

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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THE GAMBIA: SOME WELCOME COMMITMENTS BUT PROGRESS NEEDED IN KEY AREAS

HUMAN RIGHTS COUNCIL ADOPTS UNIVERSAL PERIODIC REVIEW OUTCOME ON THE GAMBIA

Amnesty International welcomes Gambia's acceptance of a range of recommendations, particularly those urging the ratification of the Optional Protocol to the Convention against Torture, the abolition of the death penalty, those aimed at preventing excessive use of force by law enforcement agencies and at ensuring that alleged perpetrators of grave human rights violations do not benefit from any special amnesty law.

Gambia's support for some 15 recommendations¹ aimed at the defence and promotion of freedom of expression, including the repeal of all laws that unduly restrict freedom of expression, is an important statement of intent and would, if implemented, go a long way to improve enjoyment of this right. However, recent events in The Gambia such as the 25 January 2020 crackdown on protesters, including the use of excessive force by security forces, call the seriousness of that intent into question.²

Further encouraging signs are the acceptance of recommendations relating to the protection and promotion of women's rights³ although we regret the rejection of recommendations calling for the decriminalization of abortion in all circumstances, and the provision of safe and legal abortion services and post abortion care⁴. This is a significant and disappointing step backwards for women's right in The Gambia.

We also deeply regret the rejection of all recommendations to decriminalize homosexuality and to combat discrimination against LGBTI persons.⁵ Such a position can only increase their vulnerability and places them at risk of attacks and harassment. We urge Gambia to reconsider its position on these recommendations.

¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review – The Gambia, UN Doc. A/HRC/WG.6/34/L.3, Recommendations 6.28 (The Netherlands), 6.31-6.33 (Namibia, Iceland and Saint Kitts and Nevis), 6.38 (Sierra Leone), 6.44 (United Kingdom of Great Britain and Northern Ireland), 6.49-6.5 (Belgium and Brazil), 6.52-6.53 (Canada and Chile), 6.57-6.60 (Denmark, Ireland, France and Germany)

² Amnesty International, Gambia: Mass arrests risk fuelling tensions, 27 January 2020, <https://www.amnesty.org/en/latest/news/2020/01/gambia-mass-arrests-risk-fuelling-tensions/>

³ A/HRC/WG.6/34/L.3, Recommendations 6.8- 6.9 (Mali and Nigeria), 6.34 (Serbia) 6.72 (China), 6.74- 6.84 (Honduras, Pakistan, South Africa, Spain, Tunisia, Uruguay, Plurinational State of Bolivia, Cuba, Myanmar, Bahamas and Australia), 6.126 (Denmark), 6.139- 6.143 (Timor- Leste, United Kingdom of Great Britain and Northern Ireland, Bangladesh, Italy and Djibouti) 6.186- 6.197 (Mauritius, Morocco, State of Palestine, Ukraine, Canada, Congo, Egypt, Nepal, Iceland, Rwanda, Sierra Leone and Iraq)

⁴ A/HRC/WG.6/34/L.3, Recommendation 7.2 (Iceland)

⁵ A/HRC/WG.6/34/L.3, Recommendations 7.1 (Iceland) and 7.5- 7.15 (Myanmar, The Netherlands, Spain, Argentina, Australia, Canada, Chile, Croatia, France, Germany and Italy)

Amnesty International looks to the government to fully implement the accepted recommendations, including by enacting necessary legislation. We encourage the Gambian government to continue to work with civil society organisations in this regard.

BACKGROUND

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of The Gambia on 12 March 2020 during its 43rd session. This is Amnesty International's statement on the outcome prior to the adoption of the report of the review. The statement was not delivered in the session as the organization took the decision to protect its staff from the COVID 19 pandemic and to ensure it actively contributes to minimizing spread of the virus. Amnesty International also contributed [suggested recommendations on The Gambia](#) to states to inform their preparation for the UPR review through its submission on The Gambia.