions of legal aid in certain proceedings and for matters connected therewith. The National Agency for Legal Aid is mandated to provide legal assistance to poor and under-privileged people who cannot afford legal representation for themselves including children. Its legal services are however limited mainly to criminal cases and offences attracting life imprisonment or the death penalty.

The Trafficking in Persons Act 2007 establishes the National Agency Against Trafficking in Persons (NAATIP) is mandated to ensure the implementation of its provisions. The Act prohibits and criminalizes trafficking of children and provide legal provisions in relation to trafficking in persons and matters connected therewith including complaints, arrest, punishment, support to victims of trafficking, their rescue, rehabilitation and reintegration. It also established a fund for victims of trafficking.

In 2010, the Gambia enacted the Women's Act to promote and protect the rights of women and girls. The Act was amendment in 2015 to prohibit and criminalizes the practice of Female Genital Mutilation/Cutting.

The Drug Law Enforcement Agency, The Gambia (DLEAG) is the lead government institution mandated by law to regulate the usage and possession of controlled drugs, prohibited drugs, precursors and for matters connected therewith. The Agency derives its mandate from the Drug Control Act (DCA) 2003, revised laws of The Gambia. The DCA 2003 is the legislative provision regulating drugs and related activities in The Gambia including provisions relating to children. The Drug Law Enforcement Agency (DLEA) has since established a Child Welfare Office/Unit within the agency in line with the provisions of the Children's Act 2005.

The Gambia comprehensive child policy is currently being formulated. The National Child Protection Strategy which has since expired in 2020 and is also currently under review.

The National Social Protection Policy 2015-2025 which is child sensitive has been adopted with a strategic plan for implementation. The formulation of a minimum social protection package is in progress.

In its 2025 Concluding Observation on the CRC State Report, the Committee recommended that The Gambia reviews and take urgent measures to address the following areas: 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).

Measures taken to promote positive cultural values and traditions and to discourage those that are inconsistent with the rights, duties and obligations contained in the Children's Charter.

The Gambia practices different cultures, norms and traditions and has been recognized in the 1997 constitution. However, there exists harmful traditional practices that violates the rights of children.

The Gambia has demonstrated strong commitment to protecting the basic rights and freedoms of children. The country is signatory to many international and regional instruments pertaining to the rights of children and women, notably the CRC, the CEDAW and the African Charter on Human and Peoples Rights on the Rights of Women in Africa (African Protocol). The CRC has been harmonized with many aspects of the domestic law, leading to the promulgation of 2005 Children's Act. The CEDAW and the African Protocol have also been domesticated in the Women's Act 2010. In addition to these, the following instruments have also been ratified to promote positive cultural and traditional values:

1. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2019;
2. The Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, in 2018;
3. The Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty, in 2018;
4. The Convention for the Protection of All Persons from Enforced Disappearance, in 2018;
5. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in 2018;

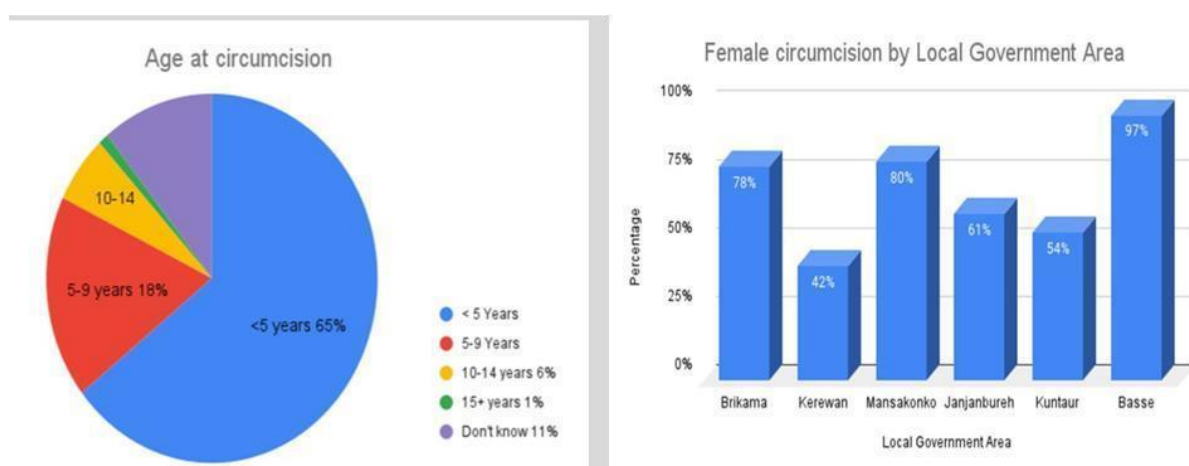
Over the years significant progress had been registered towards the elimination of all forms of harmful traditional practices (Early and forced marriage, FGM/C) by The Gambia government through the Women's Bureau and its partners had developed and implemented the National Action Plan on FGC 2012-2017. The Ministry of Gender, Children and Social Welfare recognized these efforts and continues to implement programs to eliminate harmful practices that affect children.

Many of the child protection entities have committed to including sensitization programmed in their budgets at national, regional and community levels to enhance awareness creation and prevent any form of child sexual abuse while celebrating our culture.

Female Genital Mutilation/Cutting

In 2015, the Government of the Republic of the Gambia enacted the Women's (Amendment) Act 2015, which bans female circumcision. Specifically, Sections 32A and 32B of this Act make it a criminal offense to perform, arrange, or assist in the practice of female genital mutilation/cutting (FGM/C), and outline the penalties for such actions. However, the 2019/2022 Demographic and Health Survey indicates that Female Genital Mutilation (FGM) remains prevalent in The Gambia, with 73% of women aged 15-49 having undergone the practice despite its criminalization. The widespread prevalence of Female Genital Mutilation/Cutting (FGM/C) both in The Gambia and globally underscores the urgent need to strengthen efforts for its eradication.

The Chart below depicts the circumcision of children by age and by local government area:



Recent efforts to overturn the anti-FGM law were sparked by a few religious leaders and National Assembly members following the first prosecutions and convictions of practitioners under the Women's Act. In August 2023, the Kaur/Kuntaur Magistrates' Court convicted three women for performing FGM on eight adolescent girls. This landmark ruling was the first conviction of its kind since the law banning FGM was introduced eight years earlier. On 15 July 2024, the National Assembly rejected the Women's (Amendment) Bill 2024 and all of its related clauses.

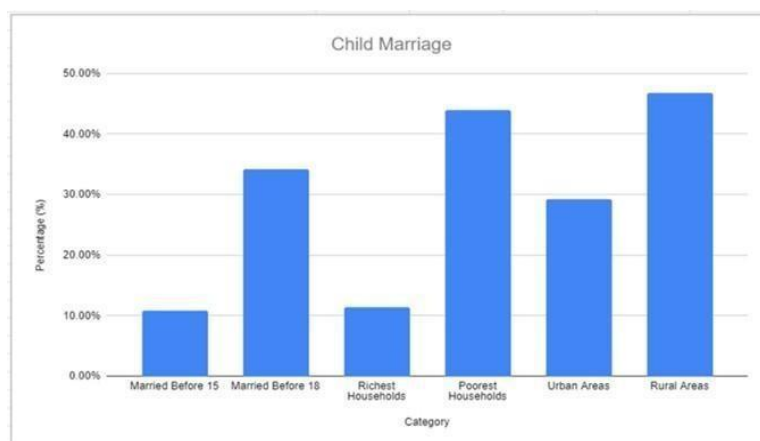
In September 2023, a Private Member Bill introduced by the National Assembly member for Foni Kansala proposed repealing the Women's Amendment Act 2015 to remove the ban on FGM/C in The Gambia. After the National Assembly Select Committee on Health and Gender conducted extensive consultations with MDAs, CSO coalitions, and other stakeholders, the Committee presented its findings to the National Assembly.

The Assembly's decision has put an end to the prolonged debate across various sectors of society regarding the fate of the Bill. However, after a bill to lift the ban on female genital mutilation (FGM) was defeated in the Assembly, proponents of the practice have filed a lawsuit against the Attorney General in the Supreme Court. They are requesting that the court declare the prohibition of female circumcision unconstitutional. To-date reports on

Child Marriage

Marriage before the age of 18 constitutes a human rights violation, yet it remains a reality for many children in The Gambia. Child marriage remains a grave concern for government due to its continuity despite the provision of legal back up to end the practice. The Universal Declaration of Human Rights upholds the principle of free and informed consent to marriage, acknowledging that true consent cannot be given by individuals who are not mature enough to make an informed choice about a life partner. The Sustainable Development Goals recognize child marriage as a harmful practice that should be eradicated by 2030. Specifically, Goal 5 of the SDGs emphasizes gender equality and includes a target to end child marriage by 2030.

The Chart below depicts the prevalence of child marriage in The Gambia, showing the disparities between wealth groups and geographic locations, with poorer and rural communities seeing much higher rates of Child Marriage.



In July 2016, The Gambia amended its Children's Act 2005 to prohibit child marriage and set 18 years as the minimum legal age for marriage for both boys and girls. This was preceded by intensive awareness-raising efforts by Civil Society Organizations (CSOs) and relevant Government agencies on the harmful effects of child marriage. The Government and CSOs are now popularizing the law against child marriage, building the capacity of law enforcement

agencies and community-based child protection structures, and encouraging the reporting of incidences of child marriage to the relevant authorities. Several actors and agencies continue to conduct awareness creation campaigns on child marriage to increase awareness of children's rights and guide the integration of these rights into legislative and policymaking processes. However, there is still need to intensify awareness programs at community level to enable reporting of potential practices.

The Gambia Police Force in collaboration with the Ministry of Gender through its regional Officers have been instrumental in preventing a number of child marriage cases across the country through withdrawal of the girl child from the family, mediation and family reunification. It is important to note however, that the Police only acts on information shared with them hence the need to popularize the referral pathways including the use of the toll-free numbers.

Children With Disabilities

The Persons with Disabilities Act 2021 makes adequate provisions for the realization of the rights of children with disabilities. It further makes provision for the reporting of alleged infringement of rights of the rights of children with disabilities.

In a bid to eliminate discrimination and social stigma against children with disabilities and facilitate their full inclusion into society, the Department of Social Welfare in collaboration with The Gambia Federation of the Disabled conducted sensitization program on disability issues, provides wheelchairs, crutches, walking sticks and other mobility aids and orthopedic materials free of charge to persons with disabilities, including children. Many outreach activities have been conducted at regional and community levels to provide rehabilitation services to Persons with Disabilities including children. Grants have been provided to special need schools and provides educational sponsorship to children with disabilities. Parents of children with disabilities are also provided with counselling services for families with children with disabilities for their social inclusion.

Since 2020, the government has been implementing a United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD) program aimed at promoting the rights and inclusion of persons with disabilities. As part of this joint effort, UNICEF has been supporting the Government of The Gambia in advancing the rights of children with disabilities through system strengthening initiatives. This includes efforts to enhance inclusive education, ensuring that children with disabilities have equitable access to quality learning opportunities and are fully included in national child protection and social service systems.

Existing or planned mechanisms at the national or local level for coordinating policies relating to children and for monitoring the implementation of the Children's Charter.

Children's affairs formally were under the mandate of the department of social welfare under the Ministry of Health. However, in 2019, a Ministry for Gender, Children and Social Welfare was established with a Directorate of Children's Affairs responsible for the welfare of children.

National Child Protection Committee

This is an inter-agency committee consisting of key stakeholders in child protection such as government agencies including the security services, CSOs, international agencies, and the private sector mandated to safeguard children's rights. The committee conducts quarterly meetings to monitor and evaluate child protection strategies and offer technical advice regarding policy measures.

Regional Child and Social Welfare Office

The regional children and social welfare officers are stationed in all regions across the country. They are mandated to protect, promote and uphold children's rights. They work and collaborate with government representatives including security services, Civil Society Organizations, Community Child Protection Committees, NGOs and other local structures that are mandated on child protection issues. They also provide child protection services, conduct community outreach to raise awareness on issues affecting children and they are also engaged in capacity building programs for regional stakeholders. **Community Child Protection Committee (CCPCs)**

Over the years, Community Child Protection Committees (CCPCs) were established with the aim of advocating against negative behaviors and practices that endanger children such as abuse, violence and exploitation while promoting those positive values, attitudes and behaviors in communities. With enormous responsibilities attached to its TOR, the committee has most notably raised awareness within the wider community, promoting and protecting the rights of children, has documented and reported on child protection cases in the communities. According to the Department of Social Welfare, the establishment of the CCPCs has provided a community structure that can mediate in child protection cases making them key in the case management system.

Child welfare units in various departments

When a child in contact with the law is identified, child welfare officers provide safety and protection, in collaboration with social workers. They refer the child for immediate health assistance, if necessary, and coordinate further transitional assistance like shelter, medical and

psychosocial support. During the course of an investigation, child welfare officers may also provide physical protection to children victims or witnesses.

Child justice committee

The child justice committee facilitate and improve communication between the different agencies involved in child justice system by promoting information exchange and partnership approaches to child justice activities and projects. The committee encourage and help develop effective working relationships between the various institutions and professionals, based on trust and mutual understanding and create linkages between the NCJSC and other coordination mechanisms (both at national and at sub-national levels) with child justice mandates and identify opportunities for joint work on child protection issues.

SOP for vulnerable children

The concept of Standards Operating Procedures (SOPs) refers to a set of procedures specific to an operation that describe activities necessary to complete tasks, in accordance with specific regulations, standards or laws. they refer specifically to a set of step-by-step of coordinated and standardized instructions compiled to help social workers carry out complex routine operations and interventions related to case management of all vulnerable children or those at risk of protection issues. These SOPs aim at providing social workers with practical actions that guide interventions related to the protection of vulnerable children, during the six steps of the case management.

The Ministry of Justice has been identified as the lead Ministry responsible for coordinating the national reporting mechanism including the ACRWC reporting supported by relevant state and civil society organizations. However, this recommendation is yet to be fully operational. In 2024, OHCHR through the PAPEV Project provided capacity strengthening to members of the national reporting mechanism to strengthen capacity on state reporting.

III. Definition of The Child

The Children's Act 2005 makes provision for a standard definition of the child in accordance with the UN Convention of the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child and other similar international instruments. The Children's Act 2005 defines a child as "a person under the age of 18 (eighteen) years".

The above definition is also in line with the 1997 Constitution of The Republic of The Gambia, which states that: "Every citizen of The Gambia being of eighteen years or older and of sound mind shall have the right to vote for purposes of elections." Establishing the age of 18 as the standard for when a person is considered mature enough to vote implies that if one is below

this, then one is considered a child and not capable of being tasked with responsibilities assigned to adults such as voting.

IV. General Principles

1. Non-discrimination (art. 3 and 26)

The laws of the Gambia provide for protection of the child from discrimination. Section 33 of the 1997 Constitution and sections 19 and 21(2) of the Children's Act 2005 makes provision for the protection of children from all forms of discrimination based on gender, sex or social status. The Children's Act recognizes the CRC principles, including best interest and nondiscrimination. This is evident in school enrolment where there is an increase in number of females than males. The Government is working to ensure that children of different nationalities enjoy the same rights and protection services as Gambian children. The Births, Deaths and Marriages Registration Act (1990) is currently under review to eliminate discrimination of children who are born out of wedlock, who cannot inherit from their father under sharia law. It is also the aim of government to see that children in The Gambia are treated the same despite their ethnic, religious, cultural, linguistic, geographical, and socio-economic status. For asylum seekers, refugees and migrant children, there exists a national referral mechanism where they are all screened and referred to the relevant authorities and institutions for support without discrimination. However, with regards to children with disabilities the Government faces challenges to provide their basic needs like education, health and care services in all the regions due to technical and financial constraints. Nonetheless, it is endeavoring to progressively meet their rights. abilities measures taken to address discrimination under the Ministry of Health includes the development and implementation of guidelines and Standard Operational Procedures (SOP) on Civil Registration and Vital Statistic (CRVS) catered for the provision of the 1990 Births & Death Act that mandated registration of all births in the country irrespective of race or country of origin. The HIV&AIDS Prevention and Control Act 2015 addresses discrimination, including prohibiting disclosure of the results to a third person without a written consent or a witness evident verbal consent from the person tested including children.

On the issue of lesbian, gay, bisexual, transgender, and intersex (LGBTI) children under our national laws, specifically the suggestion to amend the Criminal Code regarding same-sex relationships. We wish to assert clearly that these issues are not largely accepted in the Gambia and the Government does not plan to decriminalize it. **Best interests of the child; (Article 4)**

The principle of the best interests of the child is best enunciated in the Children's Act 2005, Part I, section 3, cited as the "welfare principle": It provides: "The best interest of the child shall be the paramount consideration by any court, institution, person or other body in determining any question concerning a child". This language goes beyond best practice recommendations, which state simply that the best interests of the child should be a primary consideration. This has been

evident with the establishment of the Police Child Welfare Unit in all regions of the country and the Children's Court in four regions with the intention of progressively having it in all regions. The Directorate of Social Welfare is decentralized to ensure social workers are available in all regions to conduct home assessments and social inquiry reports on children matters and attend Children's Court sittings so that decisions are taken in the best interest of the child. Additionally, regional child protection officers have been deployed to support in safeguarding the rights of children in the regions.

To ensure that the best interest principle is adhered to, the 'After Arrest Procedures' was developed to guide actions of all law enforcement agencies of the government like the Child's Right Unit of the Ministry of Justice, the Police Child Welfare Unit as well as the gender/child protection units of the Immigration Department and Drug Law Enforcement Agency. Criminal cases involving children are treated based on the best interest of the child and referred to the Children's Court which is more Child friendly for trial. In reinforcing the best interest of the Child principle into the judicial system, the Ministry of Gender, Children and Social Welfare have conducted trainings for staff of the Children's Courts, and the Cadis of the Islamic Courts so that their decisions are made in the best interest of the child.

The Best interest of the child principle is taken into consideration within the Ministry of Basic and Secondary Education because all programs and policies are designed considering the best interest of the child. The management and development of school policies, such as the School Improvement Plan, Senior Management Committee, Parents Teachers Association, and the Students Council, all take into consideration the best interest of school children. The access to school policy of not more than three kilometers between the school and community for lower basic education investigates the safety needs and access to education. The management council of the schools also involves students in designing policies that investigate the interest of the child. The above-mentioned policies were developed in consultation with children and their caregivers. Children serve on the above-mentioned committees within the Ministry of Education.

Additionally, the above-mentioned policies have served as a benchmark in designing training initiatives for teachers and learners. To ensure the best interest of the child is protected, the Ministry of Health has embarked on numerous sensitizations on the harmful effects and complications that can result from FGM/C targeting women groups, school children and religious leaders.

Civil Rights and Freedoms

Name, nationality, identity and Registration at birth (Article 6)

Birth Registration is mandatory in The Gambia. As such, the government of The Gambia has established Births and Deaths Registry Units under the Ministry of Health; and has enacted the Births, Deaths, and Marriages Registration Act; which provided the guidelines and procedures for the registration and certification for births and deaths.

The Government, under the Ministry of Health and with support from development partners, has developed an electronic Civil Registration and Vital Statistic (eCRVS) system and a Standard Operational Procedure (SOP) to ensure universal registration of births with specific detail on the registration protocol for the different categories of birth. In addition, several birth registration campaigns are conducted to improve the registration of birth of children particularly under 5 years. Birth registration is also decentralized to ensure access to children born in all parts of the country. This has resulted in increase in number of birth registration for children under 5 years. At national level, the number of births registration for children under 5 years has increased from 52.5% Multiple Indicators Cluster Survey (MICS 2010) to 57.9% (MICS 2018) or 59% (DHS 2019/2020). The number of children under 5 years who have an actual birth certificate also increased from 23.2% in 2010 (MICS 2010) to 32.3% in 2018 (MICS 2018). This trend was also confirmed by the DHS (2019/20), which shows that 49.8% of boys and 45.6% of girls (under 5 years) who are registered have their birth certificates. A bill is currently under review to amend the 1990 Birth, Death and Marriage Registration Act to improve the law and ensure easy registration of births and access to birth registration facilities across the country.

The eCRVS guideline provides registration procedures of children born to Non -Gambia Parent (NGP) to avoid statelessness. To ensure no child is left stateless, the country has developed registration guideline to cater for residency.

The Government through the Immigration Department established the National Refugee Commission to deal with amongst other things the status of stateless persons in The Gambia.

The Ministry of Basic and Secondary Education on its part is engaging parents to sensitize them to register the births of their children especially during enrolment into schools. The Ministry, in collaboration with the Department of Community Development and Ministry of Health, has jointly developed a Social Behavioral Change Communication (SBCC) messaging document to be used by Multi-Disciplinary Facilitating Teams (MDFTs) to promote birth registration and upkeep to avoid stateless children.

Through eCRVS, all children, including children born out of wedlock, are properly registered at birth without any form of discrimination. Community awareness is ongoing to address

discrimination and stigma faced by children born out of wedlock and their mothers. UNICEF and the World Bank remains key partners in expanding birth registration in The Gambia.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

The Government has taken steps to strengthen families through numerous initiatives including training on positive parenting for parents and caregivers as well as the identification and training of host families to support vulnerable children without parental care.

Children deprived of a family environment

SOS Children's Villages in The Gambia has introduced a Gatekeeping Guideline ensure that children in need of care and protection are placed in the right care option to ensure quality care. It is implementing the Family strengthening program aims at preventing children from coming in to care institutions unless it is the best option.

SOS Children's Villages has a package for each child leaving the care of SOS Children's Villages and are being supported further in their integration process and education.

Adoption there is formal adoption and foster care to help in monitoring potential abuses of children who are formally adopted or under formal foster care. It is unfortunate that there is no register for informal adoption and no step has been taken to monitor potential abuses of children who are informally adopted within their extended families. However, the Government under the Ministry of Gender, Children and Social Welfare is planning to develop a register and monitoring framework to monitor potential abuses these categories of children may be exposed to abuse. Government will continue to encourage formal domestic adoption of children without parental care. Which is set up by law in the Children's Act 2005 to assess and monitor adoption implementation.

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

The project "Building Resilience through Social Transfers for Nutrition Security in The Gambia (BReST)" the Department of Social Welfare works in close collaboration with National Nutrition Agency from 2017- 2019 to provide cash transfer to lactating mothers and as part of COVID 19 response to give cash transfers to BREST beneficiaries in three regions North Bank, CRR and URR (targeted beneficiaries 6,176).

The Department also supported the vulnerable individuals/ families through family strengthening program (40 individuals benefitted each D2000.00 and other each D1000.00) total amount disbursed D100, 000.00.

The government of the Gambia with support from the World Bank as part of COVID- 19 response provided cash transfer to 83,000 households in 30 districts in rural Gambia.

The government, through support from UNICEF provided cash transfer to 1000 vulnerable families with children in three regions of the country, namely, North Bank, Central River and West Coast regions as part of the COVID 19 response.

Children with disabilities (art. 23)

The Government has enacted the Persons with Disabilities Act, 2021 to ensure non-discrimination, proper inclusion and participation of persons with disabilities into socioeconomic development program and services in the country. This was done by participation of children with disabilities and their affiliated federations.

The Gambia association of albinos in collaboration with the Gambia Federation of disabled conduct awareness raising on radios, TVs and other print media outlet across the country to create more awareness on the right to protection for albinism and children with other forms of disabilities.

Since its launch in 2020, the UNPRPD program in The Gambia has played a pivotal role in promoting awareness and implementation of the Persons with Disabilities Act across all regions of the country. Through targeted outreach, the program has popularized the Act by engaging diverse stakeholders, including government institutions, civil society, and Organizations of Persons with Disabilities (OPDs), in a series of regional learning forums and consultations. These platforms have fostered dialogue, built capacity, and strengthened collaboration among key actors.

A major milestone of the program has been the development of The Gambia's Persons with Disabilities Policy and Strategy (2023–2032), which provides a comprehensive roadmap for the implementation of the Act. The policy underscores the government's commitment to promoting the rights, inclusion, and full participation of persons with disabilities in all spheres of life. UNICEF has supported these efforts by advancing the rights of children with disabilities through system strengthening and improved access to inclusive education and social services.

VII. Health and welfare services

To reduce maternal, stillbirth, neonatal and childhood mortality the government has put in place measures to improved equitable access to evidence-based interventions including Basic and Comprehensive Emergency Obstetric and new-born care services and improved skill birth attendance, strengthened immunization, nutrition and Integrated Management of Neonatal and Childhood Illnesses, increased coverage of contraceptive use and infertility awareness and management implement strategies to report gender base violence, reduced unmet need,

reduced adolescent pregnancy, post abortion care, and prevention and management of Sexually Transmitted Infections.

The government has a National Health Policy 2021 to 2030 to ensure health care coverage include all categories of people irrespective of the financial status. The policy objective includes the increment delivery of essential health service package to all individuals irrespective of nationality, age, and other socioeconomic status.

The government of the Gambia through the Expanded program on Immunization (EPI) has developed a policy to ensure equal access to and quality EPI services to children and women of childbearing age within the borders of the country.

The MCNHRP is designed to increase the efficiency of the health system and to strengthen the link between health facilities and the communities they serve in order to improve the coverage and quality of priority MCNH services, improve adoption of healthy behaviors, and increase demand for MCNH services. The midline data show some clear increases in uptake of certain health services and adoption of some health behaviors, including referral and accompaniment to facility delivery, exclusive breastfeeding for six months, and the availability of hand washing stations and soap, that appear to be attributable to the project. There is also ample evidence of the complementarity and mutually reinforcing nature of the demand- and supply-side interventions.

Indicators that appear to be moving in a positive direction, include improved governance, supervision and management flexibility at health facility level, improved health worker satisfaction, improved client satisfaction, early uptake of ANC, and increased initiation of breastfeeding within one hour of delivery. There are areas where no discernible change is occurring, which will require additional attention moving forward. The latter include children's nutritional status, maternal anaemia, and uptake of modern methods of family planning, institutional delivery and post-natal care, the quality of services provided at ANC and PNC, and the availability of water at household hand washing stations.

The government of the Gambia through the National Nutrition Agency (NaNA) has developed a National Nutrition Policy that seeks to address nutritional and health status of infants and young children. The policy priority areas include but not limited to improving maternal nutrition and promoting optimal infant and young child feeding. It further implements baby friendly hospital initiatives to support and promote breastfeeding and advocate for proper infant and child feeding practices. This initiative has been extended to all the hospitals and major health facilities across the country.

Social Security and Child-Care Services and Facilities (Article 20.2(a-c))

The Social Security and Housing Finance Corporation was established by an Act of Parliament in 1981, taking effect in 1982. In 1996 the Injuries Compensation Act added The Industrial Injuries Compensation Fund.

Social Security in The Gambia provides pension and retirement benefits, compensation in case of injury on the job, and support in case of death or unemployment to members meeting the requisite conditions and their survivors. It supports those working in the formal sector through payment of national provident fund, accessible by the employee upon retirement.

Lack of birth records, inconsistency of documents and names, and other factors make it difficult or time-consuming in some cases to receive benefits. Social Security in The Gambia does not include child care services;

There are privately owned institutions that provide child care (day care) facilities where many mothers take their children to be cared for while they earn a living particularly when they have to go back to work after delivery to take care of their family. However not every working mother can afford to pay for such services.

Care for Orphans (Article 26)

Services for orphans come from a wide range of providers. Orphans of the Santa Yalla Support Society receive school sponsorships through the Department of Social Welfare. The Africa Muslim Agency has sponsorship packages for orphans, consisting of medical treatment, education and maintenance in a residential setting for both sexes. Hands on Care, based in Brikama, provides school fees for 60 AIDS orphans and purchases school-related items (uniforms, books, etc.) for children who need them. Munazamat Al-Dawa Al-Islamia, an Islamic organization, sponsors orphans by providing for their maintenance, education and medical bills. The organization also offers skills training and supports income-generating activities for caregivers of orphans. Various NGOs have child sponsorship schemes funded by international donors; these reach thousands of children, some of whom are orphans.

The 2007 MICS-III survey identified 22,859 children as orphaned or vulnerable due to AIDS. Since 2003, under its HIV program, BAFROW has registered about 300 orphans and vulnerable children, who are receiving 10% of their school fees and other basic welfare support. For more information on other support for orphans and vulnerable children.

There are a number of orphanages at central and decentralized levels hosting children. The Children's Shelter in Bakoteh is the only one which is operated by the state. All others are operated by individuals or religious groups and are financed through sponsorships from both locally and abroad. The orphanages provide long term maintenance of the orphaned children including education and health care.

The reasons why children remain without parents, have not been studied. However, the MICSIII study does identify nearly 23,000 children at risk of becoming orphans because of AIDS.

The Government realized that investing in Nutrition is a pro-poor and pro-national developmental strategy as well as a human rights issue. It produces very high returns such as

improved physical work capacity, cognitive development, school performance and health by reducing morbidity and mortality. These in turn lead to increased productivity, economic development and poverty reduction. Nutrition fuels the attainment of the Sustainable Development Goals (SDGs) averting malnutrition will help achieve at least 12 of the 17 SDGs and foster a healthy, prosperous, and stable world in which no one is left behind. Investing in nutrition is also one of the best buys in global health and development, for every \$1 invested in nutrition, \$16 is returned.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

a) Education, including vocational training and guidance; (Article 11)

The 1997 Constitution of The Gambia, guarantees both male and female the fundamental right to education. As a result, the education policy makes provision for free education for all Basic and Upper School level to ensure that traditionally excluded groups such as girl children and children with disabilities are enrolled in school. Gender parity at Senior Secondary level by Gross enrolment is 1.42 and at completion rate is 1:43.

The Women's Act 2010 provides that a pregnant school girl shall not be expelled from school but rather allowed to return to school after delivery. A re-entry program for pregnant teenage girls into school is in place.

In order to make primary education completely free, curb school dropout and increase retention, the Ministry of Basic and Secondary Education introduced the School Improvement Grant which caters for every Gambian child from Lower Basic to Senior Secondary Level by providing grant aid to schools per child, introduced the Scholarship Trust Fund for Girls in the most deprived regions and introduced the President's Empowerment for Girls' Education program (PEGEP)(**durations**) to promote girls' education and retention in schools;

Financially, in 2020 the actual Government budget for the Ministry of Basic and Secondary Education was 12.1%, in 2021 was 14.0%, in 2022 was 14.5%, in 2023 was 17.5% and in 2024 was 15.2%.

The Ministry of Basic and Secondary Education in partnership with FAWEGAM and with support from UNICEF and other NGOs established Mothers Clubs in all the eight regions in The Gambia. The Ministry in collaboration with stakeholders provided seed money to empower mothers club. to monitor the schools, support the school feeding programs and advocate for girls' education. They also provide guidance and counselling services to students and work closely with the schools to make sure the girls are retained and not removed from school for marriage. Where this happens, intervene to stop the marriage for the retention of the girl in school. (**functions of the mothers' clubs in schools**)

In its efforts to increase enrolment the Ministry has established a Conditional Cash Transfer (CCT) with Institute for Social Reformation & Action (ISRA) **(are other institutions part of CCT)**. The program is for Children in the Majalis to enrolled in the program with a plan to roll out to the remaining facilities. The primary objective is to give children opportunity to have basic literacy and numeracy skills to continue their education in the conventional setting after completing their quranic education. Currently, there are over 5000 children supported in 62 facilities including both boys and girls in all education regions. The Education for All Campaign Network the Gambia (EFANet), UNICEF, The Ministry of Basic and Secondary Education (MoBSE) and Child Fund the Gambia secured funding from a Qatar based charity organization, Educate A Child (EAC)/Child Above All (CAA) to implement a project on Zero Out of School (ZOOSC).

Amongst the project goals to be achieved includes “All children of primary school ages (7 – 12 years) enrolled in formal education at the right age and level and adolescents who missed primary school have another opportunity to be supported and enrolled into primary school by 2025.

Furthermore, the Ministry of Basic and Secondary Education in collaboration with FAWEGAM formed eight Tuseme (“Let’s speak out”) clubs in different schools. The student members of the clubs are empowered to identify their social and academic problems and how to deal with them. They use drama and theatre to express themselves. The initiative has proven to be a great asset in supporting children especially girls to stay in school and reduce teenage pregnancy.

The Gambia Government had ambitious goals for the second phase of its education program focusing on expanding access and improving the quality of education, especially for girls. Enrolment rates at the ECD, primary, lower basic and secondary levels, especially for girls in rural areas in 2024 are 51.8 qt the ECD level, 53.2 for the Lower Basic Level, 56.5 for the Upper basic level and 58.1 for the Senior Secondary level. **Early Childhood Development**

In the area of early childhood development (ECD) The Gambia has adopted an integrated approach: nutrition, health, and education in a minimum package. Operational guidelines for ECD have been reviewed, a database established, and the ECD training program enhanced. There are 1609 registered pre-schools located mostly in the Greater Banjul Area. 1041 of these are private ECDs. The Ministry of Basic and Secondary Education has ECDs annexed to Lower Basic Schools while other ECDs are Community-Based in the West Coast and Upper River regions.

The National ECD Policy Framework 2009–2015 aimed to promote the holistic development of all children 0-6 years regardless of their creed, ethnicity, special needs and gender through the provision of all the support for children, families and communities need to promote children’s development.

Unlike the conventional and Madrassa settings, a good number of ECD aged children in the Majalis have no related ECD interventions. The ECD program can give Majalis children a holistic background and early stimulation for school readiness and long-time educational opportunities.

Inclusive Education

The Government of The Gambia recognizes and upholds the right to quality education for all. As part of its commitment to integrate children with special educational needs into the education system, the Government has made a special education an integral part of the basic education program.

Government education policy (duration) aims to increase access and opportunities for special learners to maximize their potential for self-development and employment. In the Greater Banjul area, three special schools serve children with severe visual, hearing, speech, and learning difficulties. Students with less severe disabilities are mainstreamed into the basic and secondary schools. In schools where these students are integrated, teachers have been trained in the special skills needed to include them.

The Government addresses issues of both access and quality. Students with learning difficulties, for example, are provided with bus service to enable them to attend school regularly. Those with auditory difficulties in both urban and rural settings have access to a mobile audiology test facility.

It is difficult to pin down the number of children affected by HIV/AIDS. However, Government has developed a response to the pandemic to ensure that both teachers and pupils either infected or affected are provided for accordingly. The Ministry of Basic and Secondary Education has a non-discriminatory policy vis-à-vis access to quality education and has worked to create an environment conducive to increase the demand for education.

The area where the education system had not made significant inroads is the Majalis (Quranic schools) which is an informal “school” for Muslims. The Majalis methods of operations are purely traditional, and the system is more pronounced in the rural area. Learners in such schools or centers often work for their “teachers” or custodians and may be sent out to beg on the streets. Admittedly, it has been difficult to enroll these learners in conventional schools, and, therefore, children who form part of this system may be considered to be “missing in education.” The Government has attempted to bring these schools into the educational system by synchronizing the curricula.

Cognizant of these fundamental rights of children, the Government of The Gambia, through MoBSE, has made basic and secondary education accessible and affordable in The Gambia.

This enables the majority of children to enjoy their rights to education. However, with a Gross Enrolment Ratio (GER) of about 92¹ percent, it is believed that some of the remaining 8 per

cent of school going age children outside the formal school system (including Madarassa), are attending the Majalis.

This initiative aims to remove the existing barriers impeding the attainment of Education for All Goals and the Education Policy Goal of reaching 100% enrolment rate by 2015 (CONNECT UP).

Measures to provide quality Education

The National Assessment Test (NAT), administrated in grades 3 and 5, measures learning achievements in the core subjects including mathematics, English language, and social and environmental studies. The findings show that in all subjects at least 90% of students did not reach the mastery level of 73%. These results indicate that more progress must be made in improving the effectiveness or quality of education being offered.

Learning Achievement Targets (LAT) are now available for grades 1-6. These are benchmarking those students who are expected at a certain grade level and are to be aligned with a new curriculum produced by the Curriculum Directorate. For grades 1-4, Core subjects comprise English, Math, and integrated studies.

Textbook ratio is being decreased from 2:1 to 1:1, with textbooks provided free of charge for students at the Lower, Upper and Senior Secondary levels. Quality assurance mechanisms, continuous monitoring, and in-service training of teachers are currently being intensified as a means of motivating them.

Student teacher ratio reaches very high levels in some areas. To meet the demand for more teachers, the Gambia Teacher Training College has significantly enhanced its intake of students over the past five years, resulting in an increase of 1,024 qualified teachers with a Primary Teacher's Certificate and 1,034 with a Higher Teacher's Certificate. Higher Teacher's Certificate holders have been offered additional training to the degree level, with these graduates returning to basic schools and management positions in the Department of State for Education to enhance the quality of teaching and learning in the system.

The Gambia was awarded a grant of US\$ 4 million in 2005 under the Education for All/Fast Track Initiative. This fund was utilized among other things, to help strengthen teaching and learning in schools through the provision of sufficient educational materials, and the establishment of a comprehensive structure of cluster and school-based monitoring of teaching and learning. Based on the evident impact of the 2005 Fast Track Initiative intervention, additional disbursement of US\$ 3.6 million was given to the education sector in 2006 targeted

toward classroom construction and rehabilitation, gender mainstreaming, quality of teaching and learning, and institutional strengthening.

The World Food program provides financial support to the School Feeding program by supplying two nutritious meals to 60,000 children every school day. The effect so far has been positive, with enrolments higher in areas where the program operates.

The Ministry of Gender, Children and Social Welfare formerly Women's Bureau and its Partners continue to advocate for increased enrolment of the girl child in school. This has significantly contributed to the attainment of gender parity at the lower basic level. Some of the efforts put in place by Government to enhance enrolment of girls are the introduction of free education for girls, the Remedial Initiative for Female Teachers, and the program at The Gambia College.

Leisure, recreation and cultural activities; (Article 12)

The Children's Act 2005 establishes in Part II, section 16, that: "A child has the right to participate in sports, or in positive cultural and artistic activities or other leisure activities."

All schools are required to have adequate recreational facilities (playgrounds) for pupils to engage in sports or other leisure activities. The Local Government Authorities (LGAs) has also in their various regions provided recreational facilities for children.

National Assembly members receiving training on child-friendly budgeting identified the Department of State for Youth, Sport and Religious Affairs as one in need of a larger allocation, in order to reach and provide positive activities for the country's increasing number of children.

The Gambia Tourism Board in collaboration with the Child Protection Alliance and the Department of Social Welfare had over the years held series of workshops, seminars and other forms of bringing stakeholders together with the view to closely look at the existing policies such as the Children's Act 2005, Tourism Offences Act 2003/2011 in the implementation processes.

IX. SPECIAL PROTECTION MEASURES

a) Children in situations of emergency:

(Refugee, returnee and displaced children; (Articles 23 &25)

The Gambia is party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol with reservations on the clauses providing exemptions for refugees from exceptional and provisional measures, the right to work, labor protection, social security, and administrative assistance. In terms of labor, refugees are exempt from restrictions after four years in The

Gambia, rather than three, and refugees with national spouses or children do not receive special consideration.

The Gambia is also party to the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa. It has no refugee law per se, but the Ministry of the Interior has a unit dedicated to screening asylum seekers for refugee status, monitored by UNHCR.

The Economic Community of West African States (ECOWAS) Protocol on Free Movement of Persons, the Right of Residence and Establishment grants those from ECOWAS nations with passports and health certificates, visa-free entry and legal stay for 90 days.

The 1997 Constitution extends the right to education, including free primary instruction, to “all persons,” naturally including refugees. In addition, the Children’s Act 2005 in Part II, section 18 provides that “Every child has a right to free and compulsory basic education and it shall be the duty of Government to provide the education.” Refugee children are included and they have access to education through to grade nine. They are sponsored by UNHCR and the Gambia Food and Nutrition Association (GAFNA).

The Constitution extends the rights to free movement, residence, and departure to “Every person lawfully within The Gambia” but reserves the right to re-enter to nationals

Immigration Law allows authorities to detain any persons arriving without a passport for up to 48 hours if they could not adequately explain their lack of documentation. In 2006, the Government issued about 900 identification cards to refugees. None of the 6,400 Senegalese refugees who arrived during 2006 received cards. Gambia did not restrict the residence of refugees, and the 6,400 who arrived from Senegal in 2006 settled freely in villages along the border. Gambia’s Immigration Department did not grant refugees any international travel documents in 2006.

The Gambia Tourism Board in collaboration with the Child Protection Alliance and UNICEF working together as partners in Child Protection saw the need to formulate Child Protection Taskforce in Tourism. The objective of constituting and formulating the taskforce was to enhance the representation of various sectors to have a voice and opinion in the decisionmaking process regarding child protection issues in Tourism.

The Child Protection Alliance in partnership with ECPAT Netherland provided funding for an Electronic Signboard at the Banjul International Airport. Gambia Tourism Board contributed in the funding and the processes to secure a suitable contractor and timely completion of the project. The objective of the Electronic Signboard was to send powerful information of Child Protection Issues to all visitors to the Gambia.

Children in armed conflicts, including specific measures for child protection and care: (Article 22)

The Children's Act 2005 in Part IV, Heading F, section 59 provides that a child shall not be recruited into any of the branches of the armed forces of The Gambia or other security agencies and that the Government or any other relevant agency or body, shall ensure that no child is directly involved in any military operations or hostilities.

Consequently, no one under 18 is permitted to enlist in the armed forces and, therefore, there are no children serving in the armed forces or participating in hostilities.

Presently The Gambia enjoys peace and a freedom from armed conflict, which means that thankfully, there are no child casualties that would result from armed conflict and therefore no need for social reintegration or follow-up on medical and psychological treatment.

b) Children in conflict with the law:

(i) The administration of juvenile justice (Article 17)

The 2001 Concluding Observations from the Committee of Experts on the implementation of the UN CRC recommended about raising the age of criminal responsibility, prohibition of the death penalty, abolition of the use of corporal punishment within the juvenile justice system, and strengthening rehabilitation program.

The Government through the judiciary is progressively establishing Children's Courts in all the regions of the country in accordance with the Children's Act 2005. In 2022 a new Children's Court was established in Lower River Region making it four courts; one at central level and three at regional levels to make the court accessible to children.

The minimum age of criminal responsibility is 12, as of now no step is taken to raise the age from 12 to 14.

Over the years several trainings on child justice matters have been conducted targeting different stakeholders including police officers (prosecution and child welfare officers), social workers, probation officers, State Counsel and Chairpersons of the Children's Courts. These trainings shall continue targeting judges and defense Council to ensure the rights of the child is protected throughout the justice system.

Though not many steps have been taken to promote non-judicial measures for children accused of criminal offences, mediation and counselling are sometimes used in minor criminal cases involving children to implement non-custodial measures. Measures have been taken to prevent detention of children with adults in police custody, children are kept behind the counter due to lack of separate detention facility. To address this problem, currently with support from development partners (GIZ and UNDP), modern police stations with separate detention facilities are being built for children and women. A separate Juvenile Wing has been

established for boys under detention and girls under detention are kept at special place at the Shelter for Children. According to the Children's Act and in addition to the 'After Arrest Procedures' provides that children in detention should be allowed to maintain regular contact with their families.

As far as rehabilitation and reintegration in the child justice system is concern, the Government through the department of gender and its partners provides psychosocial support, counselling, educational support and reintegration to children in detention at the Juvenile Wing and Shelter for Children.

In compliance with the UN CRC and the African Charter, The Children's Act 2005 was enacted. Overall, the administration of juvenile justice has greatly improved especially since the coming into force of the act, which makes provision for the establishment of the Children's Court, child justice administration and other matters incidental to it. The Children's Court has jurisdiction to hear and determine all criminal charges against a child except treason and an offence for which a child is jointly charged with an adult. Section 168 requires there to be a Children's Court in every division, and any other local government administrative unit designated by the chief justice in the Gazette. Initially only at Kanifing, the Court is now decentralized and it is operational in two other regions namely Brikama in the West Coast, and Basse in the Upper River. The effectiveness of this court in the juvenile justice delivery system cannot be overemphasized.

The Court consists of three members including the presiding magistrate. Court proceedings are flexible and can serve the best interests of the child rather than the rigid rules of procedure of the regular courts. Proceedings are held in camera i.e., they are not open to the public, and neither the identity of the child nor information leading to the identification of the child may be published.

The Children's Act sets the minimum age of criminal responsibility at twelve years (Part XVII, section 209), raising it from seven years. If a child is alleged to have committed an offence, he/she is given maximum protection at every stage, from arrest, to detention, investigation and arraignment. In all cases the child must be accompanied by the parent/guardian and social welfare officer. Their presence alone would help to discourage any decision or act that is not in the best interest of the child.

In Part XVII – Child Justice Administration of the Children's Act 2005, section 204 states: "A child shall not be subjected to the criminal justice process or to criminal sanctions for adults, but a child alleged to have committed an act which would constitute a criminal offence if he or she were an adult shall be subjected only to the child justice system and processes set out in this Act." This provision prohibits the use of the traditional criminal justice system when

dealing with children and establishes the promotion of restorative justice for children in The Gambia.

To promote restorative justice and alternatives to detention, section 207 (1) and (2) of the Children's Act mandates a Police Prosecutor or any other person dealing with a case involving a child offender to encourage the disposal of the case without resorting to formal trial by using other means of settlement and encouraged the parties involved in the case to settle the case amicably especially if the offence involved is a misdemeanour. The party involved is likely to react in a constructive manner and it is appropriate in the interest of the child and the parties involved. Effectively the Act promotes restorative justice.

Additionally, section 207 (3) states that, "police investigation and adjudication before the court shall be used only as measures of last resort". Also, section 210 (4) allows a police officer facing a case of a child offender before him to release the child on bond on his or her own recognizance or on a recognizance entered into by his or her parents unless the charge is a serious one or it is necessary in the child's interest to keep him/her away or if the release will defeat the ends of justice. Effectively the Act promotes alternatives to detention during pretrial.

To further promote restorative justice and alternatives to detention at court level, section 211 (1) of the Act states where a child is brought to court charged with an offence, the Magistrate or person presiding over the court shall inquire into the matter and unless there is a serious danger to the child, release the child on bail. The Act goes further to provide in section 212 (2) (a) that detention pending trial shall be used only as a measure of last resort and for the shortest possible period of time; and (b) wherever possible be replaced by alternative measures.

Moreover, section 215 (1) makes it mandatory for the court to ensure that where a child offender is brought before it, the proceeding is conducive to the best interest of the child and is conducted in an atmosphere of understanding which allows the child to participate and express himself or herself freely.

The reaction taken is always in proportion not only to the circumstances and the gravity of the offence but also to the circumstances and needs of the child and the society. The well-being of the child is the guiding factor in the consideration of the child's case.

Furthermore, section 216 (1) allows the parents or guardian of a child offender who is charged before the court not only to attend the court proceedings but also to participate in the proceedings.

In addition, section 220 (1) sets a range of alternatives to detention for the Children's Court to consider when dealing with a child who is found to have committed an offence, he/she is charged with.

The Children's Act provides for the establishment of a National Rehabilitation Centre for children (Part XVII, section 223). The mandate of the National Rehabilitation Centre as set out in the Children's Act 2005 is to be a place for detention, rehabilitation and retraining of children committed there. The center should have a separate wing for female children, as opposed to the present situation in which the female wing is inside the male dominated Mile Two Central and Janjangbureh Prisons. The center however, has not yet been established, as envisioned by the Act. However, as there is no rehabilitation center for female children, the Shelter for Children in Bakoteh is currently being used for that purpose by the Children's Court.

The measures taken by the Government to ensure full implementation of the Child Justice provisions of the Children's Act 2005 are as follows:

Established the Child Welfare Unit of the Police in accordance with section 206 of the Children's Act as a specialized unit to prevent and control child offending, apprehend child offenders and investigate child offences.

Established 3 Children's Courts in three regions of the country for the implementation of section 213 of the Children's Act.

In the Children's Act section 217 (1) to (10), it provides the child justice procedure to be followed in the Children's Court when a child is brought before it.

Established a Rehabilitation Centre for boys in accordance with section 223 as a place for the detention, rehabilitation and retraining of children committed there.

Set up the Prison Visiting Committee to provide technical advice for the improvement of the welfare of the child detainees and the detention center as provided for in section 224 amongst others.

Created the Department of Social Welfare's Child Support and Child Justice Sub-Unit to fulfil the legal mandates of the Department as indicated in section 210 (1), (2) and (3) to support the Police in dealing with child offenders and the Children's Court for the implementation of section 217 (6) in providing information as to the general conduct, home surroundings, school record, including the social inquiry reports referred to in section 222 and medical history, as may enable it to deal with the case in the best interest of the child as well as section 222 (1), (2), (3) and (4) and section 225.

Developed and introduced the "After Arrest Procedures" into the police and social welfare services to provide guidelines to Police Child Welfare Officers and Social Workers in dealing with child offenders in a collaborative manner in the best interest of children in accordance with the Children's Act 2005.

Created the Ministry of Justice's Child Rights Unit to ensure that child justice related cases are prosecuted without unnecessary delay as implied in section 226 (1).

Established the National Agency for Legal Aid (NALA) to provide legal assistance to the poor and under privileged people who cannot afford legal representation for themselves including children. The agency provides legal assistance to children in both criminal and civil cases in order to guarantee the protection of the legal status and fundamental rights of the child, set out in Part II of the Children's Act and section 208 (e) on the right to legal representation.

Created the Child Justice Technical Committee, a multi-sectoral committee, to advocate for the strengthening of the child justice system as envisaged by the Children's Act by providing technical advice to institutions within the child justice system.

In order to guarantee the right of children to free legal assistance in both civil and criminal cases, the Government made it a right under section 72 (1) (f) of the Children's Act. To enforce the provision among others the National Agency for Legal Aid was established. The death penalty shall not be passed on children. Part XVII, section 218).

As well as the establishment of the children's court, there are child welfare units within the law enforcement agencies or security units, i.e., Police and Armed Forces. All of these offices are trained in child rights and child protection issues, and they handle cases involving children jointly with the Department of Social Welfare. Their mandate is to prevent, protect, and rescue children from all forms of abuse, violence and exploitation. (Before, during and after), prevent and control child offences, apprehend children accused of committing offences, investigate child offences; perform such other duties as may be referred to the unit under this Act or by any other enactment.

In 2003 the Department of State for the Interior (which includes the Gambia Police Force) and the Department of Social Welfare created a formal after-arrest procedure for children in conflict with the law. These guidelines are in line with international standards and have been provided to every police station in The Gambia in book form. This book is in use throughout the country. Mechanisms such as this are put in place to discourage and avoid police brutality.

After the arrest of a child, the police, must immediately inform the parents or guardians of the child as well as the Department of Social Welfare who should be present during the interviewing of the child and for discussion on the case. The police officers may settle at the police level in the event of a minor case under section 207, which empowers the police for case disposal. A social worker works with the child and his or her parents and serves as an advocate for their concerns. In some cases, the child welfare officer or social worker mediates in the case between the child's family and the victim's family.

The National Referral Mechanism (NRM) was developed and has provided a systematic procedure and guidelines for all service providers in caring for vulnerable children in The Gambia.

Disaggregated data on arrests of children and legal cases involving children, including outcome, sentences, and recidivism rates, is not available. Legal assistance is available from the Department of State for Justice, as well as from NGOs such as Female Lawyers Association- Gambia (FLAG), a non- partisan non- profit-making organization of female lawyers whose aim is to uplift the legal status of women and children. This is done through the provision of free legal advice and representation through its members to indigent women and children in the Gambia.

It should be noted that formerly, juveniles who are convicted and sentenced were not isolated from adults' convicts due to lack of infrastructure and financial constraints. Male children serving custodial sentences or are on remand are detained at the juvenile wing of the Old Jeshwang prisons. The wing has a rehabilitation program where a teacher and a social worker from the Department of Social Welfare provide services.

In addition, the Department of Social Welfare and YMCA facilitate visits by family members. This helps prepare the children for reintegration. The juvenile wing can only accommodate male offenders however. Female offenders are normally kept in well-secured homes designated by the competent authority under the supervision of a welfare officer.

In most cases alleged child offenders are granted bail in all criminal cases by magistrates except in exceptional circumstances. The Children's Act states that detention pending trial can only be used as a last resort and for a shortest possible period of time. That remand shall not exceed six months or three months depending on the nature of the offence

Upon completion of the trial, the presiding magistrate takes into consideration the social welfare enquiry report in making decisions. This report gives the court comprehensive information on the child's social background as well as a medical report on his/her physical and mental state of mind.

It can be said that to a large extent The Gambia has satisfactorily complied with the international and regional standard requirement as outlined in the UN CRC and the African Charter for an effective juvenile justice delivery system. But it is noted that there is need for the establishment of adequate rehabilitation center with the appropriate facilities. This is one of government's major constraints because the whole purpose of having an effective juvenile justice delivery system is to make sure that at the end of the day, the child is rehabilitated and reintegrated into the society. The judiciary in collaboration with social welfare, NGOs and other stakeholders will therefore endeavor to work towards the establishment of necessary institutional framework.

In terms of training, the Police Force offers a child protection training manual for police officers, which is used at the police training school. This training helps ensure that cases of abuse, maltreatment, neglect and exploitation of children are properly handled. An after-arrest

procedure system has been developed for young offenders and is in a book available in all police stations.

Prison officers have a manual on juvenile justice training, which is currently used at the prison training school. In addition, the Gambia Police Force in collaboration with other stakeholders has conducted a series of training workshops for security personnel, including the Police, Army, Immigration, and the Fire and Ambulance Service. Security officers from different units underwent training at the SOS Adult Mother Training Centre to earn a certificate in social work, which will remind them of their respective duties and the procedures when dealing with a child.

II) Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial setting and compliance with the provisions of Article 5(3) of the Children's Charter prohibiting death sentences on children. (Article 17.2(a))

The principal law protecting right to life is the Constitution of the Gambia, 1997. Section 18 of the said Constitution provides that “No person shall be deprived of his or her life intentionally 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.

The Children's Act contains more specific measures aimed at ensuring the much-needed protection of the child.

Section 204 of the Children's Act provides that a child offender shall be subjected only to the child justice system and processes set out therein. Accordingly, Part XVII, section 218 of the act prohibits for a child to be ordered to be imprisoned for life; or subjected to the death penalty or have the death penalty recorded against him or her.”

Disaggregated data on the number of persons under 18 held in police stations, pre-trial detention, or other facilities is not available, nor are there any records on the length of sentences or cases of abuse and maltreatment.

In order to promote the welfare and protection of women and families, the Government has also enacted the Trafficking against Persons Act 2007, and the Tourism Act as well as the Children's Act 2005, providing protection against all forms of violence including maltreatment and prohibited trafficking of children for prostitution, and kidnapping and abduction of children.

The Women's Act requires that every organ, body, public institution, authority or private enterprise to take appropriate measures to protect the maternity status and reproductive health of women and children, including allocation of special facilities, time, and resources, aimed at protecting maternity, and such special measures not be considered discriminatory. The act makes it an obligation on government to respect and promote right to health, in particular,

maternal new born and child health. For expectant or pregnant mothers and mothers of infants or lactating mothers who have been found guilty by law are offered protection in that punishment should not be carried out until she delivers and have breastfed the child for maximum of two years.

Children of Imprisoned Mothers

Special protection to expectant mothers and those found guilty by law

It is important to note that the children's court makes certain restrictions on the punishment to be imposed on child offenders. For instance, where an expectant or nursing mother is to be sentenced, the court would impose a non-institutional sentence as an alternative measure to imprisonment. If upon completion of nursing period further sentence is given for imprisonment, then that child shall be treated as a child in need of care and protection and may be committed to the care of those persons who would ordinarily have custody.

The laws provide for special treatment for expectant mothers and mothers of infants and young children who have been found guilty by law; (Article 30) Accordingly, Section 218 of the Act requires that

A court on sentencing an expectant mother or nursing mother, is to consider the imposition of a non-institutional sentence as an alternative measure to imprisonment.

Where however, an institutional sentence is mandatory or desirable, children of imprisoned mothers are provided special treatment in that an expectant or nursing mother shall be committed to and detained at an appropriate center or designated by the Secretary of State for that purpose but no mother and child should not be held there or detained for more than the time the child would have attained the age of 16 years.

Where an expectant mother and a mother of an infant or young child has been found guilty by law, the mother should not be imprisoned with her child. *In The State V Ebrima Sawaneh & 6 Others 2009* a High Court criminal case of a group of convicted journalists, one of the journalists was a nursing mother of a 6-month-old baby. Upon being sentenced to imprisonment, she took her baby in prison with her. The Department of Social Welfare intervened to remove the baby from prison. With intervention from her lawyers, special arrangements were later made with prison administration allowing the child to be taken to her to breast feed twice a day. **(iii) Reformation, integration of the mother into the family and social rehabilitation (Article 30(f))**

Children in situations of exploitation and abuse

Economic exploitation including Child Labor; (Article 15)

The Department of Labor is mandated to regulate and administer labor in the formal sector does inspections at workplaces and has powers vested in it to enter any workplace at any time and conduct normal labor inspection. So far, the Department has not yet discovered any child labor cases in any of the workplaces inspected. Section 45(1) of the Labor Act 2007 prohibits employment of a child in an Agricultural, Industrial or non- industrial undertaking including their branches. However, section 45 (2) of the Labor Act categorically excludes work done in a technical school or other training institution if the work is approved and supervised by a public authority or an integral part of educational or vocational training programme for which the school or institution is responsible.

Drug abuse: (Article 28)

The public relations officer (PRO) of the DLEAG periodically visits schools and engages in dialogue with the children. The office also musters and maximizes all possible resources needed to hold public awareness program all over the regions of the Gambia. Public lectures are conducted at various schools and anti- drug dialogue attended by the students. The child welfare officer of the DLEAG and the PRO office are tasked with the discharge of this duty as regards the issues faced by children in terms of drug abuse.

There has been significant improvement on drug control. We now have legislation, the Drug Control Act 2003, with virtually all the relevant provisions for the prevention and control of drug abuse and the sale of prohibited and controlled drugs.

The Drug Control Act 2003 established the National Drug Control Council, now the National Drug Law Enforcement Agency (NDLEA). Part 11 section 15 of the Drug Control Act 2003 specifically refers to the functions of the agency, including amongst others.

- a. The study of and advice to the Secretary of State on measures to be taken to prevent the misuse of drugs.
- b. Social problems connected with drugs.
- c. Restrictions on drugs likely to be misused.
- d. Public education on the harmful effects of the use of prohibited drugs.
- e. Support for research on misuse of drugs and related social problems.

National Drug Law Enforcement Agency (NDLEA) officials are now responsible for the prosecution of drug cases. There is a specialized court referred to as the Narcotic Court in

Banjul, Bundung and Brikama which presides over only drug cases. These officers have the power to inspect, investigate, enter, detain, and search premises.

Drug Control Act 2003 empowers the court to impose heavy fines for offenders found in possession of prohibited drugs, for example, cannabis (ref to sec 3): Found in possession for the purposes of trafficking if weight is 2kg upwards (ref to sec 43(49) (e) of the same Act as amended); Found in possession for drug trafficking.

Heavy fines are also levied on those found in possession of cocaine. Other preventive measures have been put in place, for instance, forfeiture of assets derived from the proceeds of the sale of drugs.

The NDLEA has succeeded in reducing the sale of drugs within and outside the country. The Drug Control Act 2003 provides for international cooperation and assistance to other countries when it comes to obtaining information, processing document, getting witnesses, extraditing offenders, and so on.

The National Drug Law Enforcement Agency reports no cases of drug abuse involving persons under the age of 18. However, on an anecdotal level, “everyone knows” that young people are involved in substance abuse. At the two-day forum where children in the Greater Banjul Area discussed this report, boys ages 11 to 20 listed “drug abuse” as the issue about which they felt most vulnerable. The scale of this problem has not been measured. Little or no treatment or rehabilitation is available for those addicted to drugs or suffering psychiatric problems caused by drug abuse.

a) Abuse and torture: (Article 16)

According to administrative data from the Gender/Child Welfare Unit of the Police 38 cases of sexual crimes against children were reported and investigated over the past three years (2011–2013) of whom 13 were between the ages of 12 to 14 years while 25 were between 15 to 17 years. Most child victims are from poor social background and 22 of the cases happened in urban places while 16 occurred in rural areas.

Data on cases of abuse and violence against children reported to Department of Social Welfare in the past three years.

The assistance given to child victims of abuse and violence includes provision of temporal shelter and psychosocial counselling, medical care, and re-integration to their family. Unfortunately, information on prosecution of perpetrators and the sentences handed down to them is not available.

However, there is no national disaggregated data on child marriage as requested for the past three years.

b) Sexual exploitation and sexual abuse; (Article 27)

To eliminate sexual exploitation of children, the National Assembly enacted several laws that prohibit and provide stiff punishment for perpetrators of child sexual exploitation. These laws include the Tourism Offences Act 2003, the Children's Act 2005 and the Sexual Offences Act 2013.

In 2018, the Ministry of Justice established a unit responsible for Sexual and Gender Based Violence (SGBV) cases. The Unit is composed State Counsel, social workers, Police Officer and Police Investigators. All the members of the unit continue to receive special training on SGBV to enhance their competence in handling cases of SGBV in a confidential, gender sensitive and child-friendly manner. Data on the number cases received and finalized by the SGBV Unit at Ministry of justice is not available. The Ministry of Gender, Children and Social Welfare receives child victims at the Orange Centre where they are provided with shelter and all other services such as security, medical and psychosocial support.

Some of the measures taken to ensure mandatory report of sexual exploitation and abuse of children are: The Children's Act 2005 which imposes an obligation on all persons who know or have information on a violation of the right of a child, such as child neglect, child abuse, sexual abuse and exploitation in travel and tourism, or a child in need of care and protection. Cases of Child Abuse can be reported to the Department of Welfare or the nearest Police Station. Toll free Helplines (1313 and 199) have been established to ease the reporting of cases by children and members of the community. Furthermore, traditional structures such as Community Child Protection Committees (CCPCs) and Tundol Binko/Bajeni Gokh have also been established as monitoring mechanisms for child protection and GBV as well as reporting of cases to the authorities.

To protect children from online sexual abuse and exploitation, several community and school sensitization programs are conducted by Government institutions and Civil Society Organizations on child protection issues and cyber violence. The Ministry of Gender, Children and Social Welfare is currently reviewing the Children's Act 2005 and provisions meant to protect children from all forms of online sexual abuse and exploitation were included in the revised version. Additionally, the Ministry of Information and Communication Technology is working on a legislation on Cybercrime which among others will address the different forms of online child sexual exploitation and abuse. Child online protection and all forms of sexual abuse and exploitation is incorporated in capacity building initiatives as well as community sensitization. Support services for child victims of online sexual exploitation and abuse are offered through the One Stop Center and Orange Centre. The Helpline 199 serves as a reporting channel for child rights violence.

Children victims of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child.

The Government of the Gambia has taken measures to address harmful traditional practices, including Female Genital Mutilation/ Cutting (FGM/C) and child marriage. Notable amongst these is the enactment of the Women (Amendment) Act 2015 which prohibits female genital mutilation and provides penalties for those practicing, promoting or with knowledge about it and fail to report it to the authorities. The law was popularized in communities engaging religious and traditional leaders for effective enforcement at grass root levels. police officers, social workers, health care workers, teachers and students were also sensitized on the law to prevent the practices. These were steps taken in accordance with the National Action Plan for Accelerating the Abandonment of FGM/C 2013-2017. A successor strategy and action plan has been developed to sustain the gains made during the implementation of the last National Action Plan. Currently a technical committee has been set up by the Directorate of Gender and Women Empowerment, under the Ministry of Gender, Children and Social Welfare, to consult with stakeholders for the drafting of a comprehensive FGM/C Bill to eradicate the practice in The Gambia. Recently there has been a controversial issue by some groups, to repeal the FGM law. Civil Society Organizations have been actively engaging the government and advocating for the law not to be repealed.

All the hotlines have been merged into one national helpline 199, to ensure ease coordination and integrated reporting services of all forms of child abuse including FGM. All staff have been trained on operating the helpline and rendering psychosocial support to child victims. The helpline has been popularized in schools, communities, radio, TV and billboards, to ensure communities are aware of the available reporting channels.

The Department of Social Welfare conducted a series of community sensitization program on sexual abuse and sexual exploitation of children using the Community Child Protection Committees and Adolescent Neighborhood Watch Groups, including communities in the Tourism Development Area.

A help line was established at the Shelter for Children where members of Community Child Protection Committees and Adolescent Neighborhood Watch Groups, children and other community members can call to report child abuse cases including sexual violence against children.

Also, the Department of Social Welfare through its outreach activities targets children living in poverty and in the streets around the Tourism Development Area, market places and car parks. These children are taken to the Child Drop-in Centre, counselled and provided with educational support. Their parents are also provided support through the family strengthening program to take care of their basic needs.

At school level, the Ministry of Basic and Secondary Education conducted several sensitization program and trainings for communities, teachers, other education staff and students especially girls on sexual harassment and abuse using its policy Guidelines and regulations on sexual misconduct and harassment and the user-friendly sexual harassment Guidelines for Children.

In partnership with Government, non-governmental organizations such as The Gambia Committee on Traditional Practices affecting the health of women and children (GAMCOTRAP), Child Protection Alliance (CPA), Network against Gender Based Violence (NGBV), ActionAid International The Gambia (AAITG), Federation of African Women Educationists Gambia (FAWEGAM) and Child Fund The Gambia amongst others have conducted several trainings and sensitization program using community structures and the media to educate people on violence against children and the laws.

At a two-day forum mentioned above, all girls in attendance listed “sexual abuse and exploitation” as the issue about which they felt most vulnerable.

The Government of the Gambia with support from UNICEF conducted a study on sexual abuse and exploitation of children in 2003. The study explored the underlying causes of sexual abuse and exploitation, examined the attitudes of children and adults to it, and made and recommendations for remedying the situation.

The report described the most visible form of sexual abuse of children to be one that is widely acceptable: early marriage. One of the areas most discussed by the children interviewed was sexual harassment of schoolgirls, particularly by male teachers but also by other students. Incest was acknowledged by both adults and children, but they largely believed that it was inappropriate to report matters of incest to the police or other authorities, but felt rather than the family should resolve the matter privately with the assistance of religious and traditional elders and protect the identity of the child.

From a non-random, non-representative sample of prostitutes, the following data emerged.

The most frequently cited examples of cross-generational sex involved young girls and “sugar daddies.” The majority of these culprits are married men over 35, with their victims ranging in age from 12 to 25. The overwhelming cause of this kind of abuse is poverty. Measures to decrease the overall level of poverty in the country would make this kind of abuse much less attractive to the victims.

Given the low level of national awareness of child sexual abuse and considering that the whole subject is considered taboo, it is difficult for researchers to determine or estimate the prevalence of child sexual abuse or assess the impact it has on victims. There are few official reported cases of child sexual abuse, possibly in part because victims as well as perpetrators were stigmatized.

A national plan of action on combating sexual abuse and exploitation of children and guidelines on combating sexual harassment in school are being developed and implemented.

A children's shelter is available and in use for the rehabilitation of victims of sexual abuse. A child helpline gives children access to protection and advice twenty-four hours a day. Victims of forced marriage, sexual and physical abuse are sent to the Department of Social Welfare for care and protection before being finally reintegrated to their families by the Department.

In terms of legislations, the Tourism Offences Act 2003 and Children's Act 2005 give law enforcement officers powers to combat child sex tourism. In addition, UNICEF supported the development and printing of a Tourism Code of Conduct, which has since been signed by many hotels, restaurants and bars in the tourism industry. UNICEF also supported the production of communication materials, including 60,000 brochures, 1000 posters and 1000 Code of Conduct certificates for distribution. The Gambia Tourism Authority and the Department of State (Ministry) for Tourism distributed information materials on the Tourism Code of Conduct, the Tourism Offence Act and Child Sex Tourism to tourists in the airport, hotels, motels, and restaurants.

Tourism Security personnel have undergone a series of training on child abuse and exploitation organized by stakeholders, CPA, UNICEF, the Gambia Tourism Authority, the Department of State for Tourism, and the Department of Social Welfare. This gives great awareness among security officers when dealing with child offenders and victims. Members of the Tourism Security Unit now patrol the Tourism Development Area with mobility equipment provided by UNICEF.

Disaggregated data on the number of children involved in sexual exploitation, including prostitution, pornography, trafficking, sexual abuse, sale or abduction of children is not available.

(v) Other forms of abuse and exploitation such as begging, early pregnancy, etc. (Article 29(b))

Almudus, or children placed under the guardianship of Islamic religious education teachers called marabouts, may be vulnerable to certain types of exploitation. However, no formal study on this issue has taken place.

The NGO Shelter for Children carried out a study from 2003-2004 on "Trafficking and the Use of Children in All Forms of Economic Exploitation." The report identified specific cases of child labor and numbered Almudus at over 2000 in the Senegambia region, with most said to have come from Mali, Niger, and Burkina Faso. Since the results for Senegal and The Gambia were not separated, this cannot be verified.

The Conditional Cash Transfer and literacy class's components of the initiative funded by MoBSE in partnership with ISRA, as earlier highlighted, has greatly reduced this problem of begging by children in madrasas in the areas in which it was piloted.

(vi) Trafficking and abduction; (Article 29)

The National Assembly of the Gambia domesticated the Trafficking in Persons Act 2007 which established the National Agency Against Trafficking in Persons (NAATIP) under the Ministry of Justice, to coordinate efforts and confront the menace of trafficking. The National Agency against Trafficking in Persons (NAATIP) is the leading agency responsible to combat TIP in the Gambia. The fight Against trafficking in human beings is a priority task of the Government of the Gambia as Government has committed resources in this regard and is to resolved its efforts and prosecute perpetrators. NAATIP has the responsibility to administer the provisions of the Act which includes inter alia to receive and investigate reports of activities of trafficking from the public or otherwise coming to its notice.

LAWS ON Trafficking In Person

The Trafficking in Persons Act was passed by the National Assembly on the 6th day of September 2007 and assented to the President of The Republic of The Gambia on the 5th day of October 2007. The definition of trafficking in Persons is provided for in Section 28 of the Act and it reads:

Section 28 (2) – Trafficking in person means:

The recruitment of, provisions of, transportation of, transfer of, harboring of, receipt of, or trading in person.

The use of treat, force or other forms of coercion, abduction, kidnapping, fraud, deception, the abuse of power, or a position of vulnerability.

The giving or receipt of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation within or across national borders.

Trafficking in person also includes

a. Placement for sale, bonded placement, temporary placement for service where exploitation by another person within and across an international border for the purpose of exploiting the person's prostitution.

The criminal code provision relating to the following and other offences now the Revised Law of The Gambia are:

- Rape – Section 121 of the Criminal Code and Punishable under Section 122.
- Indecent Assault – Section 126 (1) Criminal Code.
- Defilement of girls under 16years - Section 127 Criminal Code.
- Forced Marriage – section 24 Children's Act.
- Forced Labor – section 242 Criminal Code – section 41 Children's Act.

- Assault - section 227 Criminal Code.
- Benefiting from assets provided from prostitution sections 135, 136 Criminal Code.
- Slavery – section 240 Criminal Code, Section 40 Children’s Act.
- Forgery – section 320 Criminal Code.
- Participation in organized criminal group – section 4 Anti-Terrorism Act.
- Obstruction of justice – section 395 – 106 Criminal Code.
- Corruption – section 360/586 Criminal Code
- Conspiracy – section 368 Criminal Code.
- Attempt – section 364 Criminal Code, Section 35 Trafficking in Persons Act.
- Grievous bodily harm – section 214 Criminal Code.
- Torture – section 21, 1997 Constitution.
- Forced Abortion/Child Destruction – section 198 Criminal Code.
- Homicide – section 187 punishable Under section 188 Criminal Code.
- There is in addition the Children’s Act 2005 and The Tourism Offences Act 2003.

The 4 P Approaches

The National Agency Against Trafficking in Persons is mandated to work under the 4Ps Approaches which is Prevention, Protection, Prosecution and Partnership.

PREVENTION

Prevention is one of the Agency’s strategies in the fight against TIP. It involves all activities geared towards ensuring the acts of human trafficking are roundly discouraged in our society. Prevention involves sufficient enlightening and sensitization of the populace on the ills and existence of TIP. It includes the use of information, education and communication materials (IEC) Public rally, mass media and campaigns. It also involves the erection of bill boards in strategic areas. Prevention: This is part of the 4P approach that is captured in the Trafficking in Persons Protocol i.e. (Palermo Protocol) to prevent, suppress and punish trafficking in persons especially women and children. These are program activities, projects and formulation of laws and policies that focus on the combat of trafficking in persons, irregular migration, worst forms of child labor, forced labor and labor migration.

PROTECTION

The Department of Social Welfare long before the existence of NAATIP is mandated and still mandated to protect victims of Trafficking, child abuse, abandon children, children-on-the move, abducted children etc... NAATIP in collaboration with the Department of Social Welfare

work on family tracing, family reunification and reintegration of trafficked victims. The Department of Social Welfare is responsible for the counselling of all VOTs.

PARTNERSHIP

Another strategy employed by NAATIP to achieve its mandate is Partnership. Trafficking in Persons being a transnational organized Crime requires the adoption of collaborative strategy in the area of Information sharing, investigation and Prosecution to combat it. This fact has been recognized by most international instruments as well as The TIP Act 2007. In realization of this the Agency has signed MOU with NAPTIP Nigeria.

PROSECUTION

This is the category of action centers on identifying, pursuing, catching and bringing perpetrators to justice. It includes laws and regulations that allow law enforcement stakeholders to work effectively, capacitate themselves during cases, witness protection and judicial accompaniment among others. Legal Uncertainty: Currently in The Gambia, we have laws criminalizing human trafficking offences. In 2023, NAATIP was able to successful secured two (2) convictions and one (1) conviction in 2024. TIP Act 2007 is currently under reviewed to better facilitate the operations of the agency including other offences related to trafficking and not captured in the Act, and deal with issues of authority to arrest, detain, grant bail and prosecute to name a few.

PLAN OF ACTION

The NAATIP Action Plan 2021–2025 expresses the institution’s commitment and relentless effort and preparedness to achieve its mandate of eliminating the phenomenon of trafficking in persons. It also provides a platform for the National Referral Mechanism (NRM). However, this requires a robust partnership and collaboration with relevant stakeholders to curb the crimes involved in trafficking in persons and prosecute the perpetrators to the force of the law.

NATIONAL REFERRAL MECHANISM (NRM)

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of human trafficking and ensuring they receive the appropriate support. It is a mechanism aimed at identifying, protecting, and assisting victims of trafficking in human beings, through referral, and involving relevant public authorities and civil society. The NRM is a vital tool for the National Agency Against Trafficking in Persons (NAATIP) to combat human trafficking in the country. The NRM protocol is designed to be used by all professionals who work with survivors of trafficking. The protocol provides guidance on how to identify and refer potential victims of trafficking, how to assess their needs, and how to provide them with

the appropriate support. The NRM protocol is an essential tool for professionals who work with survivors of trafficking, as it provides a clear and consistent approach to identifying and supporting victims of trafficking.

The NRM is a collaborative effort between the government, NGOs, and other stakeholders to combat human trafficking in the country. The NRM provides a framework for cooperation between these stakeholders, ensuring that victims of trafficking receive the appropriate support and assistance. The NRM is an essential tool for NAATIP to combat human trafficking in the country, as it provides a coordinated and effective response to this crime.

Establishment of Trafficking In Person's Hotline

A toll-free hotline with the number 1123 has already been established by the National Agency Against Trafficking in Persons (NAATIP) to help victims of trafficking and to report suspected cases of human trafficking. The hotline is available 24/7 and is free of charge. The hotline is staffed by trained people who can take reports of potential human trafficking, provide information and referrals, and connect callers with local service providers. The hotline is confidential and anonymous, and callers can speak to staff in more than 4 languages. To report a potential human trafficking situation, call the hotline at 1123. All communication with the hotline is confidential and anonymous. If you or someone you know needs help, call the National Human Trafficking Hotline toll-free hotline, 24 hours a day, 7 days a week at 1123 to speak with a specially trained Anti-Trafficking Hotline staff. Survivors of trafficking can also be referred to emergency shelter, crisis intervention, or in-person support at a safe location via the hotline.

The establishment of a toll-free hotline is an important step in preventing and combating human trafficking. It provides a safer reporting system and makes it easier for people to report potential human trafficking. The hotline can also offer a way for callers to request training, technical assistance, or resources. The hotline number can be made easily accessible by promoting it through various channels, such as social media, billboards, and posters in public places.

Establishment of The Trafficking In Persons Database

NAATIP is mandated by the Trafficking in Persons Act of 2007 to serve as the data base for all TIP related data. Since its establishment, the agency relied on a spreadsheet format in recording and retaining data. The successful installation of the trafficking in person's database marks a significant milestone in our efforts to combat human trafficking. NAATIP has transitioned from a limited spreadsheet system to a powerful tool that empowers NAATIP to prevent and protect against trafficking in persons more effectively. This database will continue to evolve with functions that will record and keep track of other services provided by NAATIP alongside ongoing investigations.

Activities

1. First Victim Care Service

For the first time in the history of NAATIP, victims are now being provided with psychosocial support and counselling services on a monthly basis. These sessions represent a critical step in our commitment to providing comprehensive support and recovery services to survivors of this heinous crime. With 10-15 victims drawn from registered CSOs, the monthly sessions provide trauma-informed counselling and emotional support to survivors of trafficking in groups and individual basis where required. This service is crucial in assisting survivors in their journey towards healing, recovery, and reintegration into society and in equally empowering survivors with tools to overcome the psychological and emotional challenges they may face. Psychological Healing give Survivors the opportunity to address and heal from the emotional and psychological scars left by trafficking experiences. With confidentiality and consent measures in place for the victims, NAATIP partners with Mental Health Professionals in the provision of these services.

Achievements

Major developments have taken place over the past months. However, more collaborative efforts, initiatives, and financial resources need to be dedicated to the anti-trafficking agency. With continued implementation of the activities in the National Plan of Action, Restructuring of the Agency and sufficient capacity building, the prospects of a higher TIP ranking for The Gambia will be high.

The NAATIP's training programs, initiatives and strategies that was employ for the unending fight of trafficking in persons in Gambia that include the development of database, establishment of national hotline expansion of secretariat, reviewing of the TIP Act 2007, training of law enforcement officers in the Kanifing Municipality, west coast and upper river region, and training of Airline Handler, Shelter staff, Labor Inspectors, Diplomats, Peace keeping Personnel, Counselling session for Victims of Trafficking and many more was a resounding success. The tailored approaches ensured to equip the institution, staff, trainees, students etc. with 65 the knowledge and skills needed to address human trafficking within their specific jurisdiction.

The past 12-months period has been an interesting and intensive year for the agency, the agency has fostered and strengthened partnerships with stakeholders to combat trafficking through the inauguration of the joint technical working group with Nigeria. Establishing collaboration with CSOs and other relevant stakeholders through awareness campaigns, advocacy and trainings on the key concepts of trafficking in persons and the national referral mechanisms.

In the spirit of suppressing and ending human trafficking in The Gambia, the agency has taken strict and proactive measures in investigations TIP cases that subsequently lead to the prosecution and conviction of the perpetrators of trafficking. Continued support and collaboration will be instrumental in sustaining the impact of this institution's commitment and initiatives, contributing significantly to the broader mission of eradicating human trafficking. NAATIP highlights the commitment to combat trafficking in The Gambia using 4p approaches. It emphasizes the need for collaboration and commitment with relevant players to achieve a future free from trafficking in The Gambia.

Stakeholders

Stakeholders play a critical role in the fight against human trafficking. They are individuals, organizations, and agencies that have a vested interest in preventing human trafficking and supporting its victims. The following are some reasons why stakeholders are important for the national agency against trafficking in persons:

Expertise and resources: Stakeholders bring a wealth of expertise and resources to the table, which can be leveraged to develop more effective strategies to combat human trafficking. For example, NGOs can provide victim services, while law enforcement agencies can investigate and prosecute traffickers.

Collaboration and coordination: Stakeholders can collaborate and coordinate their efforts to prevent human trafficking and support its victims. This can help ensure that resources are used effectively and efficiently, and that there is no duplication of efforts.

Incorporating survivor expertise and input is also critical for the success of anti-trafficking efforts. Survivors can provide valuable insights into the realities of human trafficking and the needs of its victims. By engaging with survivors, the national agency can develop more effective policies and programs that are tailored to the needs of survivors. Below is a list of NAATIP's stakeholders.

Children victims of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child.

I. Betrothal of girls and boys; (Article 21.2)

The Government of the Gambia took the very progressive step of enacting the Children's (Amendment) Act 2016 in which section 25 of the Principal Act is amended to prohibit child betrothal. It provides: "A parent, guardian or any other adult who willfully a) betroths a child to any person; or b) makes a child the subject of a dowry transaction commits an offence and is liable on conviction.

II. Early and forced marriage (Article 21.2)

The enactment of the Children's Amendment Act 2016 prohibits child marriage. Section 24 of the principal act provides: A child shall not be capable of contracting a valid marriage and child marriage is prohibited".

Subsection 2 of the section provides: "A parent, guardian or any other adult who willfully

- a. Contracts a marriage on behalf of a child
- b. Causes a child to contract a marriage. Or
- c. forces a child to contract a marriage
- d. Commits an offence and is liable on conviction to imprisonment not exceeding twenty years.

The amendment further makes it an offence for anyone to assist a parent or guardian in committing the offence or intentionally fails to report the commission of the offence.

III. Any form of Female Genital Mutilation (Art 21.1(a))

Over the past 31 years significant progress has been registered towards the elimination of all forms of harmful traditional practices (Early and forced marriage, FGM) by The Gambia government through the Women's Bureau and its partners as well as the development and implementation of a National Action Plan on FGM 2012-2017. The Women's Bureau led the process on the sensitization in 1984 when the whole idea of the negative consequences of FGM was broached and the Women's Bureau established a unit under its office known as the Inter African Committee (IAC) on harmful traditional practices affecting the health of women and children.

The enactment of the Women's (Amendment) Act 2015 finally prohibits and criminalizes the practice of female genital mutilation, effectively domesticating article 5 of the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the 1989 Convention on the Rights of the Child (CRC), the Maputo Protocol. Section 32A (2) of the Women's Amendment states: A person who engages in female circumcision commits an offence and liable to conviction. Female circumcision means FGM as it is defined as the same in the Act. Also, section 23B of the Amendment prohibits and criminalizes any form of accomplices to FGM including requests, incites or promotion of the practice. The legislation will serve as a tool in addressing FGM and protecting the SRHR of women and the girl child.

The challenge now becomes enforcement of the provision. The government of the Gambia through the Women's Bureau and other agencies and civil society organizations including GAMCOTRAP, BAFFROW, Network against Gender Based Violence, CPA, and others have pledged to continue sensitization of communities across the country on the said provisions and implication as well as on the harmful health and social effects of FGM on the girl child and

women. They have continuously been carrying out awareness campaigns to discourage early and forced marriage and address this systemic social problem.

Prior to the said amendment, The Children's Act 2005 read "No child shall be subjected to any social and cultural practices that affect the welfare, dignity, normal growth and development of the child and, in particular, those customs and practices that are:

- a. Prejudicial to the health and life of the child; and
- b. Discriminatory to the child on the grounds of sex or other status."

A court case related to FGM has been pending since 2002. In late December 2007 another case of FGM was reported to Basse Police Station. One is also pending on the offence under the 2016 amendment.

Ministry of Justice or the Police to provide information on what happen to the reported 4 cases of FGM – Sankandi case, Banjulinding case, Brusibi case and Basse case).

The Department of State for Basic and Secondary Education is working with the Gambia Committee on Traditional Practices (GAMCOTRAP) to add a module on traditional practices to school curricula to create awareness about the effects of FGM, early marriage, and gender discrimination. Various NGOs, including GAMCOTRAP, BAFROW, APGWA, WISDOM, KEWYA, and FAWEGAM have organized a series of sensitization and training workshops at the community level in various regions of The Gambia. Target groups include men, women, security forces, and parent-teacher organizations. For 2007, BAFROW reported the following Thirty-five former circumcisers and their assistants attended a week-long workshop on conducting alternative rite of passage ceremony. Many have also been trained to serve as health promoters.

Fifteen ex-circumcisers received small interest-free loans and took business management courses in collaboration with the Indigenous Business Advisory service to help them develop new ways to earn income.

One hundred and fifty community health nurses, state-employed nurses, and extension workers were educated on the health consequences of FGM and data gathering techniques. They then carried out public awareness activities and surveys in their circuit areas.

The curriculum for alternative rites of passage (in three local languages), and audio and video tapes of dramas and plays were created and distributed to communities and schools. By the end of 2007, 1538 young girls were registered to go through the alternative rites.

Women in 15 communities in the Western and Lower River Regions benefited from functional literacy program that taught them to read, write, manage finances, and serve as local community health workers monitoring the rate at which FGM is being abolished, new strategies to be used and offering advice and counselling as needed. Participants create a quarterly newsletter on FGM, which serves as sensitization material in local communities.

BAFROW's health education team in collaboration with mother support groups made monthly home visits to over 30 families in the Greater Banjul Area and more than 200 in rural areas. These families have made plans to combat FGM.

The Youth Advocacy Group has conducted 112 program about FGM in upper basic and senior secondary schools.

Health promoters (ex-circumcisers) sensitized 1800 people in the Basse area, with about 4000 expected to be indirectly reached.

Other groups, including CPA, have worked with religious and community leaders to sensitize them on the issue. A number of institutions, including ACDHRS, are lobbying for the passage of a Women's Bill, which it is hoped will include provisions on FGM. In 2006 Tostan program (an international NGO based in Senegal) began working in The Gambia and a program for the abandonment of FGM was initiated in 40 communities in Upper River Region. This program was slated to expand to 50 communities in 2007. GAMCOTRAP has also been invited by the Law Reform Commission to submit recommendations on issues affecting girls, including FGM.

IV. Children belonging to a minority group; (Article 26) g)

Children in these categories do not suffer discrimination in The Gambia. All tribes, including minority tribes, enjoy the same rights and live harmoniously. Members of smaller tribes do not suffer persecution, and intermarriage has linked many families. Freedom of religion is valued and promoted. Approximately 99% of the people in The Gambia are African, so indigenous groups actually form the majority of the population.

V. Children who need special protection on account of being in risky or vulnerable conditions and situations such as street children or HIV/AIDS orphans; (Article

The Gambia's first National Social Protection Policy 2015-2025 (NSPP) was designed to contribute towards the alleviation of poverty and vulnerability in the country, in line with the Government of The Gambia's Vision 2020 and the 2012-2015 program for Accelerated Growth and Employment (PAGE). The NSPP was developed through

participatory national and regional consultations with key ministries, sub-national governments, community leaders, development partners, civil society, the private sector, and local communities.

Measures taken to realize the rights and welfare of the child

The Government of The Gambia has taken several measures to realize the rights and welfare of the child through the following:

The laws of The Gambia have been harmonized to respect and include the welfare principle and provisions of the Children's Charter. In domestication of the CRC and the African Charter, it enacted The Children's Act 2005. In accordance with the 'Welfare Principle', section 3 (1) of the Act makes the best interest of the child the paramount consideration by any court, institution, person or body when determining any issue concerning a child.

Section 68 of the Children's Act 2005 establishes the Children Court, a giant step in the realization of children's rights in the Gambia. This Court creates a separate justice system for children. Child suspects are not tried in other courts such as the Magistrates' Court or High Court and the proceedings in the Children's Court are held in camera so as to protect the child's identity. Proceedings are flexible and not subjected to the rigid rules of procedure that obtain in the regular courts. The court is not open to the public except where a person is allowed by the Court, these are usually close family members of the child, witnesses, court clerks etc. and no one is allowed to publish information that may lead to the identification of a child who is involved in a matter before the Court.

The establishment of the Child Welfare Unit of The Gambia Police Force, Child Rights Unit at Ministry of Justice, DLEAG, Immigration, and the Gambia Arm Forces Child Welfare Unit are measure taken by the Government of The Gambia to improve the rights and welfare of the child.

The Shelter for Children in Bakoteh is the only government managed shelter for children and provides temporal home for vulnerable children such as abandoned babies, trafficked children, children on the move, children at risk of violence and abuse and children in contact with the law. In addition to providing a home for the children, the shelter provides psychosocial support, counselling, mediation and care for children for children with disabilities.

In 2007 the Child Protection Alliance (CPA), Pro-Poor Advocacy Group (Pro-PAG), UNICEF, and Action Aid International supported training of National Assembly members and others on Child Friendly Budgeting, the National Assembly select committee on Gender, Children and Social Welfare succeeded in advocating for increased budgetary allocation for children indicate amount.

A new Ministry of Gender, Children and Social Welfare has been established with functions to protect and promote children's rights at national and regional levels. The Directorate of Social Welfare under the Ministry of Gender has also established offices in all the regions with staff providing child protection services.

Children in The Gambia has several avenues for seeking assistance if their rights are violated. In cases of sexual abuse, exploitation, abandonment, neglect or abuse, the matter can be reported to the Gambia Police Force Child Welfare Unit in all police stations across the regions.

There exist toll free lines 1313, 199, and 1123 where cases of violence against children can be reported.

The National Human Rights Commission was established in 2018 with a mandate to promote and protect the fundamental human rights and freedoms of everyone including children through law, policy, education and partnership.

Measures taken to promote positive cultural values and traditions and to discourage those that are inconsistent with the rights, duties and obligations contained in the Children's Charter.

The Gambia practices different cultures, norms and traditions and has been recognized in the 1997 constitution. However, there are existing harmful traditional practices that violates the rights of children.

The Gambia is signatory to many international and regional instruments pertaining to the rights of children and women, notably the CRC, the CEDAW and the African Charter on Human and Peoples Rights (ACERWC). The CRC has been harmonized with many aspects of the domestic law, leading to the promulgation of the 2005 Children's Act. The CEDAW and the African Protocol have also been domesticated in the Women's Act 2010.

Over the years significant progress had been registered towards the elimination of all forms of harmful traditional practices (Early and forced marriage, FGM/C and child begging) by The Gambia government through the Women's Bureau and its partners had developed and implemented the National Action Plan on FGM/C 2012-2017. The Ministry of Gender, Children and Social Welfare recognized these efforts and continues to implement programs to eliminate harmful practices that affect children.

There are weekly Radio sensitization programs on the various radio stations across the county aimed at creating awareness and advocating for child protection and prevention of any form of child sexual abuse while celebrating culture. The GT Board in collaboration with UNICEF had printed numerous and relevant information leaflets regarding child protection in the Tourism Code of Conduct and Tourism Offences Act 2003 with amendments in 2011.

Existing or planned mechanisms at the national or local level for coordinating policies relating to children and for monitoring the implementation of the Children's Charter

The Ministry of Justice has been identified as the lead Ministry responsible for coordinating the national reporting mechanism including the ACRWC reporting supported by relevant state and civil society organizations. However, this recommendation is yet to be fully operational. In 2024, OHCHR through the PAPEV Project provided capacity strengthening on reporting mechanisms to members of the national reporting taskforce including the ministry of Justice.

A Ministry for Gender, Children and Social Welfare was established in 2019 with a Directorate of Children's Affairs responsible for the welfare of children.

The Gambia Bureau of Statistics (GBoS) has been conducting surveys including The Gambia Multiple Indicator Cluster Survey (MICS) III in 2005-6, MICS IV 2010 and MICS 2018. These national surveys have provided national data relative to child rights and child protection issues that can be relied on for evidence-based planning and programming to promote, protect and fulfil rights of children in The Gambia.

Other recent studies conducted includes a Scoping Survey on children in the Majlis conducted by ISRA in 2014 and 2019 by Mimbar Foundation in collaboration with the Ministry of Basic and Secondary Education on Daara/Majlis and Tahfidh in The Gambia. In line with the Education Sector Policy 2016 to 2030, The objectives of both surveys were to improve quality and relevance data for the provision of education in Majlis in The Gambia hosting over 20,000 children. This survey would provide the required baseline data to begin the process of proper integration of Daara/Majlis & Tahfidh as part of the formal education system in the country.

Measures that have been taken or are foreseen to make the principles and provisions of the Children's Charter widely known to adults and children alike;

Various State and None State Actors have over the years worked tirelessly to popularize publicize the principles and provisions of the ACRWC with the technical and financial support of International Partners such as UNICEF, OHCHR and others.

From 2003 to date, several interventions have been implemented through the following:

Capacity Building Workshops targeting religious leaders, traditional leaders, National Assembly Members, Children's Organizations, Local Councilors, community structures, teachers, health workers, women's groups, law enforcement personnel, market vendors, taxi drivers, social workers,

Radio and television panel discussions on child rights and protection to raise awareness on child rights among the general public;

Translation of child rights provisions into the major local languages including Mandinka, Wolof and Fula so that all segments of society have the opportunity to read and understand it.

Frequent media publication of topics on children's rights the newspaper *Foroyaa* published the entire text of the CRC and the Concluding Observations of the Committee on the Rights of the Child. The same publication also serialized the Children's Act 2005. Most of the major newspapers also feature regular columns on child rights. Printing and translation into Arabic of the Minimum Standards for Child Care Institutions by the MOGCSW through support from OHCHR to improve quality of care in child care centers.

Widely disseminate their reports to the public at large in their own countries.

The ACRWC report will be disseminated by sharing copies of the report with key stakeholders including the national child protection committee for further dissemination within their jurisdiction and inclusion for implementation of the recommendations in their respective work plans.

The report will also be serialized in the local newspaper publications for wider public consumption. This will tremendously increase the public's awareness of children's rights. The report will be shared online on the websites of MOGCSW and MOJ.

Definition of the child

- i. The Children's Act 2005 makes provision for a standard definition of the child in accordance with the UN Convention of the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child and other similar international instruments. The Children's Act 2005 defines a child as "a person under the age of 18 (eighteen) years".
- ii. The above definition is also in line with the 1997 Constitution of The Republic of The Gambia, which states that: "Every citizen of The Gambia being of eighteen years or older and of sound mind shall have the right to vote for purposes of elections." Establishing the age of 18 as the standard for when a person is considered mature enough to vote implies that if one is below this, then one is considered a child and not capable of being tasked with responsibilities assigned to adults such as voting.
- iii. The Children's Act 2005 establishes 16 years old as the minimum age for employment in the form of "light work" ("work which is not likely to be harmful to the health or development of the child and does not affect the child's attendance at school or the capacity of the child to benefit from school. The Labor Act 2007 sections 45 and 46 prohibits 'child labor' and engaging a child in 'hazardous work'. The prohibition however does not apply to work done in a vocational or training school or other training

institution if it is approved and supervised by a public authority or if it is an integral part of the training program.

- iv. The definition of a woman in the Women's Act includes the girl child. This is done to afford the girl child (who is under the age of 18 years of age), the enjoyment of all the rights and protection under the Women's Act 2010 bearing in mind that it is the girl child who grows up to be a woman and as such there is a need to ensure her protection from a very early age.
- v. The Armed Forces Act stipulates that a child below 18 years old should not be recruited into the Army. Likewise, Section 59 (1) and (2) of the Children's Act 2005 categorically states that: "A child shall not be recruited into any of the branches of the armed forces of The Gambia or other security agencies." And "The government or any other relevant agency or body shall ensure that no child is directly involved in any military operations or hostilities."

IV. GENERAL PRINCIPLES

11 A Non-discrimination (art. 3 and 26)

The laws of the Gambia provide for protection of the child from discrimination. Section 33 of the 1997 Constitution and sections 19 and 21(2) of the Children's Act 2005 makes provision for the protection of children from all forms of discrimination based on gender, sex or social status. The Children's Act recognizes the CRC principles, including best interest and nondiscrimination. This is evident in school enrolment where there is an increase in the number of female than before.

The Government is working to ensure that children of different nationalities enjoy the same rights and protection services as Gambian children.

The Births, Deaths and Marriages Registration Act (1990) is currently under review to eliminate discrimination of children who are born out of wedlock, who cannot inherit from their father under sharia law.

It is also the aim of government to see that children in The Gambia are treated the same despite their ethnic, religious, cultural, linguistic, geographical, and socio-economic status.

For asylum seekers, refugees and migrant children, there exists a national referral mechanism where they are all screened and referred to the relevant authorities and institutions for support without discrimination.

With regards to children with disabilities, the Government faces challenges to provide basic needs for the children like education, health and care services due to technical and financial constraints. Important to note that almost all education and health facilities for children with

disabilities are centralized. The government has taken note of this and seeks to endeavor to make progressive strides to address this problem.

The development and implementation of guidelines and Standard Operational Procedures (SOP) on Civil Registration and Vital Statistic (CRVS) catered for the provision of the 1990 Births & Death Act that mandates the registration of all births in the country irrespective of race or country of origin.

The HIV&AIDS Prevention and Control Act 2015 addresses discrimination, including prohibiting disclosure of the results to a third person without a written consent or a witness evident verbal consent from the person tested including children.

On the issue of lesbian, gay, bisexual, transgender, and intersex (LGBTI) children under our national laws, specifically the suggestion to amend the Criminal Code regarding same-sex relationships. These issues are not largely accepted in the Gambia and the Government does not plan to decriminalize it.

Best interests of the child; (Article 4)

The principle of the best interests of the child is best enunciated in the Children's Act 2005, Part I, section 3, cited as the "welfare principle": It provides: "The best interest of the child shall be the paramount consideration by any court, institution, person or other body in determining any question concerning a child" This language goes beyond best practice recommendations, which states simply that the best interests of the child should be a primary consideration.

This has been evident with the establishment of the Police Child Welfare Unit in all regions of the country and the Children's Court in four regions with the intention of progressively establishing it in all regions.

The Directorate of Social Welfare and Children's Affairs are decentralized to ensure social workers are available in all regions to conduct home assessments and social inquiry reports on children matters and attend Children's Court sittings so that decisions are taken in the best interest of the child.

After Arrest Procedures' was developed to guide actions of all law enforcement agencies of the government like the Child Rights Unit of the Ministry of Justice, the Police Child Welfare Unit as well as the gender/child protection units of the Immigration Department and Drug Law Enforcement Agency.

Criminal cases involving children are treated based on the best interest of the child and referred to the Children's Court which is more Child friendly for trial.

Trainings for staff of the Children's Courts, and the Cadis of the Islamic Courts have been conducted by the Ministry of Gender, Children and Social so that their decisions are made in the best interest of the child.

Within the Ministry of Basic and Secondary Education all programs and policies are designed considering the best interest of the child. The management and development of school policies, such as the School Improvement Plan, Senior Management Committee, Parents Teachers Association, and the Students Council, all take into consideration the best interests of school children. The above-mentioned policies were developed in consultation with children and their caregivers. Children serve on the above-mentioned committees within the Ministry of Education.

The access to school policy of not more than three kilometers between the school and community for lower basic education consider the safety needs and access to education for children.

The right to life, survival and development.

Part II, Section 6 of the Children's Act, 2005 provides that "Every child shall have the right to life, survival and development".

According to the Act, there are restrictions on the type of punishment the Court may order against a child offender. For example, the child shall not be ordered to be imprisoned for life and or have the death penalty recorded against him/her.

To reduce maternal, neonatal, childhood mortality and stillbirth, the Government has put in place measures to improve equitable access to evidence-based interventions, including Basic and Comprehensive Emergency Obstetrics, new-born care services and increased the capacity of skilled birth attendants.

Respect for the views of the child; (Article 7)

The Children's Act 2005 provides in Part II, section 17 that a child capable of forming views has the right to express an opinion, to be listened to, and to participate in decisions which affect his or her well-being, the opinion of the child being given due weight in accordance with the age and maturity of the child. The decisions of the Children's Courts are guided by the principles of the best interest of the child and the views of the child in all criminal and civil matters particularly custody disputes, adoption, foster care, ward-ship, and institutional placement. Other institutions like the Police, Immigration, Ministry of Gender, Children and Social Welfare, Juvenile Wing of the Prisons Service all respect the principle of the view of the child as indicated in the 'After Arrest Procedures'. This is in line with the provision of the Children's Act 2005 which made it mandatory for the view of the child to be taken into

consideration especially when the child is twelve years old and above or if younger but has the mental capacity to make a sound opinion on issues affecting them.

The awareness raising strategy implored by the Ministry of Basic and Secondary Education, in partnership with the National Youth Council and the Directorate of Social Welfare under the Ministry of Gender, Children and Social Welfare, created the Children's National Assembly of The Gambia (CNAG), the composition of which is school children. The recent sitting of CNAG was conducted on 12 August 2023 and they presented a position paper to the Minister of Gender, Children and Social Welfare with recommendations on issues of Female Genital Mutilation, child friendly schools for children with disabilities and recreational centers amongst others. This platform provides children the opportunity to lodge their concerns to government through petition or call to action by State Parties. They equally used the platform to suggest policy reforms or implementation on children's issues. The forum is also used to raise awareness of parents on children's role in decision making especially issues that affects their wellbeing and development.

The functions of the Children's National Assembly include debates on issues affecting children and come up with resolutions which are forwarded to the relevant institutions, including the National Assembly and Ministries. The Children's National Assembly is inadequately funded thus restricting their operations. Currently it only receives support from development partners via government sectors like the National Youth Council.

Children are involved in the transitional justice process as they were part of the national consultation on the transitional justice process such as the consultations on the Truth Reconciliation and Repatriation Commission (TRRC), the Draft Constitution as well as the formation of The Gambia Centre for Victims of Human Rights Violations (Victim's Centre.)

All schools basic and secondary have student councils or bodies that participate in school management and administration.

The Department of Social Welfare with the assistance of UNICEF had developed a communication strategy on child rights and protection, which aimed to raise public awareness and change perceptions towards children, promoting respect for children's views on issues concerning them. Within the Department, the views of the child are always taken into consideration, especially in matters of adoption custody and cases of abuse and exploitation.

Child Protection Alliance and other organizations promoting children's rights carry out a systematic and ongoing program of workshops and training throughout the country year in year out. CPA also supports Voice of the Young clubs and holds quarterly Bantaba where children can be heard.

The Gambia participates in the International Children's Day of Broadcasting (ICDB) celebrated yearly when children take to the air waves on the television and radio all day. Children have

publicly met with the President of The Gambia as part of the celebration, demonstrating high level support for the importance of listening to children's views. Gambia Television and Radio Services won the ICDB regional prize in 2007.

In spite of many positive developments, however, children's opinions are often not necessarily considered relevant or valuable at home or school, as seen in the survey results that follow from the December, 2007 CPA Children's Bantaba in the Central River Region. Traditional views still limit the full implementation of this article.

Provision of Information to Children and Promotion of their Participation

The Gambia has enacted the Access to Information Act 2021 which gives citizens the right to access information from any institution. The Criminal Code is also under review. There have been situations where journalists were intimidated although there are no criminal prosecutions of perpetrators of these intimidations. As far as we are aware, no child rights defender has been intimidated.

The Government has not taken measures to ensure effective monitoring of the information accessible to children, including online media. Nevertheless, this is noted and through the Ministry of Gender, Children and Social Welfare and the Ministry of Information the Government will take measures to address this.

V CIVIL RIGHTS AND FREEDOMS

Name, nationality, identity and Registration at birth; (Article 6).

Birth Registration is mandatory in The Gambia. As such, the government of The Gambia has established Births and Deaths Registry Units under the Ministry of Health; and has enacted the Births, Deaths, and Marriages Registration Act which provided the guidelines and procedures for the registration and certification for births and deaths.

The Government, under the Ministry of Health and with support from development partners, has developed an electronic Civil Registration and Vital Statistic (eCRVS) system and a Standard Operational Procedure (SOP) to ensure universal registration of births with specific detail on the registration protocol for the different categories of birth. In addition, several birth registration campaigns are conducted to improve the registration of birth of children particularly under 5 years. Birth registration is also decentralized to ensure access to children born in all parts of the country. This has resulted in increase in number of birth registration for children under 5 years. At national level, the number of births registration for children under 5 years has increased from 52.5% Multiple Indicators Cluster Survey (MICS 2010) to 57.9% (MICS 2018) or 59% (DHS 2019/2020). The number of children under 5 years who have an actual birth certificate also increased from 23.2% in 2010 (MICS 2010) to 32.3% in 2018 (MICS 2018). This trend was also confirmed by the DHS (2019/20), which shows that 49.8%

of boys and 45.6% of girls (under 5 years) who are registered have their birth certificates. A bill is currently under review to amend the 1990 Birth, Death and Marriage Registration Act to improve the law and ensure easy registration of births and access to birth registration facilities across the country.

The eCRVS guideline provides registration procedures of children born to Non -Gambia Parent (NGP) to avoid statelessness. To ensure no child is left stateless, the country has developed registration guideline to cater for residency.

The Government through the Immigration Department established the National Refugee Commission to deal with amongst other things the status of stateless persons in The Gambia.

The Ministry of Basic and Secondary Education on its part is engaging parents to sensitize them to register the births of their children especially during enrolment into schools. The Ministry, in collaboration with the Department of Community Development and Ministry of Health, has jointly developed a Social Behavioral Change Communication (SBCC) messaging document to be used by Multi-Disciplinary Facilitating Teams (MDFTs) to promote birth registration and upkeep to avoid stateless children.

Through eCRVS, all children, including children born out of wedlock, are properly registered at birth without any form of discrimination. Community awareness is ongoing to address discrimination and stigma faced by children born out of wedlock and their mothers.

Freedom of expression

Freedom of expression is guaranteed by the 1997 Constitution, and reiterated in the Children's Act 2005, which states in Part II, section 17 that children capable of forming views have the right "...to express an opinion, to be listened to, and to participate in decisions which affect his or her well-being."

Freedom of thought, conscience and religion; (Article 9)

Freedom of religion is guaranteed under the 1997 Constitution and exists in practice. Children often follow the religion of their parents, but it is legal for them to convert to a different religion if they so desire. There are many children who practice one religion and attend a school sponsored by another religious group. The peace and harmony that exists in The Gambia between its people of different religions, is exemplary.

Freedom of association and of peaceful assembly

The Constitution of The Gambia 1997 guarantees everyone's right to freedom of association and peaceful assembly, including children. Section 25 guarantees everyone the right to freedom to assemble and demonstrate peaceably without harm; and freedom of association, which shall include freedom to form and join associations and unions, including political parties and trade

unions”. Children enjoy membership to a wide range of youth clubs and associations and participate in the activities and gatherings of their choice.

Protection of privacy

Section 23 of the 1997 Constitution of the Gambia provides that “no person shall be subject to interference with the privacy of his or her home, correspondence or communications save as is in accordance with law and is necessary in a democratic society in the interest of national security, public safety or the economic well-being of the country, for the protection of health or morals, for the prevention of disorder or crime or for the protection of the rights and freedoms of others”.

The Children’s Act 2005 protects all children from arbitrary or unlawful interference with his or her privacy, family life, home, correspondence or attacks on his or her honor or reputation”.

However, this provision could be seen as somewhat ambiguous and could be subject to a variety of interpretations.

Protection against child abuse and torture

Corporal Punishment- The Ministry of Basic and Secondary Education has given a directive banning corporal punishment in all schools pending the amendment of the Children’s Act 2005. As a result, there is zero tolerance on the practice of corporal punishment in schools across the country. The directive warns “...all schools continuing the practice to stop with immediate effect failing which drastic action will be taken against those found wanting”. Section 220(9) of the Children’s Act 2005 prohibits the Courts from ordering a child to be subjected to corporal punishment. The proposed amendment to the Children’s Act endeavors to prohibit corporal punishment in all settings, as the current laws are silent on the prohibition of corporal punishment in within homes. Children, teachers and caregivers have been sensitized on physical violence and other forms of violence through the safe school program which among others also covers issues of violence in schools.

No legal step has yet been taken to prohibit corporal punishment in schools and homes but it is prohibited in the child justice system. However, The Ministry for Basic and Secondary Education also developed and distributed guidelines for maintaining discipline in schools without using corporal punishment. It took the following actions to discourage the practice in schools:

The 1997 Constitution of The Gambia and the Prison Act both prohibit torture/punishment of any form in any of the Prison establishments in The Gambia. In that regard, in the justice system, no form of corporal punishment is allowed at the Juvenile Wing of Jeshwang prison (the Rehabilitation Centre). Instead, positive disciplinary measures such as counselling are used to correct children in custody.

Furthermore, Part III, Section 22 (c) of the Children's Act provides that parents have the duty to ensure that domestic discipline is administered with humanity and in a manner consistent with the inherent dignity of the child.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

The Government has taken steps to strengthen families through numerous initiatives including training on positive parenting for parents and caregivers as well as the identification and training of host families to support vulnerable children without parental care.

The Directorate of Social Welfare operates a Shelter for Children where child victims of abuse receive care and rehabilitation services before they are finally reintegrated into the society. The shelter provides temporal placement for abandoned babies, missing children, trafficked children, children on the move and children in contact with the law. Services provided include counselling, psychosocial support, temporal placement, family tracing and reunification.

The Directorate of Children's Affairs in collaboration with Child Protection Alliance has established Community Child Protection Committees (CCPCs) in all the regions in The Gambia. The mandate of the committees is to educate the community about child protection issues and help prevent sexual abuse and exploitation through awareness raising and community mobilization. Some of the CCPCs overtime served as host families for children in need of protect as well as children in contact with the law.

The government through support from UNICEF provided cash transfer to 1000 vulnerable families with children in three regions of the country, namely, North Bank, Central River and West Coast regions as part of the COVID 19 response.

Through support from the OHCHR PAPEV project, 50 Majalis centres were supported with food and non-food items during the COVID

Family Strengthening

It is in a child's best interests to remain with the family of origin as long as the family is providing adequate care. The Gambia government, through the Ministry of Gender, is operating a family strengthening program (FSP) to strengthen vulnerable families in order to prevent family breakdown and separation of children from their families. This notable initiative aims at providing support to vulnerable families to ensure children receive support of goods and services to enable them stay in their families or origin.

The program offers cash assistance of GMD 2,000 to families and GMD 1,000 to individuals on a quarterly basis. In addition to financial support, beneficiaries also receive training through Social Behavioral Change Communication (SBCC), aimed at enhancing their living standards by improving financial capacity, fostering independence, and building resilience to economic shocks through income generation and asset accumulation.

From January to August 2024, a total number of 2,011 families from six regions in The Gambia benefitted from this support.

It is worth noting that out of the 2,011 families supported through the family strengthening program of the Ministry of Gender, 505 are families with persons with disabilities including children. However, there is still a gap in reaching out to children with disabilities who do not fall within the identified program intervention areas.

Other NGOs operating family strengthening programs such as SOS continue to support families in selected communities in The Gambia. From 2015 to date, SOS has provided family strengthening support to XXXX families in The Gambia.

Alternative Care

In The Gambia, there continues to be an increasing number of orphanages and other Child Care Residential Institutions spread across the regions and managed by individuals and NGOs. Child Care Residential institutions provide residential care for children especially those in difficult circumstances. There is only one childcare center managed by The Government which is the Shelter for Children in Bakoteh. The Shelter provides short term care for children in difficult circumstances before finding durable solutions for them. Apart for the Shelter for children, there exists several long-term residential Child Care Institutions managed by Individuals, NGOs and faith-based Organizations such as the Majalis, Quranic Memorization center and Madarasas.

Historically there have been challenges in terms of regulating alternative child care centers, which limits the monitoring and support to these centers despite reports of abuse, exploitation and poor living conditions of children living in these residential care centers.

In 2022, OHCHR through the PAPEV project supported the review and translation into Arabic of the Minimum Standards for residential childcare centers to promote quality of care. This minimum standards document was translated into Arabic to ensure that the operators of the Quranic centers which forms the majority of the alternative childcare centers have a better understanding of the document in order to properly take care of the children in care. Already thirty (30) operators have been trained on the minimum standards through support from BEB. Plans are in the making to scale up capacity strengthening of all operators across the country.

The inadequate information on the number of existing child care residential centers, their locations and how they operate posed serious challenges to the Gambia Government in terms of monitoring and supporting child care centers limits the Government's ability to account for the children in these centers to ensure that the rights of children are protected.

In 2022, a nationwide profiling of all child care centers was conducted through support from OHCHR PAPEV project to ensure the availability of data on children and the facilities hosting

children. The data collected is being printed as a listing of child care residential facilities in The Gambia to enhance availability of data on children for relevant partners.

In order to put in place mechanisms for collection of accurate data of children in alternative care, the Directorate of Children's Affairs also secured support from Both Ends Believing in 2023 a software called children first software (CFS) to ensure the enhancement of data management on children in residential care centers.

Through support from UNICEF, XX number of Majalis have received support on literacy and numeracy.

Adoption and periodic review of placement; (Article 24)

Part IX of The Children's Act, 2005 provides the necessary framework for regulation of adoptions, both domestic and international. This section of the Act states that an application for an adoption order must be made to the Children's Court and is subject to the provisions contained therein. In the case of children with an existing court-issued adoption order, the court acting with the supervision of a social welfare officer will ensure that the transfer is in the best interests of the child and that due consideration has been given to the wishes of the child.

The Department of Social Welfare has created a sub-unit for adoption and foster care that has helped expedite adoption procedures. This sub-unit also ensures that proper documentation and registration of adopted children are maintained as required by the Children's act.

Formal adoption cases go to the Children's Court for hearing. However, informal adoptions within the extended family system are widespread, unmonitored, and possibly in conflict with the best interests of the child.

In order to prevent abusive practices in informal adoption, administrative and monitoring procedures and capacity must be strengthened. In response to some of the problems, the Department of Social Welfare has introduced a foster care scheme which allows abandoned children to be placed back into their communities in foster homes with additional supervision by a social worker prior to adoption.

There is presently inadequate review of the living situations of children deprived of a family environment. Little oversight of informal situations or placements occurs.

The Gambia has not yet acceded to the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

Abuse, neglect, exploitation including physical and psychological recovery and social integration; (Articles 16 and 27)

The Gambia is currently developing a comprehensive children's policy. The National Child Protection Strategy 2016-2020 is also under review funded by UNICEF as part of the child protection systems strengthening support. The Children's Act 2005 is also expected to be

repealed and a new Act enacted in 2025. A National Social Protection policy 2015-2025 which is child sensitive, has also been developed with a strategic plan and an implementation plan. The formulation of a minimum social protection package is in progress.

There is also a National Plan of Action to Combat Child Sexual Abuse and Exploitation for Orphans and other Vulnerable Children, which is being implemented.

A Children's Social Welfare Policy, Sexual Harassment Policy in Schools and Guidelines on Child Sexual Harassment in Schools has also been drafted

Both the Children's Act 2005 and the Tourism Offences Act 2003 has provisions outlining protection of children from all forms of abuse and exploitation.

In order to prevent, investigate and punish violence against girls and to provide redress to victims, the Government also enacted laws as mentioned above; established 58 Community Child Protection Committees across the country and 5 Adolescent Neighborhood Watch Groups in Communities around the Tourism Development Area in partnership with UNICEF.

Child Protection Alliance and Child Fund the Gambia developed and institutionalized the Sex Tourism Training Manual into the Tourism Training School and the Tourism Code of Conduct into hotel, motel and restaurant regulations within the Tourism Development Area.

The Government in collaboration with CSOs initiated the establishment of "One Stop Centers" in all regions to support victims of gender-based violence and developed two guidelines for Clinical Management and Psychosocial Support of victims of gender-based violence

Several sensitization programs using the print and electronic media as well as community structures to raise awareness on the effects of violence against children continue to be conducted at regional and central levels.

Disaggregated data on children reported as victims of abuse and/or neglect is not available. However, in response to the high incidence of abuse and exploitation of children taking place in the country, the Department of Social Welfare with support from UNICEF has conducted studies on Child Sexual Abuse and Exploitation, Baby Abandonment, Situation Analysis on Orphans and other Vulnerable Children, and a Rapid Assessment on Children Living and/or working on the Street.

Standard "after arrest procedures" have also been implemented for the protection of children. To ensure that cases of violence, ill treatment and abuse of children are properly handled there is a Child Protection Training Manual for Police Officers, which is currently being used at the Police Training School.

If a missing child is brought to the police, publication is made on television and radio to inform the general public of the child's description. If a parent or caregiver is found, that person is strictly warned and advised on how to protect and care for the child. Forms must be filled out

before the child is returned to the parent. If a parent is not found, the child is referred to the Department of Social Welfare for care and protection.

In cases of neglect, the parent or care giver is cautioned and strictly warned to take good care of the child and provide for the child's basic needs. If the child is not living with his or her biological parents, he or she is withdrawn and handed to the Department of Social Welfare for proper unification with parents.

If child abuse is reported to the police, the child is immediately withdrawn from the abuser and taken for medical care if necessary. The accused is arrested, cautioned and charged if there is evidence to do so. The Department of Social Welfare provides temporary care for the child. Depending on the nature of the case, the alleged offender maybe taken before the court or in the case of lack of evidence for conviction of the offence charged, counselled and reunited with the child under the supervision of the Department of Social Welfare. The Social Welfare officers will conduct periodic home visits to verify the child's living conditions after reunification.

The Department of Social Welfare is at an advanced stage in the process of developing a national child protection database, with the assistance of UNICEF. Information from the database will be used for advocacy and for monitoring and reporting on the situation of children.

The Department of Social Welfare has a Shelter for Children where child victims of abuse receive care and rehabilitation services before they are finally reintegrated into the society.

There are five child help lines providing twenty-four-hour services (199, 1313, 1123, 1229 and 1025). These lines facilitate access to report case on children's health, child trafficking, gender base violence and other child protection issues.

RESPONSIBILITIES OF THE CHILD

Relevant information, including the principal practices, legislative, judicial, administrative and other specific measures in force; factors and difficulties encountered and progress achieved in implementing the relevant provisions of Article 31 of the Children's Charter.

The Child's duty towards the parents, the family and the community; - This is articulated in Section 23 of the Children's Act 2005 providing that the child has responsibilities towards his or her family and society The Gambia and other legally recognized national and international communities. It also makes it the duty of a child subject to his or her age and such other limitations as may be contained in this act and any other law, to;

- a. work for the cohesion of his or her family.

- b. contributes to the moral wellbeing of the society.
- c. preserves and strengthen social and national solidarity.
- d. respects the ideals of freedom, equality, humanness and justice for all persons.

(Article 31 and Superior's article 31)

Section 23 (2) (b) of the Children's Act, 2005 states that the child has a duty to respect his or her parents, superiors and elders at all times and assist them, where necessary. Towards the State and the Continent. (Article 31)

Under section 23 of the Children's Act 2005 subject to section 59 of the act, serve the Gambia by placing his or her physical and intellectual abilities at its service. preserve and strengthen the independence and integrity of The Gambia.

Preserve and strengthen African and, in particular, Gambian, cultural values in his or her relations with other members of the society, in the spirit of tolerance, dialogue and consultation.

Contribute to the best of his abilities, at all times and at all levels to the promotion and achievement of African unity.

Other Interventions

Several capacity buildings workshops and radio and television panel discussions conducted over the years for children often also include discussions on the responsibility of children to themselves, their families, the community as well as the state. These also include schools outreach programs organized by the Drug Law Enforcement Agency (DLEAG) Child Welfare Unit which reviews every case involving children in conflict with the law on drug related matters and advise on the best course of action that is in the best interest of the child. Several Drug Free Clubs have been launched in schools across the country by DLEAG.

Intergenerational dialogues have been encouraged over the years giving children a platform to interact with duty bearers to discuss issues relevant to them and reminding duty bearers of the obligation to fulfil the obligation of protecting children. These interactive sessions also include discussions on the role of children in the promotion and protection of their rights.

The management council of the schools involves students in the designing of policies that investigate the interest of the child. Children serve in the School Management Committees, Parents Teachers Associations and the Students Council within the Ministry of Education. Whilst the participation of children in these platforms increases students' involvement in the

governance of the schools, it's also heightening the responsibility of children to the family and school community.

All schools promote the establishment of various types of school clubs which not only serve as platforms to engage children in extra curricula activities but also promote the discussion on the role of children in society.

Several Children's' Associations have emerged over the years mobilizing children, building capacity related to the rights as well as the responsibilities of children at family, community and nationals' levels. Notable among these is the voice of The Young, Young people in The Media. CPA also supports Voice of the Young clubs and holds quarterly Bantaba where children can be heard.

The Children National Assembly the Gambia was established in 2018 to serve as a platform for the promotion of the rights of children. The Assembly constitutes a membership of 105 children drawn from all the regions in The Gambia. Activities of the Children's Assembly includes annual assemblies, schools' outreach, capacity building for its membership and intergenerational dialogues with duty bearers. These fora are also used to raise awareness of parents on children's role in decision making especially issues that affects their wellbeing and development. The responsibilities of children to the family, community, and the national forms an integral part of the discussions of these sessions.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

Relevant information, including the principal legislative, judicial, administrative or other measures such as projects, programs etc.; the institutional infrastructure for implementing policy in this area, particularly monitoring strategies and mechanisms; factors and difficulties encountered and progress achieved in implementing the relevant provisions of the Children's Charter, in respect of:

b) Education, including vocational training and guidance; (Article 11)

The 1997 Constitution of The Gambia, guarantees both male and female the fundamental right to education. As a result, the education policy makes provision for free education for all at the Lower Basic level to ensure that traditionally excluded groups such as girl children are enrolled in school. Interventions in girl's education have been very encouraging and by 2006 The Gambia had exceeded the 50% target for gender parity at Lower Basic level.

The Gambia enshrined education as a right in 1997.

The Education Policy (2004) and the Children's Act (2005) mandated free and compulsory basic education.

The Children's Act establishes compulsory basic education as law, and assigns duties to Government and parents/guardians.

The Women's Act 2010 provides that a pregnant school girl shall not be expelled from school but rather allowed the option of returning back to school after delivery. A system has been put in place to re-introduce pregnant teenage girls into school.

In order to make primary education completely free, curb school dropout and increase retention, the Ministry of Basic and Secondary Education introduced the school improvement grant which caters for every Gambian child in public Lower Basic Schools (Primary, Junior and Senior Secondary) by providing grant aid to schools per child which was extended to Upper Basic Schools in 2014; introduced the Scholarship Trust Fund for Girls in the most deprived regions; introduced the President's Empowerment for Girls' Education Program (PEGEP) to promote girls' education and retention in schools; introduced the Re-entry of School Dropouts Scheme particularly targeting girls who dropped out of school due to teenage pregnancy or early/forced marriage, orphans and acutely poor students.

In 2011, the approved Government budget for the Ministry of Basic and Secondary Education was 724.6 million dalasi and its actual expenditure was 736.9 million dalasi. In 2012 the approved budget was increased to 790.3 million dalasi while the actual expenditure also increased to 772.6 million dalasi and in 2013 the approved budget was further increased to 861.0 million dalasi while the actual expenditure also increased to 890.8 million dalasi. This shows continuous increase in both budgetary allocation and actual expenditure of the Ministry of Basic and Secondary Education for the past three years.

In 2023, The Ministry of Basic and Secondary Education, the Office of the First Lady of the Gambia, UNICEF and the Education Above All (EAA) Foundation launched a major project to ensure that every primary school-age child in The Gambia is in school, enabling 66,765 out of school children and adolescents to have access to quality primary education.

The three-year project was implemented across the country by the Ministry of Basic and Secondary Education, Child Fund the Gambia and the Education for All Campaign Network (EFANET), in close coordination with UNICEF and the Education Above All, Foundation's Educate a Child (EAC) program with support from the Qatar Fund for Development (QFFD).

The *Zero Out of School Children in The Gambia* project, the latest to join EAA's *Zero OOSC Educate Every Child* initiative, will also ensure that adolescents who missed primary school have another opportunity to return to school through non-formal alternative learning.

The Female Teacher Recruitment Drive was introduced, which is annually conducted to encourage young women who completed secondary school to be enrolled into Gambia College either for the Primary Teachers Certificate (PTC) or Higher Teacher Certificate (HTC).

In partnership with the Ministry of Basic and Secondary Education the Promoting Rights in Schools initiative is being implemented as a collaborative approach between Action Aid the Gambia and a consortium of NGOs working in the area of education. The project aims at improving the quality of public education and retention of girls in schools by actively engaging parents, children, teachers, unions, communities and local civil society organizations to collectively monitor and assist in improving the quality of public education.

The Ministry of Basic and Secondary Education in partnership with FAWEGAM and with support from UNICEF has set up 275 Mothers Clubs in all six regions in The Gambia with seed money of D6000 per club. The women are empowered to monitor the schools, support the school feeding programs and advocate for girls' education. They also provide guidance and counselling services to students and work closely with the schools to make sure the girls are retained and not removed from school for marriage. Where this happens, they intervene to stop the marriage for the retention of the girl in school.

The Ministry of Basic and Secondary Education in an effort to increase enrolment has established a Conditional Cash Transfer (CCT) with ISRA. The program is for Children in the Majalis to enrolled in the program with a plan to roll out to the remaining facilities. The primary objective is to give children opportunity to have basic literacy and numeracy skills to continue their education in the conventional setting after completing their quranic education. Currently, there are close to 5000 children supported in 62 facilities. This intervention is supported by UNICEF and other development partners. A new initiative Zero-Out-Of-School project with the objective to increase NER is going on.

Furthermore, FAWEGAM in collaboration with the Ministry of Basic and Secondary Education formed eight Tuseme ("Let's speak out") clubs in different schools. The student members of the clubs are empowered to identify their social and academic problems and how to deal with them. They use drama and theatre to express themselves. The initiative has proven to be a great asset in supporting children especially girls to stay in school and to reduce teenage pregnancy.

The Department of Social Welfare in collaboration with FAWEGAM and in partnership with ActionAid International the Gambia also conducted rapid assessment on early/forced marriage in four regions of the country Central River Region (CRR), Upper River Region (URR), West Coast Region (WCR) and Kanifing Municipality (KMC)). The study is meant to determine the situation of early/forced marriage in The Gambia and inform policy makers on the way forward to mitigate the situation in order to prevent early marriage and ensure girls' retention in schools.

A Trust Fund had been set up by the presidency for girls' education which over years had provided scholarships for thousands of girls to pursue further education up to tertiary level. The special scholarship scheme for girl's education has provided the opportunity for more girls to go to school and continue up to tertiary level. One of the main challenges facing the education sector is improving relevance and quality education at all levels.

The Gambia Government had ambitious goals for the second phase of its Education Program (2004-2015), focusing on expanding access and improving the quality of education, especially for girls. Enrolment rates at the primary, lower basic and secondary levels, especially for girls in rural areas, rose considerably. In 1995-6 the enrolment rate for girls in Lower Basic was 55%; by 2005-6, this had risen to 80%. If madrassas were included, the rate would be 93% for the year.

Various initiatives have worked to increase girls' enrolment: Girl friendly schools, Mothers' Clubs, and so on. With the support of the World Bank, UNICEF, the President's Girls Empowerment Program, and other sponsors, made education free for all girls in all regions.

The CCT program has also registered significant number of girls from the 12 Majalis centers. Some of the girls have now been enrolled in convention school. An end of project phase evaluation was very impressive indicating the expansion of the program, thus an increase to 17 and 25 Majalis centers and scaling up to a program in the 2016 – 2030 Education Policy. **Early Childhood Development**

In the area of early childhood development (ECD) The Gambia has adopted an integrated approach: nutrition, health, and education in a minimum package. Operational guidelines for ECD have been reviewed, a database established, and the ECD training program enhanced.

As the following table shows, the percentage of children attending early childhood school remains low, particularly in rural areas. Affordability poses a major constraint for poorer households, where traditional practices such as leaving children with relatives or having children accompany their mothers to farms or other workplaces still dominate. However, the government's Education Policy (2004-2015) acknowledges the important of the early years and includes early childhood care and development as part of the basic education cycle.

The National ECD Policy Framework 2009–2015 aims to promote the holistic development of all children 0-6 years regardless of their creed, ethnicity, special needs and gender through the provision of all the support for children, families and communities need to promote children's development. The ECD Policy will be financed through Government funds and support from development partners.

Unlike the conventional and Madrassa settings, a good number of ECD aged children in the Majalis have no related ECD intervention when compared to other countries a system has been developed to have related ECD programs for all children paving way for early stimulation and school readiness.

In implementing the National Early Childhood Development Policy, the Ministry of Basic and Secondary Education developed the Early Childhood Development (ECD) Curriculum and training program which is incorporated into the Teacher Training College's Curriculum. Moreover, it adopted the following measures.

In partnership with private sector, missions and madrassa (Arabic Schools) operators established 1,015 ECD centers across the country and recruited 2,563 ECD facilitators working at the centers.

Institutional strengthening program for Early Childhood Development (ECD).

Improvement of existing/contextual services for ECD.

Supply of resources to ECD centers.

Building and strengthening partnership with NGOs operating ECD centers.

Strengthen monitoring and evaluation of ECD program and services.

Increased access to comprehensive early childhood development by at least 50% in 2015.

Increased funding to support the implementation of the community-based project according to the National Integrated ECD Policy Framework 2009-2015.

Adoption of an experimental design for the project.

Progress

Through the implementation of the National ECD Policy the Government has realized the following progress:

Increased access to ECD Centers;

- a) Reduction in number of dropouts and repetition in early grades of lower basic schools;
- b) Improved teacher quality due to training of ECD facilitators;
- c) Private sector involvement in ECD facilitators training;
- d) Improved toilet facilities in ECD centers;
- e) Provision of teaching learning materials and play mats to ECD centers;
- f) Inclusion of ECD data in the Education Management Information System (EMIS)

ISRA was among the literacy providers that benefitted from some of the interventions of the Unit. The related income generation program was also useful as it enabled the community to develop a supportive mechanism for their community.

Inclusive Education

The Government of the Gambia recognizes and upholds the right to quality education for all. As part of its commitment to integrate children with special needs into the education system, the Government has made special education an integral part of the basic education program.

Government education policy aims to increase access and opportunities for special learners to maximize their potential for self-development and employment. In the Greater Banjul area, three special schools serve children with severe visual impairments, hearing impairments, speech disorders and learning difficulties. Students with less severe disabilities are mainstreamed into basic and secondary schools. In schools where these students are integrated, teachers have been trained in the special skills needed to include them.

The Government addresses issues of both access and quality. Students with learning difficulties, for example, are provided with bus service to enable them to attend school regularly. Those with auditory difficulties in both urban and rural settings have access to a mobile audiology test facility.

It is difficult to pin down the number of children affected by HIV/AIDS. However, Government has developed a response to the pandemic to ensure that both teachers and pupils either infected or affected are provided for accordingly.

The Ministry of Basic and Secondary Education has a non-discriminatory policy vis-à-vis access to quality education and has worked to create an environment conducive to increasing the demand for education. School girls who become pregnant can be reabsorbed into the school system without hindrance. In short, Government policy is tied to inclusive education.

An area where the education system had not made significant inroads is the Majalis (Quranic/Arabic education) system. The Majalis is an informal “school” for Muslims, and learners in such centers are taught to memorize the Holy Quran in addition to other Islamic teachings. The methods employed are purely traditional, and the system is more pronounced in the rural area. Learners in such schools or centers often work for their “teachers” or custodians and may be sent out to beg on the streets. Admittedly, it has been difficult to enroll these learners in conventional schools, and, therefore, children who form part of this system may be considered to be “missing in education.” The Government has attempted to bring these schools into the educational system by synchronizing the curricula, posting English teachers to bring up the standard, and otherwise working with the madrassa systems.

Cognizant of these fundamental rights of children, the Government of The Gambia, through MoBSE, has made basic and secondary education accessible and affordable in The Gambia.

This enables the majority of children to enjoy their rights to education. However, with a Gross Enrolment Ratio (GER) of about 92² percent, it is believed that some of the remaining 8 per

cent of school going age children, outside the formal school system (including Madarassa), are attending the Majalis.

It has been difficult to enroll or record this category of children and therefore they may be considered as "missing children" in the formal school setup. This problem necessitated MoBSE to focus its policy direction on these children so that they can also benefit from functional literacy and numeracy. To this end, MoBSE and the Institute for Social Reformation and Action (ISRA) commenced the Conditional Cash Transfer (CCT) pilot project designed to provide basic literacy and numeracy to children in 12 Majalis across the country.

The Conditional Cash Transfer (CCT) Programme to Majalis is a joined initiative by Ministry of Basic and Secondary Education (MoBSE) and the Institute for Social Reformation and Action (ISRA). The CCT program was launched in 2012 following the signing of a Memorandum of Understanding (MoU) between ISRA and MoBSE.

The Support to Majalis Project (SMP) with funding from JOAC on the other hand began implementation in 2013 following the approval of a funding proposal prepared by the Child Protection Alliance (CPA) and ISRA. The project benefited from funding to the amount of Ninety-Nine Thousand Eight Hundred- and Five-Pound Sterling (£99,805) from the Jersey Overseas Aid Commission (JOAC) through Child Hope UK tagged the Support to Majalis Project.

The formulation of the Conditional Cash Transfer program followed a consultative process during which various stakeholders were consulted resulting in the engagement of the Institute for Social Reformation and Action (ISRA) to be the main implementing partner of the program. This was based on the fact that ISRA has had a long-standing record in dealing with the issues of "Majalis" education with particular emphasis on protecting the "Talibehs" and advocating for the abolition of street begging by the "Talibehs". The Memorandum of Understanding (MoU) between the Ministry of Basic and Secondary Education (MoBSE) and ISRA was well defined and has significantly contributed to the smooth operations of the program. While the Conditional Cash Transfer and literacy class's components funded by MoBSE is part of a program with the intention to scale it up to other Majalis, the Support to Majalis Project was planned and implemented within one year as a pilot whose results could be used for future funding.

This initiative aims to remove the existing barriers impeding the attainment of Education for All Goals and the Education Policy Goal of reaching 100% enrolment rate by 2015. The long term goal of the program is to enhance the effective participation of children in Majalis education system in the national development process through the acquisition of basic literacy, numeracy, life and livelihood skills.

Measures to provide quality Education

The National Assessment Test (NAT), administered in grades 3 and 5, measures learning achievements in the core subjects including mathematics, English language, social and environmental studies. The findings show that in all subjects at least 90% of students did not reach the mastery level of 73%. These results indicate that more progress must be made in improving the effectiveness or quality of education being offered.

As a step in that direction, Learning Achievement Targets (LAT) are now available for grades 1-6. These are benchmarking that student are expected at a certain grade level and are to be aligned with a new curriculum produced by the Curriculum Directorate for grades 1-4. Core subjects comprise English, math, and integrated studies. The subject area coordinator is primarily responsible for curriculum design, but a panel of senior teachers provides input on content and methodology.

Student teacher ratio reaches very high levels in some areas. To meet the demand for more teachers, the Gambia Teacher Training College has significantly enhanced its intake of students over the past five years, resulting in an increase of 1,024 qualified teachers with a Primary Teacher's Certificate and 1,034 with a Higher Teacher's Certificate. Higher Teacher's Certificate holders have been offered additional training to the degree level, with these graduates returning to basic schools and management positions in the Department of State for Education to enhance the quality of teaching and learning in the system.

The Gambia was awarded a grant of US\$ 4 million in 2005 under the Education for All/Fast Track Initiative. This fund was utilized, among other things, to help strengthen teaching and learning in schools through the provision of sufficient educational materials, and the establishment of a comprehensive structure of cluster and school-based monitoring of teaching and learning. Based on the evident impact of the 2005 Fast Track Initiative intervention, additional disbursement of US\$ 3.6 million was given to the education sector in 2006 targeted toward classroom construction and rehabilitation, gender mainstreaming, quality of teaching and learning, and institutional strengthening.

The World Food Program provides financial support to the School Feeding Program by supplying two nutritious meals to 60,000 children every school day. The effect so far has been positive, with enrolments higher in areas where the Program operates.

The Women's Bureau and its Partners continue to advocate for increased enrolment of the girl child in school. This has significantly contributed to the attainment of gender parity at the lower basic level. However, the gap between boys and girls at secondary school remains wide. Some of the efforts put in place by Government to enhance enrolment of girls are: the

introduction of free education for girls, the Remedial Initiative for Female Teachers, Program at The Gambia College.

Another significant milestone in the education sector is the establishment of the Gender Unit and Mother Clubs, initiatives put in place to enhance girl's enrolment and retention and most importantly, ensure effective mainstreaming of gender issues in the Education Policy.

Leisure, recreation and cultural activities; (Article 12)

The Children's Act 2005 establishes in Part II, section 16, that: "A child has the right to participate in sports, or in positive cultural and artistic activities or other leisure activities." All schools are required to have adequate recreational facilities (playgrounds) for pupils to engage in sports or other leisure activities.

National Assembly members receiving training on child-friendly budgeting identified the Department of State for Youth, Sport and Religious Affairs as one in need of a larger allocation, in order to reach and provide positive activities for the country's increasing number of young people.

The Gambia Tourism Board in collaboration with the Child Protection Alliance and the Department of Social Welfare had over the years held series of workshops, seminars and other forms of bringing stakeholders together with the view to closely look at the existing policies such as the Children's Act, Tourism Offences Act 2003/2011 in the implementation processes. A comprehensive Child Protection Blue Print has been developed by the Department of Social Welfare in collaboration with CPA, UNICEF, GTBOARD with other stakeholder's input.

Challenges

The scaling up of the Literacy and Numeracy program after a decade is still slow and not impressive at the current rate with almost 300 Majalis not reached (ISRA 2013/14 Scoping survey).

The informal adoption system is not regulated although it accounts the highest number of children being adopted by relatives.

Challenges in the CCT program, include the unavailability of skills training for youth who are not interested in continuing their education after their Quranic education in the Majalis.

Vulnerable children especially in residential facilities need all forms of support, the recently concluded profiling of such facilities will provide the required information for national planning and budgeting to address some of their needs. Once validated it will also enable program interventions by region and preferred forms of support and types.

1. **Access to WASH:** Despite the need to increase access and improve physical environment, provision of Water, Sanitation and Health (WASH) remains a challenge in the Majalis.
2. **Enhancing ECD provision to the Majalis:** The CCT intervention in the Majalis is meant to provide basic Literacy and Numeracy to children and youth. An ECD provision for younger infants on root to any forms of education would have been the best option to start early stimulation.
3. **Promoting Inclusion for all children:** Access to education was meant to be inclusive, the despite their limited funding children with disabilities in the Majalis do not have any form of assessment and related interventions to promote access to education.
4. **Recognition of Majalis education:** Recognition of Majalis education as a formal system of education in The Gambia has been a challenge. With funding from UNICEF, ISRA supported The Association of Majalis Operators in The Gambia (AOGM) becoming the first and only registered body in 202 working directly with children and Marabouts in the Majalis.