



# **NATIONAL GENDER ANALYSIS**

## **FOR THE GAMBIA**

**JUNE 2022**

**PREPARED BY:**

Prof Cheluchi Onyemelukwe  
(International Consultant)

Ms Matida Komma (National Consultant)



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# ABBREVIATION

<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>DHS</b>	Demographic and Health Survey
<b>FGM</b>	Female Genital Mutilation
<b>GBoS</b>	Gambia Bureau of Statistics
<b>GBV</b>	Gender-Based Violence
<b>G&amp;EWE</b>	Gender Equality Women and Empowerment
<b>GFD</b>	The Gambia Federation of The Disabled
<b>GII</b>	Gender Inequality Index
<b>GPPA</b>	Gambia Public Procurement Authority
<b>HDI</b>	Human Development Index
<b>ICPD</b>	International Conference on Population and Development
<b>KII</b>	Key Informant Interview
<b>MICS</b>	Multiple Indicator Cluster Surveys
<b>MWCSW</b>	Ministry of Women, Children, and Social Welfare
<b>NDP</b>	National Development Plan
<b>OECD</b>	Organisation of Economic Development
<b>SDGs</b>	Sustainable Development Goals
<b>SGBV</b>	Sexual and Gender Based Violence
<b>SRH</b>	Sexual and Reproductive Health
<b>UNCT</b>	United Nations Country Team
<b>UNFCCC</b>	UN Framework Convention on Climate Change
<b>UNFPA</b>	United Nations Population Fund Agency

# EXECUTIVE SUMMARY

The Global Gender Gap Report 2022 ranks The Gambia 121 out of the 146 countries, indicating a wide gender gap. The Gambia is signatory to several international Conventions, agreements and declarations which are directly relevant to the implementation of the Beijing Declaration, in particular the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol, amongst several international, continental and regional instruments. In a bid to align national laws and policies to these commitments, several policies and laws have been formulated towards promoting gender equality and equity.

This Report aims to provide a National Gender Analysis for The Gambia which effectively articulates the challenges of gender equality in the country. The National Gender Analysis provides key information that recognizes on gender and its relationship with different thematic areas operating in economic, social and legal structures. The analysis also examines the policy and legal environment and its capacity to engender gender equality and women's empowerment, gender differentials across selected indicators. To undertake the analysis, the Report examines gender equality across several key thematic areas: the legal and policy context; poverty and inequality; female inheritance rights; employment and enterprise; peace and security; health; education; gender-based violence; digitalisation; agriculture; climate change and environment; gender-responsive budgeting in national annual budgets; and inclusion and intersectionality. Socio-cultural norms which underpin gender is a cross-cutting issue which has an impact on all the thematic areas. Based on a wide-ranging desk review, and qualitative research, this report provides evidence on women's rights and empowerment in the country and makes recommendations for the improvement of gender equality in The Gambia.

The Report highlights several key findings. Over time, efforts have been made in improving the gender gap through law and policy. However, while the legal framework,

including the Constitution and the Women's Act, provides a foundation for gender equality, there are still many gaps. The Constitution, although emphasising the equality of all genders before the law, subjects the fundamental freedom from discrimination to other types of law. However, amendments made to the legislation such as the Women's Act and the Children's Act, point out government commitment towards equality. All respondents of the study noted more efforts need to be made in the implementation of the legislation. These responses are supported by evidence of women's experience across several areas, including in gender-based violence, representation in the formal workforce, political participation, amongst other areas.

Gender norms were found to permeate every aspect of life and be the basis for the continuing inequalities that women and girls face in The Gambia. Findings from the qualitative study emphasized that socio-cultural norms that place men above women are enduring and strongly rooted. Women's political participation remains extremely low, despite some legislative improvements and efforts undertaken. The trend in women's political participation suggests a lack of improvement, rather some regression, based on the data from elections over the past few years.

Additionally, women are more likely to be in informal employment, where remuneration is generally lower than in formal employment and where there is more limited social protection. Moreover, women in The Gambia are heterogeneous, with different characteristics, and may experience varying levels of inequality depending on other vulnerabilities. The Report investigates the intersectional impacts of gender on disability, the elderly, and internal displacement. The Gambia has a high level of poverty, with a very low Human Development Index. Women are, in general, the poorer gender in the country. This is linked to several factors including lower level of education attainment, lesser labour participation in the formal sector, and less access to financial resources as more women work in the informal sector, and limited access to

health care which is also a factor in poverty. Women's poverty is also rooted in discrimination and gender norms that prevent women from working in different industries. Thus, health, education, employment are intricately linked to gender, and efforts to address issues in one of these thematic areas will have significant impacts on others.

Women's enterprise faces several challenges including access to financing and limited participation in government procurement. Efforts such as the Women Enterprise Fund, and reviews of procurement policies (though still ongoing) indicate some attention to the challenges, but considerably more commitment and efforts are needed to boost women's enterprise. In the formal workforce, few women are in managerial positions. Very little information could be obtained on gender and board diversity in corporate entities, indicating the need for deeper consideration of the role of women in large scale businesses and more research.

Health has many gendered aspects, with universal health coverage still work in progress. Sexual and reproductive health presents many challenges with high prevalence of teenage pregnancies, limited uptake of contraceptives, and a high maternal mortality rate. Household expenditure on health is often catastrophic, and access to healthcare is fraught with difficulty especially for women for both financial and accessibility reasons. Although contraception rates and delivery by skilled birth attendants are increasing with regional variations, improved investments are required to address the high maternal mortality rate.

Gender-Based Violence (GBV) is significantly high, with FGM at 73 per cent (Demographic Health Survey 2020) of all women and girls aged 15-49. With the COVID-19 pandemic, the incidence of GBV increased inordinately as was the case in many countries around the world. Intimate partner violence or domestic violence, rape and sexual assault also have significant prevalence and highlight a persisting problem that affects women and girls disproportionately. The legal framework for gender-based violence has seen significant improvement over recent years, but it is clear that there must be improvements in implementation.

Additionally, the Report applies the gender lens to climate change, migration, and digitalization.

The trends show significant improvements in gender equality over the past five years across different areas, for example, in the areas of maternal mortality, primary school completion rates for girls and female participation in the formal workforce. However, they have remained about the same in a few others, such as with gender-based violence, in particular FGM and child marriage. In other areas, the trend shows a downward trend, such as in political participation. In total, while there are improvements across many thematic areas, they are not hugely significant as shown by the graph and table below. This suggests that the interventions and programmes implemented by government and other partners have supported improvements. However, there is still much room for progress.

The Report makes several recommendations to improve gender equality in each of the thematic areas, and to support interventions towards gender equality and women empowerment in The Gambia. Amongst other recommendations, the report suggests review of existing programmes to identify good practices, for implementation in other areas. It also recommends the leveraging of existing programmes to address other areas, and the uptake of social media for messaging across several issues including gender-based violence sensitization and awareness but also financial literacy and inclusion. Another recommendation is the need for research in several areas where information is currently limited, for example, a gender analysis of female aging in The Gambia. The COVID-19 pandemic has affected The Gambia adversely, with impacts that will last for years to come. It has led to over 12,000 deaths.<sup>1</sup> From a gender perspective, it also exacerbated gender inequality across several areas of life including increased rates of gender-based violence, unemployment which disproportionately affects women, amongst others. Its impacts are likely to be felt for a long time. Lessons from the pandemic, such as putting in place emergency helplines and services for survivors of gender-based violence, must be identified and applied to gender equality interventions.

# 1 INTRODUCTION

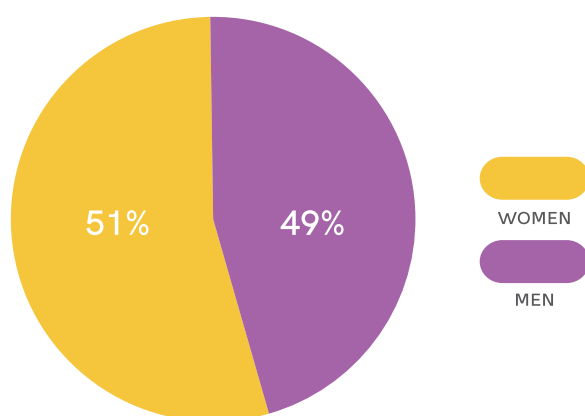
## 1.1 CONTEXT

The Gambia is a low-income country<sup>2</sup> in Sub-Saharan Africa with a population of about 2,520,148.00 (Two Million Five Hundred and Twenty Thousand, One Hundred and Forty-Eight).<sup>3</sup> It is the smallest country on mainland Africa with 10,690 sq km in area. The Gambia is made up of several ethnic groups including the Madinka, Fula, Serahuli, Wolof, Jola and Majango. It is predominantly Muslim, but there is a small Christian population and other religions.<sup>4</sup> The Constitution of the Gambia however declares it to be a secular country.<sup>5</sup> The country is a constitutional democracy. It is led by a president and a unicameral legislative body. After many years of being under a dictatorship, the country has since 2016 been on a trajectory of stability, with regular elections. It is currently undergoing a

peacebuilding process to help enhance trust and social cohesion. The government has made commitments to gender equality.

About fifty per cent of the population is female (50.85%) while the male population is estimated at 49.15%.<sup>6</sup> Despite this near equality in population, gender disparity is apparent in many aspects of life in The Gambia, induced by a mix of social, cultural and institutional factors. The Global Gender Gap Report 2022, which measures several key variables including poverty, education, health and political participation, ranks The Gambia 121 out of 146 countries.<sup>7</sup> The 2019 Gender Inequality Index (GII)<sup>8</sup> gives The Gambia a GII value of 0.612, ranking it 148 out of 162 countries in the 2019 Human Development Index (HDI).<sup>9</sup>

### GENDER PROPORTION IN THE GAMBIA



The country has committed to international, continental and regional instruments. Various provisions of the Constitution of The Gambia support gender equality as do several pieces of legislation. The government has also articulated its commitments to gender equality in

several policies. The National Development Plan (2018-2021) articulates eight priorities which are complemented by seven cross-cutting enablers. One of these enablers is “Empowering the Gambian Woman to realize her full potential.”<sup>10</sup> Following the return to a democratic dispensation, a restructuring of ministries has seen the creation of a Ministry for Women, Children and Social Welfare in 2019. The Ministry is composed of 3 directorates: the Women’s Bureau, the Children’s Directorate and the Department of Social Welfare, with the goal of strengthening

2. The Least Developed Country (LDC) Report for The Gambia, 2019.  
3. Worldometer (2021). Gambia Population: Live. Accessed via <https://www.worldometers.info/world-population/gambia-population/>  
4. BTI, BTI 2022 Country Report: Gambia, online: <BTI 2022 (bti-project.org)>  
5. Constitution of the Gambia, 1997 as amended.  
6. Aaron O'Neill “Total Population of the Gambia 2020, by the gender. Accessed via <https://www.statista.com/statistics/967843/total-population-of-gambia-by-gender/>  
7. World Economic Forum, Global Gender Gap Report 2022, online: WEF. GGGR\_2022.pdf (weforum.org). It measures Measuring key indicators include Economic Participation and Opportunity, Educational Attainment, Health and Survival, and Political Empowerment.  
8. Which measures women’s reproductive health, empowerment, and economic activity.  
9. The Next Frontier: Human Development and the Anthropocene Briefing note for countries on the 2020 Human Development Report Gambia, Human Development Report, 2020, online: <GMB.pdf (undp.org)>  
10. The Gambia National Development Plan (2018-2021)



protections for women, children and persons with disabilities. <sup>11</sup>

Despite an existing legal framework, relevant policies, reformed institutional structures, and women empowerment initiatives aimed at addressing gender gaps, significant disparities continue to exist in The Gambia. Women mostly continue to be significantly affected by poverty and unemployment. The National Development Plan (2018-2021) also notes that “While significant steps have been taken for the empowerment of women through several legislative acts, as well as vigorous efforts to ensure gender parity in primary education, the welfare of the Gambian women continues to lag significantly behind that of men.” <sup>12</sup>

Further, women and girls also continue to be disproportionately affected by gender-based violence, including female genital mutilation (FGM) and child marriage. Gains in gender equality and women’s empowerment have largely been curtailed by the patriarchal nature of Gambian society characterized by male dominance and other sociocultural factors that influence gender roles and socialization

in general. There is still a significant rate of child marriage: about one in five young women age 15-19 (19%) are currently in union, compared with less than 1% of men in the same age group. <sup>13</sup> Intimate partner violence is also a challenge with about 10% of women aged 15-49 years reporting in 2018 that they had been subject to physical and/or sexual violence by a current or former intimate partner in the previous 12 months. There is a high prevalence of female genital mutilation, with 73 per cent of all women aged 15-49. In terms of health, The Gambia has a relatively high maternal mortality ratio 556/100, 000 live births, with Infant Mortality Rate at 75/1,000. <sup>14</sup> Few women occupy key leadership and political positions, including in the cabinet and the parliament. The same is the case and holding high level positions within public and private sectors only 8.6% of seats in parliament were held by women in 2021. The concomitant gender inequalities have an adverse impact on the participation of women in decision making as it relates to national development processes. These disparities and inequalities also deter women and girls from realizing their full potential.

INDICES VS RANK OUT	2006 RANK (OUT OF 115 COUNTRIES)	2022 RANK (OUT OF 146 COUNTRIES)	PROPORTIONAL COMPARISON EVOLUTION INDEX (2022 RESULTS OUT OF NUMBER COUNTRIES IN 2006 RANK)**
Global Gender Gap Index	80	121 out of 146	101/146
Economic participation and opportunity	25	109	31/146
Educational attainment	106	132	134/146
Health and survival	64	86	81/146
Political empowerment	55	115	69/146

**Source: WEF (2006 &2022). Global Gender Gap Report<sup>15</sup>**

\*\* this comparison shows that between 2006 and 2022, the overall ranking of The Gambia has decreased over the years.



11. Key Informant Interview, Ministry of Women Affairs.  
12. Ibid at 16.  
13. The Gambia: Demographic and Health Survey, 2019-2020 (2021), at 62.  
14. The Gambia: Demographic and Health Survey, 2019-2020 (2021), at 62  
15. The 2006 Global Gender Gap Index of 2006 ranked 115 countries.

## 1.2 PURPOSE









The National Gender Analysis is a comprehensive gender analysis of the country covering all regions and the situation of women and men in the country. It provides specific realities on the lives of women and men that go beyond sex-disaggregation to capture specific gender issues and drivers of inequality. It provides data and analyses on differences between women and men in their assigned gender roles: in their socio-economic positions, needs, participation rates, access to resources, control of assets, decision making powers, individual freedoms, and human rights conditions. The Gender Analysis provides an understanding of the gender inequalities in The Gambia and its causes, how it intersects with other inequalities, how it impacts on human rights, access to development efforts as well as an understanding of governments' commitment and capacity to work on Gender Equality Women and Empowerment issues (GEWE).

The national gender analysis provides a summative view of gender in The Gambia along key thematic areas including: Poverty and Economic Inequality, Enterprise and Employment, Gender Based Violence, Education and Health, Political Participation, Peace and Security, Climate Change and Environment, Technology and Digitalisation, and Inclusion and Intersectionality. The analysis includes examination of the existing policy and legislative framework, governmental as well as non-governmental measures and actions to foster gender equality, and an examination of key obstacles to establishing gender equality in the country. Specific issues related to discriminatory social norms and attitudes and harmful practices and how they play out within communities and their impact on gender dynamics as a whole in the Gambia are also critical to understanding gender equality in the country.

## 1.3 OBJECTIVES

-  To provide an understanding of government commitment to gender equality as encapsulated in international agreements ratified by the government;
-  To examine the existing legal and normative framework protecting the rights of women and girls and the legal issues

relating to gender equality including but not limited to voting rights, rights to inheritance and credit opportunities, rights to divorce and child custody;

-  To examine existing national and sub-national policies on women, including gender budgeting and other social safety nets;
-  To determine policy frameworks, budget preparations, programming and project design;
-  To investigate service delivery structures to determine how and if they reflect gender balance in their membership and management;
-  To determine to what extent policy and legal provisions on gender equality are mainstreamed and implemented, paying attention to gender intersectionality and undertaking an examination of how variables such as disability, social status and age also undermine women's rights;
-  To understand gender equality challenges and opportunities in society, including access to decision-making positions, distribution of resources and power etc.;
-  To provide clarity on existing social norms and stereotypical practices which may be discriminatory;
-  To provide an analysis of the impact of gender inequalities on society, and how different layers of inequality intersect, as a basis for high-impact and high-quality sustainable programming; and
-  Provide recommendations for more effective gender mainstreaming across different areas of life including economics, politics and decision-making and overall wellbeing.

## 1.4 METHODOLOGY

This study utilised the qualitative method. The qualitative method involved a comprehensive desk review of existing literature and research studies, Key Informant Interviews (KIIs), and Focus Group Discussions (FGDs). This provided relevant primary data on the status of gender relations, norms and values

and strategies to achieve gender equality. The study covered 30 KIs with respondents drawn from International Organizations, NGOs, government institutions, Civil Society Organizations (CSOs) and other organizations working with gender/cross cutting areas.

Focus group discussions were held with grassroots organizations, households, minority groups and other stakeholders to ensure that local perspectives per context were reflected in the profile. One FGD was conducted in selected Local Government of The Gambia. A total of 12 (Twelve) FGDs were conducted.



## 2.1 LEGAL FRAMEWORK

The legal framework provides the foundation for all actions where the rule of law is operative. The Gambia is signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the African Charter on Human and Peoples Rights, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the Convention on the Rights of the Child, the African Union Solemn Declaration on Gender Equality in

Africa, amongst several international, continental and regional instruments. It has also pledged to the United Nations 2030 Agenda for Sustainable Development . With all these instruments, The Gambia has shown commitment to ensure and enforce gender equality and the human rights of women and girls. However, only some aspects of these international instruments have been domesticated into the Gambian law as discussed below.<sup>16</sup>

## Tables

Summary of the Legal Framework of the Gambia at International, Regional and National level

GLOBAL/REGIONAL TREATIES	GENDER SPECIFIC LEGISLATION AND POLICIES AT NATIONAL LEVEL	CROSS CUTTING LEGISLATIONS
<ul style="list-style-type: none"> <li>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</li> <li>Protocol to the African Charter on Human and People's Rights on the Rights of Women.</li> </ul>	<ul style="list-style-type: none"> <li>Sexual Offence Act</li> <li>Domestic Violence Act.</li> <li>Trafficking in Persons Act.</li> <li>Women Act, 2010 as amended</li> <li>Sexual Violence Act</li> </ul>	<ul style="list-style-type: none"> <li>Children (Amendment) Act, 2016</li> <li>The 1997 Constitution</li> </ul>

Outside of international law, the domestic legal context in The Gambia is pluralistic, with sources of law drawing from the Constitution, legislation, the common law, customary and Sharia law.<sup>17</sup> The Constitution is the supreme law of the land. All other law is subordinate to the Constitution and all other laws which are inconsistent with the provisions of

the Constitution is void.<sup>18</sup> Gender is well recognized as a key matter in the Constitution. The Constitution in the Preamble acknowledges that:

16. See Satang Nabaneh, "The Impact of the African Charter and the Maputo Protocol in The Gambia" in The impact of the African Charter and Maputo Protocol in selected African States (Pretoria University Law Press, 2016).

17. The Constitution of The Gambia, Section 7.

18. The Constitution of The Gambia, Section 4.



The fundamental rights and freedoms enshrined in this Constitution will ensure for all time respect for and observance of human rights and fundamental freedoms for all, without distinction as to ethnic considerations, gender, language and religion.

Furthermore, it recognizes specifically the rights of women and emphasizes gender equality, noting that: “Women shall be accorded full and equal dignity of the person with men. Women shall have the right to equal treatment with men, including equal opportunities in political, economic and social activities.”<sup>19</sup>

Additionally, the Constitution declares succinctly that all persons are equal before the law.<sup>20</sup> This declaration is reflected in provisions on the citizenship that entitle both women and men to confer citizenship on children, and on spouses.<sup>21</sup> It is also reflected in provisions outlawing discrimination: It prohibits discriminatory law or any law whose provisions have the effect of being discriminatory and discrimination on the grounds of gender,<sup>22</sup> and the discriminatory treatment by any public official.<sup>23</sup> It defines discrimination to mean being treated differently on the basis of several grounds including gender and disabilities.<sup>24</sup> However, the provisions on discrimination exclude certain matters with respect to personal law: adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law,<sup>25</sup> and similar provisions are made with respect to customary law. This introduces an internal conflict between the laws: legislation may not be discriminatory but personal law and customary law may be discriminatory in application. This is also problematic as there are discriminatory practices in these areas, especially with regard to family, inheritance and property law,<sup>26</sup> all of which negate gender equality. The Constitution also provides that customary and religious legal regimes are an integral part of the civil legal system, and in matters of marriage, divorce and inheritance, courts under these regimes have jurisdiction to apply the Sharia law.<sup>27</sup> Several laws are also made subject to personal law such as the Women’s Act. Contentious matters relating to marriage, divorce and inheritance are often decided with regards to Sharia and customary laws with their respective court systems as venues. It is thus estimated that Sharia and customary courts determine an estimated 90 per cent of

such cases through the application of Sharia and customary laws many of which contain discriminatory provisions and practices especially with regard to gender equality.<sup>28</sup> The result is that women have little or no recourse outside of the customary or Sharia systems. Moreover, the rules of evidence and procedure applied are different from those applied under legislation.<sup>29</sup> In essence, the subsuming of fundamental rights, including the right to freedom from discrimination on the grounds of gender, is problematic and significantly undercuts the gender equality.

Majority of women in The Gambia are impacted by the challenges presented by the use of these courts as very few resorts to regular courts. Even where women seek this recourse, the relevant discriminatory provisions of Sharia and customary law still apply as a constitutionally guaranteed source of law under Section 7 of the Constitution as well as the section 33 (5) © which subjects the anti-discrimination provision to personal law.<sup>30</sup>

## WOMEN’S ACT (2010)

While the Constitution provides the most authoritative framework for the protection of the fundamental rights of women, the Women’s Act, 2010 (as amended) is the primary and comprehensive legal framework which specifically addresses the rights of women and girls in The Gambia. It was enacted to incorporate provisions from the CEDAW and the Maputo Protocol. It provides that every woman shall be protected against “any form of physical, sexual, psychological or economic harm, suffering, or violence whether occurring in public or private life.” It also prohibits “any form of violence against women.”<sup>31</sup> and was amended in 2015 to ban FGM. Furthermore, the Women Act imposes imprisonment of three years or/and a fine of 50,000 Dalasis or life imprisonment should FGM result in death.

19. The Constitution of The Gambia, Section 28.

20. The Constitution of The Gambia, Section 33 (1).

21. The Constitution of The Gambia, Section 11.

22. The Constitution of The Gambia, Section 33 (2).

23. The Constitution of The Gambia, Section 33 (3).

24. The Constitution of The Gambia, Section 33 (4).

25. The Constitution of The Gambia, Section 33 (5).

26. See Satang Nabaneh, “The Impact of the African Charter and the Maputo Protocol in The Gambia” in *The Impact of the African Charter and Maputo Protocol in selected African States* (Pretoria University Law Press, 2016).

27. The Constitution of The Gambia, Section 7.

28. UN Women, “Towards Resolving The Discrimination in Law: Mapping and Analysis Of the Laws Of The Gambia From a Gender Perspective” online:

[https://africa.unwomen.org/sites/default/files/Field%20Office%20Africa/Attachments/Publications/2020/Gambia%20report%20\\_layout\\_FINAL\\_DIGITAL\\_2907.pdf](https://africa.unwomen.org/sites/default/files/Field%20Office%20Africa/Attachments/Publications/2020/Gambia%20report%20_layout_FINAL_DIGITAL_2907.pdf)

29. Cadi Court (Civil Procedure) Rules 2010 and The Cadi Appeals Panel Rules 2009.

30. Ibid

31. Women’s Act, 2010.

The Women's Act prohibits several discriminations against women such as in employment, withdrawal from school for purposes of marriage, expulsion on the ground of pregnancy, discrimination in reproductive health rights and services. It also emphasises the rights to inheritance, education and training amongst others. In addition, the Women's Act provides special rights and protections for women, including the right to peace, food security, adequate housing, health and sustainable environment and positive cultural context and protections to women in armed conflict. The special protections cover the right of the most vulnerable such as elderly women, women with disabilities and women in distress. The Act by virtue of Section 7 provides access to justice and equal protection before the law. Section 7(2) © guarantees that women "shall be treated equally in all stages of the procedures in courts, tribunals and other judicial proceedings". Section 15 of the Act requires all public and private institutions to adopt temporary special measures to accelerate de facto equality between men and women. The Act has provided authority for courts to make decisions in favour of gender equality.<sup>32</sup>

While these provisions are laudable and provide solid legal backing for gender equality, several respondents noted the lack of implementation of the Act. The right to inheritance is still significantly limited for women under customary law, despite the provisions the Act. While the Act emphasises prohibition against discrimination in many areas as noted above, inequality persists. Furthermore, with the exception of FGM, the Women's Act does not prohibit other harmful practices such as levirate marriage and unequal inheritance, both of which are common customary law practices. These practices are, however, discriminatory and limit women's ability to reach their full potential.<sup>33</sup> Some analysts have also noted the failure of the Act to include quotas for positive affirmation in respect of women's political participation.<sup>34</sup> There is need therefore for more positive efforts by government to implement the provisions of the Act. There is also a need to amend the Act to address the identified gaps in order to promote gender equality across different areas of life for Gambian women.

## CHILDREN'S ACT (2016)

The Children's (Amendment) Act 2016 also addresses provisions that were previously ambiguous, setting a minimum age for marriage under civil law. In respect of child marriage this Act effectively prohibits child marriage and child betrothal, with a stringent penalty of 20 years imprisonment upon conviction. It also clearly defines a child as "a person who has not attained maturity and is under the age of 18 years."<sup>35</sup> Section 15 of the Children's Act affords children the right to parental property. However, this right is subject to applicable personal law. The import of this is that discriminatory provisions in personal law also affect this provision. For instance, children, especially girls born out of wedlock, are typically not entitled to parental property under customary and Sharia Law, with the potential effect of disenfranchising such children from property inheritance and thus exposing them to economic inequalities.

Other legislation which forms part of the legal framework for gender equality include the Trafficking in Persons Act 2007; The Sexual Offences Act 2013; the Domestic Violence Act 2013; Tourism Offences Act 2003; and The Labour Act 2007. The Sexual Offences Act 2013 prohibits and criminalises sexual offences against women, children and people with disabilities. Other legislation such as the Criminal Code also contain provisions against intrusion on women's privacy,<sup>36</sup> and criminalizes the procurement of children for sex or prostitution.

The Gambia's commitments to international legal instruments on the equality of men and women points towards gender equality. However, the domestic legislation, starting with the fundamental law, the Constitution, undercuts equality with conflicting provisions that ensure that personal law trumps fundamental rights including the right to freedom from discrimination. Moreover, implementation is adversely impacted by social factors such as harmful gender norms and stigma as well as institutional factors such as gender budgeting and bureaucracy. Thus, for example, while the Women's Act prohibits negative impacts on education of a pregnant female,

32. See for instance, HC 427/11/MF/059/F1.

33. Ibid.

34. See Nabaneh, *supra* note 8 at 79.

35. Children's (Amendment) Act, 2016, Article 7.

36. The Criminal Code, Section 126 (3).

social stigma and entrenched norms prevent girls from taking full advantage of the beneficial provisions of the law.<sup>37</sup> Similarly, while the Children’s Act prohibits child marriage, the prevalence of child marriage remains high.<sup>38</sup> The CEDAW Committee has recommended amendments to the Constitution and other laws to bring it in line with the provisions of the CEDAW. However, these recommendations have not yet been implemented, leaving the legal framework not wholly a suitable foundation for gender equality and empowerment.

## 2.2 POLICY CONTEXT

There have been several policies and plans over the years which articulate government commitments to gender equality. The Gambia National Development Plan (2018-2021) identifies women’s empowerment as a critical and crosscutting pillar and acknowledges the continuing lack of gender parity and need for gender mainstreaming. It emphasises government commitment to gender equality noting several commitments to strategies to improve gender equality and women empowerment. The Gambia National Social Protection Policy 2015-2025 acknowledges the importance of building in gender into social protection. It makes provision for gender-sensitive programming, with special attention to “care responsibilities in the design and implementation of schemes (e.g. the provision of communal or public childcare [such as crèches] that is accessible and affordable) and specific measures needed to address the specific socioeconomic vulnerabilities faced by women and children affected by HIV and AIDS.”<sup>39</sup>

Apart from the broad policy commitments, there have been several specific articulations of Government commitment to gender equality as highlighted by these policies:

- ✿ National Policy for the Advancement of Gambian Women (NPAGW) 1999-2009;
- ✿ The National Gender Policy 2010-2020;
- ✿ The National Plan of Action for Accelerated Abandonment/Cutting of FGM in The Gambia;
- ✿ The Gambia’s Development Strategy and Investment Programme for 2012 to 2015;

- ✿ The National Policy on Non-Formal Education 2017 – 2021;
- ✿ The National Population Policy 2016-2020;
- ✿ The National Social Protection Policy and Strategy 2016 – 2020;
- ✿ The Gender Mainstreaming and Women Empowerment Strategic Plan, 2010–2015;
- ✿ National Plan of Action Against GBV 2013 – 2017
- ✿ The National Social Protection Policy (2015–25) and its Implementation Plan (2015–20);
- ✿ The Gambia National Development Plan (NDP) (2018-2021(2022));
- ✿ The National Plan of Action for Accelerated Abandonment/Cutting of FGM in The Gambia; Victims of Trafficking.
- ✿ The National Plan of Action to address Trafficking in Persons (2021-2025); and The National Referral Mechanism for the Protection of Vulnerable Migrants, including Victims of Trafficking;
- ✿ National Financial Inclusion Strategy, 2022
- ✿ Strategic Plan of the Ministry of Women, Children, and Social Welfare 2020-2024

The Gambia National Gender Policy 2010 -2020 as an umbrella policy was designed “to act as reference material and direct all levels of planning, resource allocation and implementation of development projects with a gender perspective”. The priority areas for the policy were: Gender and Education, Gender and Health, Gender and Sustainable Livelihoods Development, Gender and Governance, Gender and Human Rights, and Poverty Reduction and Economic Empowerment. The Policy also set out the institutional arrangements and machinery for gender equality and women empowerment in the public sector. These include the Ministry of Women, Children and Social Welfare (MWCSW), National Women’s Council (NWC) and the Women’s Bureau (WB). These institutions

37. UN Women, *Towards Reversing Discrimination in Law: Mapping and Analysis of the Laws of The Gambia from a Gender Perspective* (2020), at p.24.  
 38. The Gambia: *Demographic and Health Survey, 2019-2020* (2021), at 62.  
 39. The Gambia National Social Protection Policy 2015-2025 at 33.

have key roles in the formulation, implementation, coordination, monitoring and evaluation of the gender policy. Each key Ministry has a gender focal person which advises the other ministries and which provide monitoring and evaluation of all gender related interventions. It also identifies the roles of the key stakeholders including the CSOs and the development partners. The MWCSW is responsible for the overall coordination and harmonization of efforts by all stakeholders, establish appropriate mechanism for coordinating gender mainstreaming at all levels, lobby, advocate and mobilize resource for the implementation of the Policy and provide support to gender units and focal points.





The vision of the Policy is “Quality and dignified living standard for all,” which seems very general, with no clear direction in terms of gender. However the mission sets out several gender equality-specific provisions: including achieving “gender equity and equality at policy, programme and project levels in all institutions across all sectors of The Gambian society.” The Policy has now expired and there is an opportunity to improve the mission and vision. The Strategic Plan of the Ministry of Women, Children and Social Welfare (2020-2024) is also an important document for the purpose of achieving gender equality in The Gambia. Following the creation of the Ministry in 2019, it developed the Strategic Plan to determine its strategic directions for the next five years with a focus on an inclusive integrated and comprehensive social protection system to tackle marginalization, vulnerability and social injustice in The Gambia.

In addition to the policies discussed, the Gambia is also committed to the United Nations Sustainable Development Goals (2016-2030) (SDGs). SDG 5 requires the elimination of discrimination against women and identifies several gender equality and women empowerment commitments. The 2022 SDG report indicates mixed performance on SDG 5, with improvements in women’s labour participation and years of education but regression in women’s political participation.<sup>40</sup>

A gap in the area of social safety policies was noted by participants. While policies for social protection are established, most participants were not aware of any social safety policies. This element is reflected in ILO’s figures, where social protection measures in The Gambia

cover only 6 per cent of the population, some of the lowest figures in the world.<sup>41</sup> Awareness of social protection policies and any social safety nets by the population is crucial especially for vulnerable ones like the women, in order to have a strong advocacy for their implementation.


Another gap is in the area of gender-responsive budgeting. The budget is one of the most important policy instruments for resources allocation, implementation of policies, and reflects government’s priorities. If government chooses to prioritise gender equality and gender mainstreaming, one major way to determine this is by an examination of the budget. Gender budgeting is “an initiative to use fiscal policy and administration to address gender inequality and women’s advancement.”<sup>42</sup> It involves analysis how national budgets are spent and on what. A gender-responsive budget ensures social justice, gender justice and fiscal justice through fiscal policy, using appropriation to ensure that the fundamental interests of everyone, including women, men, girls, and boys are covered by ensuring gender-equitable distribution of available resources. Such distribution is aimed at providing equal opportunities for all,<sup>43</sup> and as such is critical for gender equality. As has been noted, in practice, this requires understanding the impacts of budgeting on women, men, girls and boys inquiring into:

-  How money is raised (for example through direct or indirect taxes, fees, fines and levies on imports) and how revenues are lost (for example through tax havens, tax dodging and unproductive incentives);
-  How money is spent (including spending on public services, social welfare programmes or infrastructure such as roads);
-  Whether spending is sufficient to meet the practical and strategic needs of men, women, girls and boys, while at the same time contributing to closing the gender gap;
-  How decisions on raising and spending money affect unpaid care work and

40. y Jeffrey D. Sachs, Sustainable Development Report: From Crisis to Sustainable Development: the SDGs as Roadmap to 2030 and Beyond at 209, online: 2022-sustainable-development-report.pdf  
 41. ILOSTAT, Country Profiles: The Gambia, 2020, online: <Country profiles - ILOSTAT>  
 42. Janet G. Stotsky, Lisa Kolovich, and Suhaib Kebhaj, “Sub-Saharan Africa: A Survey of Gender Budgeting Efforts” (2016) IMF Working Paper, online: <Sub-Saharan Africa: A Survey of Gender Budgeting Efforts (imf.org)>  
 43. Oxfam, A Guide to Gender-Responsive Budgeting, online: <Rough Guide to Gender-Responsive Budgeting (openrepository.com)>



subsistence work, and the distribution of these between genders; and

 Whether spending in practice matches budget plans.<sup>44</sup>

In The Gambia, with women earning less than men, working in the informal sector, a review of tax policies and a review on the spending on education (which impacts formal sector participation), spending on health care, in particular sexual and reproductive health care are all key issues to be considered in gender-responsive budgeting. A 2016 study noted that The Gambia has implemented gender budgeting programs in four ministries/sectors: The Office of the Vice President and Minister for Gender and Social Welfare along with the Ministries of Education, Health and Social Welfare, and Agriculture.<sup>45</sup> Interventions funded by the budget included funds allocated for increasing enrolment across primary, secondary and tertiary schools for girls, re-entry programs for girls wishing to return to school after dropping out, including Trust Funds for Girls and Trust Funds for Boys.<sup>46</sup> Significant funding has also gone to sexual and reproductive health in past budgets in particular to the Reproductive and Family Health Program, which offers free maternal health services, free health services for children under the age of five, and cash transfers to the needy.<sup>47</sup> In essence, gender responsive budgeting is implemented to some degree by the government. However, not much information was obtained for this national gender analysis.

Apart from the limitations of timing, there are inadequate reports on gender-responsive reporting in The Gambia. This suggests an area requiring more attention and research.

Although there is a rich policy framework, many of the existing policies have expired and are yet to be replaced, thus leaving a vacuum in the policy landscape and in frameworks for taking concrete actions. During the Focus Group Discussions (FGDs), respondents from the Lower River Regions (LRR) acknowledged the existence of laws, government policies, strategies and action plans in their institutions that address gender equality and women empowerment. The Women's Act, 2010 (amended 2015) and Children's Act, 2005 (amended 2016) and the Disability Act were mentioned by several participants. In the West Coast Region, the participants highlighted that sensitizations and series of trainings had been done in the region. They also agreed that the Ministry of Women, Children and Social Welfare, Women's Bureau, security, civil societies and the courts are the implementers. Participants emphasized that policies are partially implemented as a result of limited funding. At community level, the culture of silence hinders implementation as well. This analysis provides an evidence-base for improving and implementing the policy framework and ensuring gender equality and women's empowerment.

44. Ibid.

45. Janet G. Stotsky, Lisa Kolovich, and Suhaib Kebhaj, "Sub-Saharan Africa: A Survey of Gender Budgeting Efforts" (2016) IMF Working Paper, online: <Sub-Saharan Africa: A Survey of Gender Budgeting Efforts (imf.org)>

46. Ibid.

47. Ibid.

Gender equality and women empowerment is a cross cutting matter, intersecting with a variety of issues and spheres of life. This gender analysis is conducted by taking into account the intersectionality of gender inequalities and norms across various thematic important in the country context of The Gambia.

The themes captured in this Report are as following: political participation, poverty and inequality, enterprise and employment, health, education, agriculture, climate change, and environment, digitalization, migration, and inclusion and intersectionality. These themes have been selected to cover a wide array of issues which affect human wellbeing and interactions with various aspects and life concerns and which recognize the heterogenous nature of humans, in particular women and girls, who often are disadvantaged in these areas.

The analysis draws extensively from previous research in addition to the interviews conducted by the consultants with key respondents.

### 3.1 GENDER NORMS

Gender norms describe “a subset of social norms that relate specifically to gender differences. They are informal, deeply entrenched and widely held beliefs about gender roles, power relations, standards or expectations that govern human behaviours and practices in a particular social context and at a particular time. They are ideas or ‘rules’ about how girls and boys and women and men are expected to be and to act. People internalize and learn these ‘rules’ early in life.”<sup>48</sup> Gender norms impact a wide variety of aspects in the lives of women and men. They function at different levels of the socio-ecological structure – individual, household, neighbourhood, and community. The multiplicity of operation entrenches these norms, thus leading to social conformity.<sup>49</sup> Gender norms are important

to consider because they inform many other thematic areas of gender equality including equal pay for the same work, ownership and inheritance of property, caregiving, child care, political participation. They are enforced by social sanctions, which constrain all members of society to comply with them. Gender conceptions concerning femininity and masculinity, as well as son preference, are also rooted in gender norms that promote gender-biased cultural standards.[ UNFPA (2020). Adapted from Gerry Mackie, University of Pennsylvania,<sup>50</sup>

Gender norms are recognised as the missing link in understanding why gender inequality persists in diverse areas of women and men’s lived experiences.<sup>51</sup> Harmful gender norms typically ascribe superior roles to men (and boys) and consider women (and girls) subordinate. Religion and culture are often maintainers of gender norms. Harmful practices are enforced by harmful gender norms, such as patriarchal norms and chastity norms. These norms, accepted by a significant segment of society, help enforce and perpetuate traditional practices.<sup>52</sup>

Patriarchal norms are prevalent in The Gambia and explain the existence of gender inequality in different areas of the society. Men are recognised as heads, in charge of decision-making at different levels, from the family to politics.<sup>53</sup> Women occupy a lower position in the social cadre.

48. UNICEF, Technical Note on Gender Norms, 2020, online: <GP-2020-Technical-Note-Gender-Norms.pdf (unicef.org)>

49. H. Keleher, L. Franklin, “Changing Gendered Norms about Women and Girls at the Level of Household and Community: A Review of the Evidence” (2008) 3 (S1) Glob Public Health 42–57.

50. UNFPA (2020). Adapted from Gerry Mackie, University of Pennsylvania, USA.

51. See for example, Ganguli, R. Hausmann, M. Viarengo “Around the world in the legal profession: Women get in, but not up,” (2020) online: Gender norms and leadership roles in the legal profession | VOX, CEPR Policy Portal (voxeu.org)

52. See generally, Gerry Mackie and John LeJeune, Social Dynamics of Abandonment of Harmful Practices: A New Look at the Theory (2009) UNICEF Innocenti Research Centre, online: < IWP 2009-06 final Conceptual Working Paper - 1 June (unicef-irc.org)>

53. Tamara Bah, From the Smiling Coast of Africa to the World: What The Gambia Can Teach Us about Women and Household Empowerment, World Bank (2019), online: < From the smiling coast of Africa to the world: What The Gambia can teach us about women and household empowerment (worldbank.org)>

They are expected to consult men on many matters. This element was also confirmed by the Focused Group Discussions as highlighted below:

Men have better opportunities than women. This is due to the societal belief that men should always lead while women follow them.

Furthermore, some respondents noted that there was not a significant challenge to patriarchal norms in The Gambia as noted below:

“...I am not even sure that we can talk about a Feminist movement in The Gambia like we could see in other countries just across the border. Like I know in Senegal and Nigeria we have a feminist movement. But I am not sure we have that here. There is a lot of activism, people are really doing a lot of things but I don’t see the vibrant feminism like we see in other countries.

Key Informant Interviewee (KII)

In The Gambia, family relationships are primarily regulated by customary and Sharia law.<sup>54</sup> Traditional gender norms are in place and are maintained both by custom and religion. For example, men are expected to be breadwinners and are raised from boyhood to be the heads of the family. Polygamy is also a traditional norm. Women, on the other hand, are expected to care for the home and the children.

Studies show that boys and girls are taught to perform different gender roles by their mothers. Girls are socialized at an early age into their future prescribed gender roles as mothers by learning about domestic chores at home. On the other hand, boys are mainly prevented from performing activities defined as “feminine” that are considered only appropriate for girls and women. Such activities included cleaning dishes, washing laundry and cooking meals. Gender inequality begins

at home, and are deeply entrenched in the cultural tapestry of the society.<sup>55</sup>

These gender norms filter into all aspects of the country including decision-making, representation in government and political participation. They have been identified as a key reason for poor female political participation in The Gambia. In the current normative framework, leadership roles and decision-making positions at the household to the highest political levels are attributed to men. Village and religious leaders as well as village development committees are predominantly men. Efforts need to be made to actively include women in all decision-making positions.

Gender norms also filter into property inheritance and ownership. As required under Sharia law, women are permitted to inherit at the rate of half what males inherit. In general, under customary law in The Gambia, women are not entitled to inherit their husband’s property and may themselves be inherited by the husband’s family. Gender norms in place do not favour women’s ownership of land, though a small proportion of women have titles to land. Land is typically bequeathed in a patrilineal manner from father to sons.<sup>56</sup> In some rural areas, women may not own land though they are allowed to cultivate on it.<sup>57</sup> Unfortunately, as earlier discussed, the legal framework does not empower women to overcome the restrictions of gender norms and customary law.

Violence is also condoned based on gender norms.<sup>58</sup> Chastity norms often form the basis for FGM. Harmful gender norms are the roots of harmful practices that continue to be prevalent and accepted in The Gambia including FGM and child marriage. Gender norms around marriageability, virginity, chastity, requiring certain rites are related to social acceptability.<sup>59</sup> Outside of gender-based violence and harmful practices, gender norms are also prominent in areas such as access to healthcare (for instance, the use of traditional

54. OECD, Atlas Of Gender And Development: How Social Norms Affect Gender Equality In Non-OECD Countries (OECD)

55. H. Njie, C. Mannion, and M. Badjie, Girls’ Familial Responsibilities and Schooling in the Gambia (2005) 8 International Education Studies 10 <<https://doi.org/10.5539/ies.v8n10p48>>

56. Center for International Forestry Research and World Agroforestry (CIFOR-ICRAF) and International Fund for Agricultural Development (IFAD), Women’s Land Rights in The Gambia, 2021.

57. Ibid.

58. Ibid.

59. 28TooMany, FGM in The Gambia, 2015.

birth attendants even where medical facilities would produce better maternal and infant outcomes),<sup>60</sup> and education where women have lower rates of university entry.

In summary, there is a need to shift gender norms that perpetuate gender inequality and have negative effects on national development in The Gambia. To make this process successful, gender-norms transformation strategies which include community engagement, bottom-up approaches like curriculum changes from primary schools that address gender norms shifting, amongst others are needed. It is also crucial to involve men and make them allies in supporting shifting norms and in addressing gender inequality more broadly.<sup>61</sup>

What we have left behind, and this is something we also found in the evaluation of our past programs is that we are not involving the men and boys enough...For example with FGM if you speak with any man in this country they will tell you 'but that is a women issue.' You find [that they think] it is none of their business. We need to do more to involve men and boys whether its gender based violence, FGM etc. Also, creating a positive masculinity, making sure that they are really at the front and centre of what we do and driving the initiatives, saying 'we as men have had enough of what is happening to our women and girls.'

Gender norms change slowly, therefore proactive, targeted and sustainable approaches are essential to start changing harmful gender norms.

## 3.2 POLITICAL PARTICIPATION

Equal access to power, decision-making and leadership at all levels is a necessary condition for the proper functioning of a democratic society. Ensuring women's freedom to participate in politics both as voters and as elected representatives has been central

to international, regional and national efforts aimed at more inclusive and democratic governance. There is strong justification for increased women's participation in politics, including positive outcomes for democracy, with a better impact on policies and legislation that are responsive to citizen needs, as well sustainable peace and cooperation. Political participation of women is also a key motor to advancing gender equality in terms of policies and legal framework. Research also shows that the gender of the legislator can have a distinct effect on policy priorities. Therefore, a better women's representation will foster mainstreaming of gender equality and realization of rights of women.<sup>62</sup> Despite the benefits of women's participation in politics, gender disparity persists in access to political leadership in most African countries. This disparity is noted across all levels of government – National, regional and local governments, parliaments and judiciary bodies.

A 2021 report on the political participation of women in Africa, ranking African countries based on their level of female representation in politics, highlighted that only 8 women out of 58 (9%) who contested in the 2017 elections for the lower or single house, were elected. For the upper house no woman contested, and none was elected.<sup>63</sup>

According to the Gender Global Gap Report, The Gambia ranks 115 of 146 in political empowerment.<sup>64</sup> The Gambia ranks 49th out of 54 countries in Africa in female parliamentary representation,<sup>65</sup> indicating very low representation compared to the rest of the continent. With less than 10% of female parliament representative, The Gambia also has among the lowest percentage of female representation in the National Assembly,<sup>66</sup> significantly behind other African countries such as Rwanda (51.9%) South Africa (48.6%), Ethiopia (47.6%), Seychelles (45.5%), Uganda (36.7%) and Mali (34.4%).

60. See for example,

61. Suggested by some key informants in this study

62. See Volden, Craig, Alan E. Wiseman and Dana E. Wittmer (2010) "The Legislative Effectiveness of Women in Congress," <http://polisci.osu.edu/faculty/cvolden/VWVWomenLEP.pdf>.

63. Women Political Participation: African Barometer (2021) Accessed via <https://www.idea.int/sites/default/files/publications/womens-political-participation-africa-barometer-2021.pdf>

64. World Economic Forum "Global Gender Gap Report 2022 Insight Report" (March 2021) online: [WEF\\_GGGR\\_2022.pdf](https://www.weforum.org/publications/gggr-2022) (weforum.org)

65. Women Political Participation: African Barometer (2021) Accessed via <https://www.idea.int/sites/default/files/publications/womens-political-participation-africa-barometer-2021.pdf>

66. Ziporah Musau, "African Women in Politics, Miles To Go Before Parity is Achieved" available online < <https://www.un.org/africarenewal/magazine/april-2019-july-2019/african-women-politics-miles-go-parity-achieved>



Regarding the legal framework, The Gambian Constitution provides a foundation for female political participation. Section 26 of the Constitution guarantees the political rights of all persons in The Gambia on a non-discriminatory basis. It entitles every citizen of The Gambia of full age and capacity to participate in the conduct of public affairs without unreasonable restrictions, including the right to vote and stand for elections at genuine periodic elections for public office. However, the female political participation is still very low.

Women represent over half of Gambia's population (50.1 per cent) and 58% of the electorate. According to World Economic Forum, Gambian women only represent 15.6% to 17.5% of the senior officials, indicating a significant gender gap.<sup>67</sup> According to UN Women, the proportion of seats held by women in the National Assembly is 8.6% in 2021. The proportion of elected seats held by women in deliberative bodies of Local Government is as low as 0%. The proportion of women in managerial positions is 17.4% and the proportion of women in senior and middle management positions is 33.7%.<sup>68</sup>

## NUMBER OF MEN AND WOMEN IN NATIONAL ASSEMBLY (ELECTION 2022)

GENDER	NUMBER OF PERSONS IN NATIONAL ASSEMBLY	%
WOMEN	5	8.6%
MEN	53	91.4%
TOTAL	58	100%

A Conversation on the Political Empowerment of the Women in The Gambia<sup>69</sup>

## NUMBER OF MEN AND WOMEN WITH MINISTERIAL POSITIONS

GENDER	NUMBER OF MINISTERS	%
MEN	19	86.4%
WOMEN	3	13.6%
TOTAL	22	100%

67. Ibid.

68. See Women Count: Gambia. Accessed via <https://data.unwomen.org/country/gambia>; See also UNCT REPORT – THE GAMBIA Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). JANUARY 2022

69. A Conversation on the Political Empowerment of the Women in The Gambia "available online at <https://gambia.un.org/index.php/en/194076-conversation-political-empowerment-women-gambia>

In The Gambia National Assembly, out of 58 National Assembly members, only 5 are female law makers, with only 3 elected.<sup>70</sup> On the cabinet level, out of the 23 ministers only 4 are women. Gender inequality in political representation is deep-rooted. In the local leadership level, women constitute only 8 out of the 120 councillors in the country. Women

are also underrepresented in key political parties' positions. For instance, out of the 18 (eighteen) currently registered political parties, none has a woman leader. Women are assigned the roles of supporters, mobilizers, campaigners, cheerleaders, and voters, not decision makers.<sup>71</sup>

**TABLE 3: PARTICIPATION IN LOCAL COUNCIL ELECTIONS (2018) BY GENDER**

REGION	NO OF CANDIDATES	MALES	FEMALES	ELECTED FEMALE CANDIDATE
Banjul	35	33	2	1
Kanifing	77	65	12	1
Brikama	87	69	18	4
Kerewan	52	48	4	0
Mansakonko	33	30	3	1
Janjangbureh	44	42	2	0
Kuntaur	39	34	5	1
Basse	42	41	1	0
<b>Total</b>	<b>409</b>	<b>362</b>	<b>47</b>	<b>8</b>

**TABLE 4: REPRESENTATION OF WOMEN IN LEADERSHIP POSITIONS IN THE GOVERNMENT**

INDICATORS	MALES	FEMALES
Minister	17	2
Secretary	1	0
Permanent Secretary	25	11
Director-General	27	15
Director-General	4	0
Executive Directors/Directors	31	7
Managing Directors	0	0
Executive Directors	3	1
<b>Total</b>	<b>108</b>	<b>39</b>

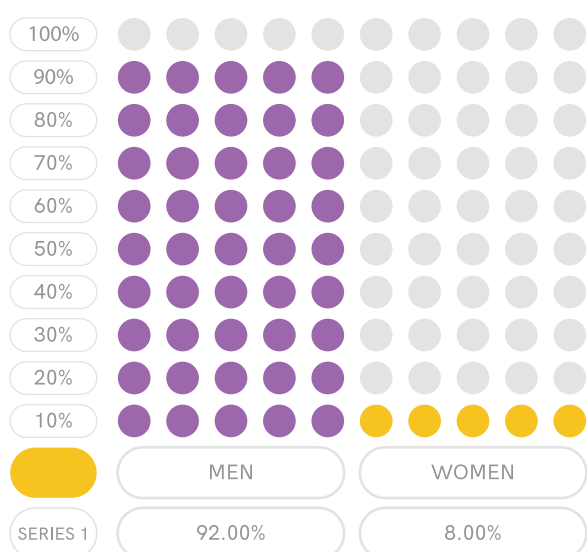
**Source:** Monographs on Women Political Participation in The Gambia, 2018

70. Saleng Nabaneh "Womens Political Participation in Gambia: Gender Quotas as Fast Track to Equality" <<https://blog-iacl-aidec.org/new-blog-3/2022/1/25/womens-political-participation-in-the-gambia-gender-quotas-as-fast-track-to-equality-b5a94>>  
71 "Advancing Democracy In The Gambia Through Women Leadership" Available online <<https://www.wfd.org/story/advancing-democracy-gambia-through-womens-leadership>> See also Nabaneh, ibid.

## NUMBER OF PARTICIPANTS IN LEGISLATIVE ELECTION 2022

GENDER	NUMBER OF PARTICIPANTS	%
MEN	218	92.0%
WOMEN	19	8.0%
TOTAL	237	100%

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## NUMBER OF PARTICIPANTS IN LEGISLATIVE ELECTION 2022

The trend of low representation of women in politics has continued in the most recent elections. In the 2021 Gambia Presidential Election of the 26 presidential aspirants, only one was a woman, and all 6 nominated presidential candidates were men.<sup>73</sup>

The number of female candidates for the legislative elections in April 2022 was still very low, with only 19 female candidates out of 251 candidates.<sup>74</sup> Out of the 19 female candidates only 3 were elected to the National Assembly.

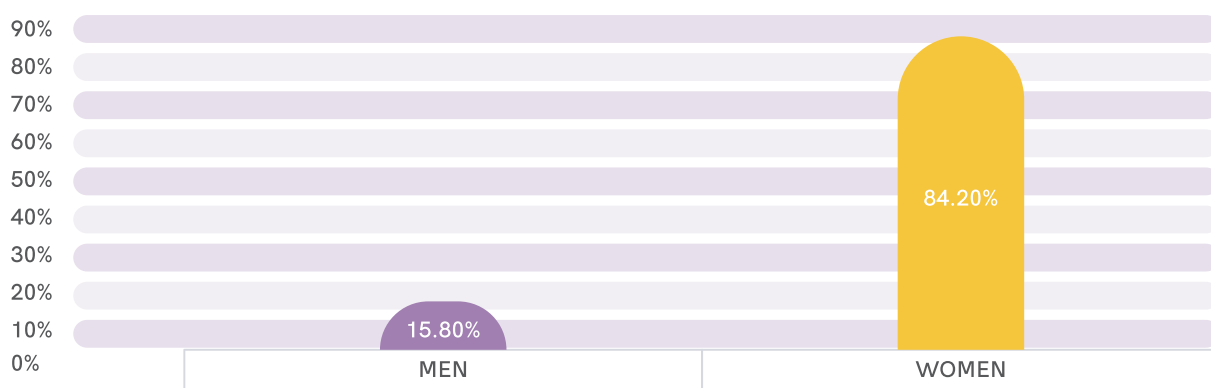
## WOMEN PARTICIPATION IN LEGISLATIVE ELECTION (ELECTION 2022)

GENDER	NUMBER OF WOMEN PARTICIPANTS	%
ELECTED	3	15.8%
NOT ELECTED	16	84.2%
TOTAL	19	100%

<sup>72</sup>. Ibid

<sup>73</sup>. European Union, (2015). Election Observation Mission. Gambia Presidential Election Final Report

<sup>74</sup>. "Candidates Start Campaign for Gambia's Parliamentary Elections" online: <Feature: Candidates start campaign for Gambia's parliamentary election-Xinhua (news.cn)>



## WOMEN PARTICIPATION IN LEGISLATIVE ELECTION (ELECTION 2022)

One key informant noted that even when women stand elections, they receive much fewer votes than men.

Some of them [women who wanted to stand for election] couldn't get a lot of sponsors to enter politics because of the way they would be bashed and diminished and talked about in a very negative way, so some of them will not even want to go. But those who were ready knew how to organise themselves and participate. They did fully. But in the end no one voted for them which means that they don't trust women as political leaders.

Furthermore, there is a lack of efforts within political parties to improve women's participation or selecting female candidates to represent them.<sup>75</sup>

The low women political participation can be explained by several structural, socio-cultural, and institutional factors.<sup>76</sup> May people, including both women and men, do not see women in leadership roles. Additionally, the lack of affirmative actions supported by legal and policy framework such as quotas for seats reserved to women constitute a challenge.<sup>77</sup>

This gap led to efforts to reform the Constitution. Unfortunately, the draft Constitution Promulgation Bill of 2020 ('the Bill') was rejected by the National Assembly. The 2020 Draft Constitution outlined several provisions to accelerate substantive gender equality between men and women. Section 55

provided for equal treatment between men and women, including equal political, economic, and social opportunities. Section 74 set out general principles for the electoral system, including fair representation of all genders in elective public bodies.<sup>78</sup> The Draft Constitution also provided for a quota system that reserved 14 (fourteen) seats in parliament for women. Efforts to change the dynamics and level the playing field have also been made by feminist groups who pushed a private bill addressing quotas and aiming to several goals: increase the number of parliamentary seats from 58 to 71, and provide 16 seats specifically for women, 14 of whom will be elected from each region; persons with disabilities will elect one woman from amongst themselves, and the President would appoint one. However, the bill failed as there is strong resistance by politicians.

There is a need to change cultural beliefs and norms, but also to implement gradual changes even within the political parties. Other recommendations are articulated in the Recommendations sections.

## 3.3 INCLUSION AND INTERSECTIONALITY

Under the Gambia Constitution of 1997, all persons enjoy freedom of expression, association, freedom from discrimination, right to life, respect for human dignity. However, minority group's rights as provided are jeopardized by

75. European Union, (2015). Election Observation Mission. Gambia Presidential Election Final Report.

76. WFD, "Advancing Democracy In The Gambia Through Women Leadership" (2020) online <<https://www.wfd.org/story/advancing-democracy-gambia-through-womens-leadership>>

77. Ibid.

78. See the Draft Constitution of 2020.



the current sociocultural landscape and gaps in legislation which fails to provide adequate provision for minority groups. The experiences, challenges of minority groups are not well reflected in policies and instrument putting them at the risk of being left behind. Worse, there is little by way of interventions to ensure that they are effectively included in decision making across all levels of government and with respect to policy development. Women are not an homogeneous group, and they face intersectional vulnerabilities if they are also part of other minorities such as migrants, elderly, person with disability, youth, living with HIV etc. It is important to look outside of the silos and identify the combined vulnerabilities than women face.

## PERSONS WITH DISABILITY

Persons with disabilities are estimated at about 1.6 per cent of The Gambian population, including all types of disabilities – mental, sensory or physical impairment.<sup>79</sup> A The Gambia has not conducted any recent disability survey. According to the 2013 Population and Housing Census results, the overall disability prevalence rate is 1.2%. The prevalence in 2013 in the case of males is 1.3 per cent compared to 1.2 per cent for females. Among females the incidence of disability is highest among those aged 30 to 34 years, followed by those aged 40 to 44 and those aged 25 to 29.<sup>80</sup> Women between the ages of 30 to 34 years of age in The Gambia have the highest prevalence of disabilities, as noted elsewhere, these represent the peak of reproductive life of women.<sup>81</sup> The data is dated and may not provide a true picture of the actual situation. However, data suggests that a significant number of persons, women and girls among them, are affected by disability. The legal framework of The Gambia includes protections for persons living with disabilities, including women with disabilities.

The Constitution provides protections for persons living with disabilities. Section 31 the 1997 Constitution of The Gambia provides for the protection and rights of persons with disabilities, noting that “The right of the disabled and handicapped to respect and human dignity shall be recognised by the State and society.”[ Constitution of the Gambia, Section 33 (1). ] It also specifically provides that disabled persons shall be entitled to protection against exploitation and to protection against

discrimination, particularly with respect to access to health services, education and employment.<sup>83</sup> The Constitution also recognises the equality of all persons before the law, with disability specified as a ground of discrimination.<sup>84</sup>

The Gambia ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2015. Following advocacy by civil society groups, to domesticate the CRPD, the Persons with Disabilities Act was enacted in 2021. The Act provides for “the health care, social support, accessibility, rehabilitation, education and vocational training, communication, employment and work protection and promotion of basic rights for persons with disabilities.”<sup>85</sup> The Act would provide protections for all persons living with disabilities.

The Gambia is one of the few African countries that have specific protections for women with disabilities. In this regard, the Women Act 2015 provides special protection for women with disabilities. The government is required to take appropriate measures to ensure the protection of women with disabilities and take specific measures to commensurate with their physical, economic and social needs to facilitate their access to employment, professional and vocational training as well as their participation in decision making. It also ensures the right of women with disabilities to freedom from violence, including sexual abuse, disability-based discrimination and the rights to be treated with dignity.<sup>86</sup> The Children Act 2005 also provides for special protection for children with disabilities, boys and girls, and requires the government to provide measures appropriate to his or her physical, emotional and mental needs. Beyond this, some outdated laws that discriminate against still persist on the books, specifically with respect to mental health such as the Lunatics Detention Act of 1917.<sup>87</sup>

The Gambia has also set out certain policies for persons with disability like National Social Protection Policy (2015-2025), The Special

79. “Disability and Integration; Gambians Experience” online: <<http://www.rodra.co.za/images/countries/gambia/research/Disability%20and%20integration%20-%20Gambian%20experience.pdf>>

80. Population and Housing Census: National Disability Report, 2013.

81. S. Nabaneh, “Gambia Country Report 2018” online: <[http://www.rodra.co.za/images/country\\_reports/reports/Gambia\\_country\\_report\\_2018.pdf](http://www.rodra.co.za/images/country_reports/reports/Gambia_country_report_2018.pdf)>

82. Constitution of the Gambia, Section 33 (1).

83. Constitution of the Gambia, Section 33 (2).

84. Constitution of the Gambia, Section 31.

85. Ibid.

86. Sections 53 and 54 of the Women’s Act.

87. Purohit and Moore V The Gambia No. 241/2001 (2003). In this case, the African Commission urged The Gambia to repeal the Lunatics Detention Act.

Needs and Inclusive Policy Framework 2009-2015, Integrated National Disability Policy 2009-2018, Draft Mental Health Policy 2007, National Health Policy (2012-2020) National Development Plan. Gender and Women Empowerment Policy (2010-2020), Education Sector Policy (2016-2030)<sup>88</sup> which cover various aspects of disability support and inclusion. Several of these policies have expired while others remain extant.

The aim these legal and policy instruments is to support inclusion and eradicate discrimination in The Gambia. While they provide formal equality, unfortunately, they are poorly implemented in practice.<sup>89</sup> it remains to be seen how effective the implementation of the Persons with Disabilities Act, the most recent and comprehensive legislation will be and what impact it will have on women and girls in particular.

Prejudice and stigmatisation against persons with disabilities are rife and often rooted in misinformation, tradition and cultural norms. Society tends to attribute disability to consequence of witchcraft, spiritual misfortune, curses as a result of having committed sins in the past or due to sins committed by their family members and ancestors.<sup>90</sup> Though the concerted efforts of The Gambia Federation of The Disabled (GFD) and other disability organisations through advocacy have led to the implementation of laws protecting persons with disability, a focus on mobility disabilities to the detriment of other disabilities, such as autism, intellectual disability, mental health conditions, etc. Despite the progressive legal framework, people with disabilities continue to face many obstacles to inclusion, acceptance and participation. The continued lack of inclusion is reflected in a lack of representation in government, lack of inclusive education, lack of accessible and other infrastructure, stigmatisation, limited access to educational and other opportunities, lack of social protection mechanisms, amongst other barriers.<sup>91</sup> Although the National Social Protection Policy aims to provide social protections for persons with disabilities, the coverage and level of support to is frequently inadequate and patchy.<sup>92</sup> In general, women with disability face even more inequalities than other women and other persons with disabilities, on the basis of both their gender and their disability. As has been observed, women with disabilities are more susceptible to abuse, sexual harassment. It

can also impact marriage chances adversely, a serious disadvantage in a society which prizes marriage. Even with issues related to menstrual poverty, women with disabilities are especially vulnerable.<sup>93</sup> Moreover, women with disabilities in The Gambia were particularly impacted by COVID-19, in part by the failure of government to provide necessary funding to key groups such as the GFD.<sup>94</sup> Much more research is needed to understand the experiences of women and girls with disability in the context of The Gambia.

There is therefore a need to mainstream the needs of persons with disabilities into education and addressing disability through early detection and management. One of the ways to identify disability early is to establish assessment and resource centres in some schools, develop programmes to create awareness in schools to eliminate cases of peer harassment of children with disabilities.<sup>95</sup> This would go a long way in reducing future expenses of managing disabilities. The COVID-19 pandemic has also shown the need for building infrastructure to address the needs of persons with disabilities during emergencies, including alternative ways of providing information, implementing public health measures like physical distancing etc.

Social protection is limited despite a social protection policy. Current efforts towards establishing a national health insurance scheme must be finalised, while other social protection mechanisms must be put in place in a lasting manner.

### **Internally Displaced People (IDP), Refugees and other Migrants**

The Gambian transition into democracy led to internal displacements. The Internal

88. Ibid

89. Marion G Mendy, *Constructing Disability Identities in The Gambia: The Role of Disability NGOs, Societal Norms, and Lived Experiences in Shaping the Identities of Differently Abled Gambians* (Doctoral Dissertation submitted at Ohio State University) at 76. The Association of NGOs in the Gambia,

90. Ibid. See also "Disability and Integration: Gambian Experience" available online at <https://static1.squarespace.com/static/5a7c2ca18a02c7a46149331c/t/5eed-17078f50eb1981097c2a/1592596233010/Bah.pdf>

91. Disabled Persons Organisations Building a More Inclusive Gambia, online: <Disabled Persons Organizations Building a More Inclusive Gambia | National Democratic Institute (ndi.org); "Persons with Disabilities Face Lots of Challenges in Gambia" online: <Persons with disabilities face lots of challenges in Gambia (panapress.com)> See also, "Lack of Policy Leads to Failure to Empower People with Disabilities," online: <LACK OF POLICY LEADS TO FAILURE TO EMPOWER PEOPLE WITH DISABILITIES - Sahel Network>

92. UNFPA, UNFPA The Gambia | Reusable sanitary pads bring dignity and confidence to girls with disabilities

94. Gambia: "We suffered in COVID 19: Different Able Women Narrate Their Ordeal" available online at <https://www.mewc.org/index.php/news-1/11595-gambia-we-suffered-in-covid-19-differently-able-women-narrate-their-ordeal>

95. "The Gambia: National Disability Study 2013" available online at [https://rodra.co.za/images/countries/gambia/research/Final%20National%20Disability%20Study\\_2013.pdf](https://rodra.co.za/images/countries/gambia/research/Final%20National%20Disability%20Study_2013.pdf)

Displacement Monitoring Committee puts the total number of displacements within The Gambia to be approximately 163,036 from 2008-2021.<sup>96</sup> Majority of the displaced persons

were women and children who faced several protections risks.<sup>97</sup> There have been several armed clashes between the Senegalese army and the separatist Movement des Forces démocratiques de la Casamance (MFDC) 2 at the Casamance region of Senegal, south of The Gambia, over the past forty years. Even in 2022, there have been conflicts near the Casamance border as a result of clashes between the Economic Community of West African States (ECOWAS) military mission in The Gambia (ECOMIG) and the MFDC<sup>98</sup> leading to the displacement of over 2000 persons. Subsequent retaliations led by Armed Forces of Senegal in Casamance against the MFDC led to displacement of almost 6000 people. The figures also reflect the figures reported by the Internal Displacement Monitoring Committee.<sup>99</sup>

Displacement exposes women and girls to several risks: risks of GBV, sexual and reproductive health challenges including menstrual poverty, heightened risks of unwanted pregnancies, limited access to sexual and reproductive health services, limited privacy, amongst other challenges. Development partners such as the International Federation of the Red Cross, UNFPA amongst others have assisted internally displaced persons with dignity kits, food supplies, clothing and sanitary pads.<sup>100</sup> Internal displacement adds another layer of inequality to already existing inequalities and interventions must take this into account.

## ELDERLY PERSONS

Elderly persons are often overlooked in The Gambia. Population of persons aged 65 and above in the Gambia is approximately 2.5% of the population.<sup>101</sup> Older persons may face elder abuse,<sup>102</sup> neglect, physical vulnerabilities including growing disability, unsteady income, dependence on others for care and support, limited networks, amongst other challenges. Women who are older have an added layer of inequality: being woman and being old.

The Women's Act provides for the protection of elderly women, defined in the Act as women over the age of 60.<sup>103</sup> It provides that government shall take appropriate measures to take specific measures to protect elderly women in light of their physical, economic and social needs. It also requires the government to protect elderly women from freedom from violence, including sexual abuse, and also from age-based discrimination, and to ensure the right to be treated with dignity.

The Gambia has also established a Gambia National Social Protection Policy 2015-2025, to protect vulnerable persons which include the elderly. Although the Policy's priority policy areas include safeguarding the welfare of the poorest and most vulnerable populations, protecting vulnerable populations from transitory shocks; promoting the livelihoods and incomes of the poorest and most vulnerable economically active populations; reducing people's exposure to social risks and vulnerabilities, including discrimination and exclusion; and strengthening leadership, governance and social protection systems in order to design and deliver effective and efficient programmes,<sup>104</sup> many gaps relating to implementation remain. In practice, as noted in the Policy, the coverage and level of support to particularly vulnerable groups including the elderly, is inadequate and sporadic.

Several non-governmental organisations have been established to address the challenges of the elderly.<sup>105</sup> But there is need for greater focus on the needs of the elderly and elderly women through research, action plans, budgeting etc.

96. "Internal Displacement Monitoring Committee: Country Profile The Gambia" online: <https://www.internal-displacement.org/countries/gambia>

97. The Gambian "Political Induced Displacement" available online at <https://data.unhcr.org/en/documents/download/53308> [https://data.humdata.org/user/hdx\\_bot\\_scrappers](https://data.humdata.org/user/hdx_bot_scrappers)

98. International Federation of Red Cross and Red Crescent, "The Gambia: Internal Displaced Population in West Region" online: <https://reliefweb.int/report/gambia/gambia-internal-displaced-population-west-region-operation-update-no-1-dref-n-mdrgm015#:~:text=According%20to%202021%20census%20data,from%2023%20Gambian%20border%20villages>.

99. *ibid*

100. Humanitarian aid presented to IDPs including pregnant women in Batokunku amid Sanyang tensions" online: < <https://gambia.unfpa.org/en/news/humanitarian-aid-presented-idps-including-pregnant-women-batokunku-amid-sanyang-tensions>>

101. World Data Atlas, online: <https://knoema.com/atlas/Gambia/Population-aged-65-years-and-above#:~:text=Gambia%20%2D%20Population%20ages%2065%20years,a%20share%20of%20total%20population&text=In%202021%2C%20population%20aged%2065,above%20for%20Gambia%20was%202.5%20%25>.

102. See for example, Sola Mahoney and Balla Musa Joof, "Gambia: Access to Justice in Addressing Elder Abuse Should Be Everyone's Business" The Point, online: Gambia: Access to Justice in Addressing Elder Abuse Should Be Everyone's Business - allAfrica.com

103. Section 53 of the Women's Act.

104. "The Gambian National Social Protection Policy" online:

<https://www.unicef.org/gambia/media/606/file/The-Gambia-National-Social-Protection-Policy-2015-2025.pdf>

105. "The Gambian West Africa launches the Association for the Prevention of Elderly Abuse" available online at [http://www.inpea.net/images/TheGambia\\_TAPEA\\_Launch2005.pdf](http://www.inpea.net/images/TheGambia_TAPEA_Launch2005.pdf)

There is need to take account of older persons, including women, in policy formulation. It is also necessary for The Gambia to ratify the AU Protocol on the Rights of Older Persons in Africa. From a gender perspective, it is important to understand how older persons navigate the challenges of age from women and men's perspectives. Very little research has been undertaken on these issues.

## YOUTH

The proportion of youths between the ages of 13 and 30 in the Gambia continues to rise.<sup>106</sup> The youths make up 37.2 per cent of the total population, with males accounting for 47.2 per cent and females 52.8 percent.<sup>107</sup> Female youth are thus more in number than males in the Gambia. Unfortunately, females lag behind males at all levels of education.<sup>108</sup> Overall, the share of youth unemployment (male and female) in total unemployment is about 70%.<sup>109</sup> For every adult who was unemployed there were more than two youth in that situation.<sup>110</sup> The labour force participation of female youth stands at 34.6 per cent,<sup>111</sup> compared with 46.7 per cent for males.<sup>112</sup> Thus while youth are disadvantaged in terms of employment, young women are more disadvantaged. The effects of this for the economic potential of young women and overall wellbeing are negative.

## SEXUAL ORIENTATION

The Gambia maintains conservative norms, and there is strong societal objection to same-sex acts, stemming from culture and religion.<sup>113</sup> Engaging in same-sex sexual activity for both men and women is illegal and a crime in The Gambia.<sup>114</sup> Such offence carries a sentence of between 5 and 14 years in prison.<sup>115</sup> In 2014, the Criminal Code was amended to introduce a new offence of 'aggravated homosexuality' punishable by life imprisonment.<sup>116</sup> The amendment defines 'aggravated homosexuality' as including serial offenders or persons with previous conviction for homosexuality, persons who administer drugs or substances in order to have 'unlawful carnal connection' with a person of the same sex, persons having same-sex relations with someone under the age of 18 or with a person who has a disability, or a person with HIV having same-sex sexual relations.<sup>117</sup> Cross-dressing which includes men who dresses as women and male sex workers is punishable with fines and prison

sentence of up to 5 years.<sup>118</sup>

The impacts of these laws include increased likelihood of arrests, prosecution and detention of persons suspected of being lesbian or gay, increased vulnerability to harassment, and violations of their human rights to privacy, dignity, health amongst others.<sup>119</sup> Although the circumstances of lesbians and other members of the LGBTI have improved, with fewer arrests or prosecutions, since the previous administration under Yahaya Jammeh left office, the laws remain on the books.

## 3.4 POVERTY AND INEQUALITY

The Gambia is a poor country with about half, 49% of the population, who live below the national poverty line.<sup>120</sup> Over 32 per cent of the population are in severe poverty.<sup>121</sup> The multidimensional measure assesses poverty by indices beyond money – including considering education, health and basic services,<sup>122</sup> and takes into account the SDGs.<sup>123</sup> Gambia's Human Development Index (HDI) value for 2019 is significant low – 0.496, putting it at 172 out of 189 countries and territories.<sup>124</sup>

There is a gender dimension to poverty in the country. Women earn US \$700 on average less than men.<sup>125</sup> Research conducted by UN Women shows that 8.2% of employed women from age 15 and above are below the international poverty line.<sup>126</sup> Women face inequalities in both wages and labour market participation. As they are mainly working in the informal sector, women's earnings are significantly lower than men's overall.<sup>127</sup> Additionally,

106. National Youth Policy of The Gambia 2019 – 2028

107. Ibid

108. Ibid

109. Ibid

110. Ibid

111. Female youth in the Gambia - knoema.com, 2021.

112. Ibid

113. Ibid

114. Section 144 of the Criminal Code.

115. Ibid.

116. Ibid

117. Ibid

118. Ibid

119. Women in Liberation and Leadership, Universal Periodic Review of The Gambia 34th Session November 2019 JOINT SUBMISSION; Country Policy and Information Note The Gambia: Sexual Orientation and Gender Identity or Expression

120. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021

121. Oxford Poverty and Human Development Index and Oxford University, Global Multi-Dimensional Poverty Index: The Most Detailed Picture to Date of the World's Poorest People, 2018.

122. World Bank, Multidimensional Poverty Measure (2021).

123. Oxford Poverty and Human Development Index and Oxford University

124. UNDP, Human Development Report, 2020.

125. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2019.

126. UN Women "Women Count" Accessed via <https://data.unwomen.org/country/gambia>

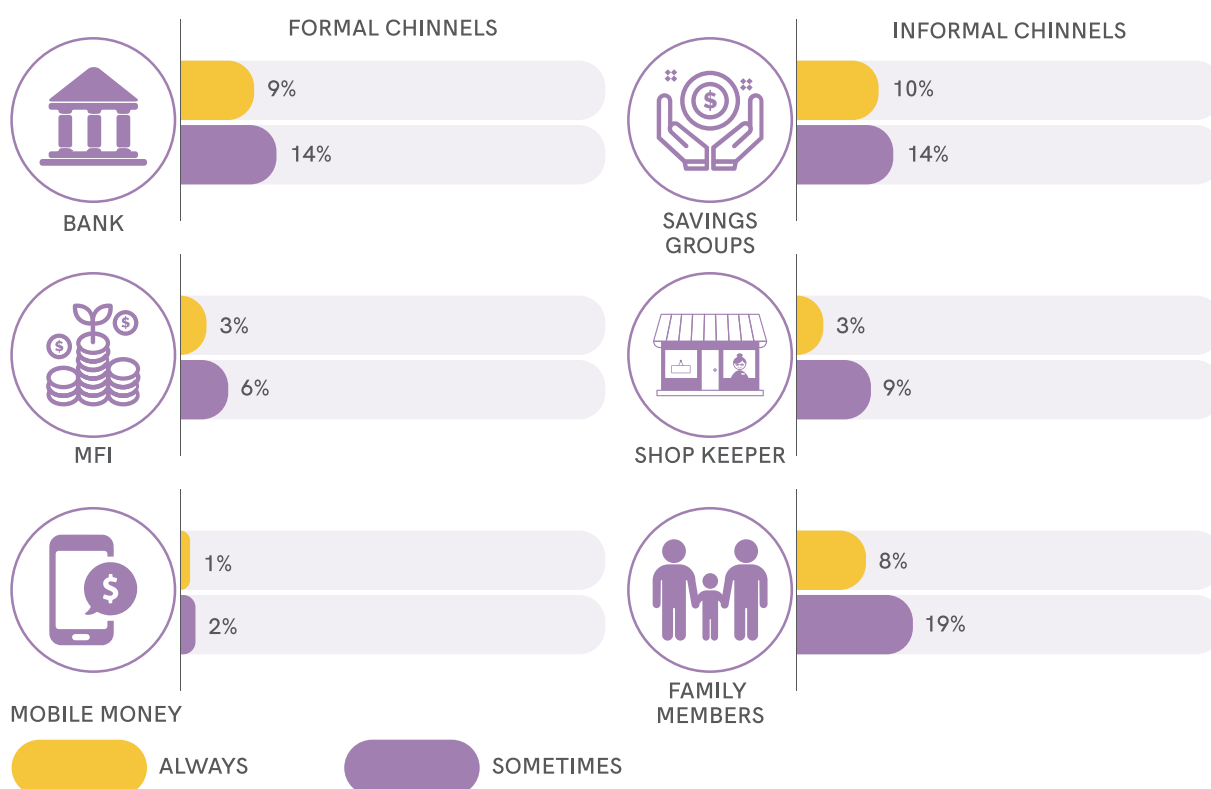
127. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2019.



gender norms influence women's earnings, financial decision-making and ownership of property in The Gambia as they are typically considered masculine issues.

Financial inclusion is a problem, particularly for women. A recent study on women's economic empowerment found that women earned less than men, had less access to

services and mobility than men. More specifically, it found that women, especially those in the low-income bracket, given their spending on household consumption, school fees and other care-giving expenses, needed relevant financial products and services that are more suitable to their needs. However, they were often not targeted by financial service providers.<sup>128</sup>



Source: UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021

Access to financial services is also segregated between the rural and urban areas. People who live in rural areas have significantly less access to formal financial channels and products, relying more on informal channels such as *ossusu* (rotating communal savings associations) for financial services. Access to bank branches (which are the main avenues for formal financial services often provided by banks) is significantly more difficult for rural dwellers. This situation is even more difficult for women in rural areas. The study found that only 2 per cent of women had a means of transportation as compared with 58 per cent of the men. The distance to bank branches is a significant challenge for women in rural areas in addition to other obstacles such as childcare and other domestic responsibilities.<sup>129</sup>

Digital financial services such as mobile money accounts which can be operated by use of mobile phones and can mitigate the challenges of accessing bank branches, have had a low uptake,<sup>130</sup> despite the high mobile phone penetration in the country with 74 per cent of women owning a phone (compared to 87 per cent).<sup>131</sup>

Bank account ownership, an indicator of financial inclusion and economic empowerment, is also highlights gender inequalities. A survey found that 15% of bank accounts are owned by women compared to 51% by men

128. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021  
 129. Ibid.  
 130. Ibid.  
 131. UNCDF, PoWER Gambia Survey, 2019.

aged between 26 and 55.<sup>132</sup> This situation indicates the need to increase access to bank account to increase women financial inclusion. Access to bank accounts also depends among women based on their form of employment (formal or informal), their level of education, and whether they are in urban versus rural areas. 62 % of women in formal employment own a bank account compared to only 8 % of women in the informal sector. Similarly, 20 % of urban women as opposed 9 % of rural women own a bank account.<sup>133</sup> It was also noted that marital status also has an impact on whether women have a bank account or not. Women who are divorced (23 per cent) or separated (33 per cent) are more likely to have bank accounts than women in a monogamous (17 per cent) or a polygamous marriage (16 per cent).<sup>134</sup> Account ownership may therefore be linked to married women having a sense of financial security.<sup>135</sup> However, there is also likely to be gender norms at play, where men are required to provide (breadwinner), and where the way women spend or manage their money may be more controlled.





In general, women have less money than men, may be less likely to work, are more likely to do unpaid care or domestic work. Unpaid care work keeps women in poverty as they are unable to take up paid work with earnings.<sup>136</sup> Women are also less likely to own land, or own other assets. Due to patriarchal norms, men are more likely to make financial decisions. Additionally, women have limited financial awareness and literacy, including knowledge of products such as insurance, bank accounts, digital financial products and services, investments, etc.<sup>137</sup> Women are limited to making short term decision expenses, including emergency expenses, and, despite having long-term aspirations, they do not often have the means for long term financial planning. Limited knowledge and access to financial products like insurance often means that women are more vulnerable to emergencies. In line with bank account ownership, women are more likely to save at home, while men are more likely to put their savings in a bank. Self-employed women and women working in the formal sector are more likely to save in banks. Women are also more likely to save money to spend on social celebrations, paying for food and drinks.<sup>138</sup> All these explain why women are more likely to be trapped in a cycle of poverty.

To address poverty and human development challenges, the Government of The Gambia in conjunction with development agencies launched cash transfer programs.<sup>139</sup> Cash transfer programs are well established social protection mechanism, which often have the impact of reducing poverty, putting money directly into the hands of people, allowing them to address specific needs such as nutrition, antenatal care etc, in the immediate term.<sup>140</sup> The Government has recently launched the Nafa Cash Transfer Program which will ensure that 40 per cent of the country's extremely poor households will receive bi-monthly cash payments to support these families, ensuring food security, education, and health costs.<sup>141</sup> Cash transfers can be a strong mechanism for poverty reduction, especially for women who are more vulnerable. However, gender norms need to be taken into account in developing cash transfers programmes to avoid exacerbating them, as highlighted below:

Male governance is engrained in all forms of decision-making. A 2019 qualitative study on

gender and intrahousehold allocation in The Gambia showed that 58% of respondents—men and women—prefer husbands to receive cash transfers. But this rather startling fact does not reflect a lack of desire for change; research has shown that Gambian women living below the poverty line have great aspirations to break intergenerational poverty cycles by investing in the productive human capital of their children. There also is a cry for support for education, where children will be educated for a better future, women will be supported with farming inputs and help to set up business enterprises like poultry, petty trading, with the backing from government interventions.<sup>142</sup>

Gender norms thus show up very strongly as a key factor in gender equality and women's economic empowerment. Disparities between women and men are stronger in rural areas where gender norms hold more sway, and where men are more likely to control their wives management of finances.<sup>143</sup> Some studies also show that men recognise women's ability to run enterprises.<sup>144</sup> There is also some perception by both women and men that women can be trusted with money. In our interviews with several CSOs (many of which are likely to have had some training or information on gender norms and gender norms transformation), it was interesting to see that while indicating that women can hold leadership positions and that there is an effort to balance leadership, several noted that their rules required a female to hold the position of treasure mandatorily. This suggests that, even amongst CSOs which have received gender training, traditional norms still hold strong. This indicates the need for continuing work on gender norms transformation at all levels.

132. PoWER Survey, 2019 in UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021.

133. Ibid.

134. Ibid.

135. Ibid.

136. International Peace Institute, *Toward a New Gambia: Linking Peace and Development* (ipinst.org)

137. Ibid.

138. Ibid.

139. See for example, BReST Project Provides Monthly Cash Transfers to Vulnerable Households in The Gambia | UNICEF West and Central Africa; See also, Nafa Quick: Providing Emergency Cash Transfers to Households in the Poorest 30 Districts in The Gambia during the COVID-19 Pandemic (worldbank.org)

140. See for example, D Ehrenpreis, (ed.), 2006, 'Social Protection: the Role of Cash Transfers', Poverty in Focus, United Nations Development, International Poverty Centre, Brazil, 2006; Rachel Slater, "Cash Transfers, Social Protection and Poverty Reduction" (2011) 20:3 International Journal of Social Welfare 250 -259.

141. Tamara Bah, *From the Smiling Coast of Africa to the World: What The Gambia Can Teach Us about Women and Household Empowerment*, World Bank (2019), online: < From the smiling coast of Africa to the world: What The Gambia can teach us about women and household empowerment (worldbank.org) >

143. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021.

144. Ibid.

We have laws that empower women, because we have a law in Tthis place that gives power to only female to hold the position of Treasurer. Men are not allowed to hold treasurer positions. Women may also hold other positions but this particular position is specifically for women.

**The reason was provided by another informant:**

We have a law in place that empower only female to be treasurer. In our association, we make sure that men never come close to the association's money. They are only allowed to write for us, simply because we don't trust men with our money. Women are responsible for all our bank transactions and financial transactions.

In essence, then, women's ability to manage money, to be frugal, to be accountable are well noted. This indicates a stereotype about men also, which suggests that they are untrustworthy. This may be helpful for organisations working in shifting gender norms, to understand these gender stereotypes and seek to overturn them in order to ensure that both women and men can live without the restrictions imposed by traditional gender norms. But perhaps even more significantly, these will be helpful to address women's internalised beliefs about their ability to harness the relevant mechanisms in place, including micro-finance institutions, digital banking etc, to change the dynamics around female poverty.

### 3.5 LAND INHERITANCE RIGHTS

Rights to inherit land is a critical issue in The Gambia and is related to women's economic empowerment. Few women have full rights and ownership to land, increasing the potential for poverty. Discriminatory customary laws, cultural & social norms as well as intersecting

socio-economic factors affect women land ownership in The Gambia.<sup>145</sup> Most women cannot inherit property, putting them at risk of poverty in the event of the death of a breadwinner. In the Gambia, civil laws ensures that women and men have equal rights to inherit from the family estates. Section 45 of the Women Act as amended in 2015 provides for the rights of women to inherit property.<sup>146</sup> The Women Land Act also provides for the right of women to own land. Additionally, the Constitution of The Gambia provides protection for each citizen including women from unlawful dispossession of property. These laws are however subject to personal law on issues of inheritance, which includes customary and Sharia law, where women and men are not equal on issues related to inheritance in The Gambia.<sup>147</sup>

The Wills Act restricts voluntary devolution of a property by a Muslim testator limiting it to one-third of the testator's property as stipulated by Sharia law.<sup>148</sup> More than 90% of the population in The Gambia are Muslims. More than 90% of Gambian women are therefore regulated by customary and Sharia law. Although aspects of Sharia law emphasise the equality of men and women, discriminatory provisions on issues of inheritance with negative impacts on women and girls have been noted. Under Sharia Law women generally inherit a lower share of asset compared to their male counterparts.<sup>149</sup> Females inherit according to a prescribed sharing formula of 1:2 in favour of males. Most times this is not always implemented. Married women have little or no inheritance rights to inherit their husbands' properties under Islamic law.<sup>150</sup> Men are however entitled to a better proportion of property left behind by female breadwinners.<sup>151</sup>

About 4.2 per cent of Gambians are Christians.<sup>152</sup> Under the Christian Marriages Act of 1862, women and female children can receive properties under the husbands/fathers

145. "Women's Property Law in The Gambia" available online at <https://womanstats.wordpress.com/2010/09/29/womens-property-law-in-gambia/>  
146. "Social Institutions and Gender Index" available online at <https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/GM.pdf>  
147. Section 22 of the 1997 Gambia Constitution. 148. "Food and Agriculture Organization of The United Kingdom: Gender and Land Rights Database" available online at [https://www.fao.org/gender-landrights-database/country-profiles/countries-list/national-legal-framework/inheritance-legal-mechanisms/en/?country\\_iso3=GMB](https://www.fao.org/gender-landrights-database/country-profiles/countries-list/national-legal-framework/inheritance-legal-mechanisms/en/?country_iso3=GMB)

149. Ibid  
150. "Can a husband claim wife property after her death in Islam" available online <https://www.lawyersclubindia.com/articles/can-a-husband-claim-wife-s-property-after-her-death-in-islam-14337.asp> A widow's portion is one-fourth if she has no children, and one-eighth if she has an issue with her deceased husband  
151. Ibid

152. Gambia 2020 International Religious Freedom Report, online: GAMBIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT (state.gov)



will. The female children are entitled to the same shares as their brothers under the laws of intestacy.<sup>153</sup> However the husband may devolve his property through will to other person other than his family leaving nothing behind for his wife or children regardless of the requirements of law of intestacy which stipulates that the surviving spouse and daughters are entitled to equal and equitable shares.<sup>154</sup>

According to most customary practices in The Gambia, a woman's entitlement to use her husband's property is contingent on her agreeing to be "inherited" by her husband's family as a separate piece of property in addition to the rest of her husband's property.<sup>155</sup>

Additionally, customs, traditions and practices governing distribution of assets and land access are fostering gender inequalities. Under customary law, wives are not entitled to user rights for their husband's property. During divorce, tradition requires that a wife returns to her family to seek land for cultivation as she is not entitled to receive any landed property of her husband.<sup>156</sup> Access to land for women who do not marry or who do not marry into land-owning families is even more difficult. Women access to land has therefore been limited to sub-lease, borrowing or share-cropping mechanisms that are exacerbated by additional obstacles such as exclusion from access to credits.<sup>157</sup>

Women in The Gambia's rural areas lack both the means and the chance to own land, which is entirely reserved for men. It becomes very difficult to establish and maintain a successful agricultural enterprise which has a negative impact on food security, health, and education, and it also raises the poverty rate.<sup>158</sup>

The Government therefore needs to create land allocation schemes solely for the benefit of women, by putting in place policies on female inheritance rights and female land ownership. The Government also needs to amend and ammonize statutory and customary laws,<sup>159</sup> for example, the provision on issues of inheritance, marriage to personal law in the Constitution needs to be amended. However, as cultural norms are deeply rooted, changes in ancient traditions cannot be attained only by changing the legal framework. Women's right to inherit will also be achieved by constant educational campaigns to ensure that the population understand the laws and the reasons for its passage.<sup>160</sup> There is also a need to raise awareness with communities about the negative effects of traditions and customs on women's right to inherit and own property.<sup>161</sup> The Government can also provide free legal aid for women for them to claim their legal rights to own and inherit property in court.<sup>162</sup>

153. "Food and Agriculture Organization of The United Kingdom: Gender and Land Rights Database" available online at [https://www.fao.org/gender-landrights-database/country-profiles/countries-list/national-legal-framework/inheritance-legal-mechanisms/en/?country\\_iso3=GMB](https://www.fao.org/gender-landrights-database/country-profiles/countries-list/national-legal-framework/inheritance-legal-mechanisms/en/?country_iso3=GMB)

154. Ibid

155. Women should have access to land, fisheries and forests" available online at <https://allafrica.com/stories/202110050999.html>

156. Women's Property Law in The Gambia" available online at <https://womanstats.wordpress.com/2010/09/29/womens-property-law-in-gambia/>

157. Ibid

158. "Breaking Gender Norms Through Female Land Ownership" available online at <https://united-purpose.org/stories/2022/1/18/breaking-gender-norms-through-female-land-ownership>

159. Ibid

160. "Women's Inheritance Rights in Africa: The Need to Integrate Cultural Understanding and Legal Reform" available online at <https://www.corteidh.or.cr/tablas/r38906.pdf>

161. "A Place to live: Women's Inheritance Rights in Africa" available online at <https://allafrica.com/download/resource/main/main/00010683:bc45d-fa3d613981a7ac5ff93d6dda56d.pdf>

162. "A Place to live: Women's Inheritance Rights in Africa" available online at <https://allafrica.com/download/resource/main/main/00010683:bc45d-fa3d613981a7ac5ff93d6dda56d.pdf>

### 3.6 ENTERPRISE AND EMPLOYMENT

Enterprise and employment are important to the overall security and wellbeing of men and women across The Gambia. The unemployment rate in the country is higher than the world average,<sup>163</sup> affecting both men and

women significantly.. While the total world average rate for unemployment is 8.49 per cent for 181 countries, the unemployment rate for The Gambia from 1991-2022 is 11.21 per cent<sup>164</sup> It is also important to note certain categories of the population are disproportionately affected such as persons with disability, the youth etc. Youth unemployment, for example, in 2021 was estimated at 15.49 per cent.<sup>165</sup>



Figure 2: Trend Analysis of Unemployment in The Gambia 2010-202<sup>166</sup>

It must be noted that unemployment spiked in 2020 (see graph below). Early impacts of the pandemic were serious for labour, with significant loss of jobs, particularly in the tourist, hotel, and restaurant businesses, most of which are located in urban areas. According to a World Bank study, compared to pre-COVID levels, employment levels during the pandemic were lower by about 20 percent.<sup>167</sup> From a gender angle, the effect of the pandemic on employment of females has been larger than on males.<sup>168</sup>

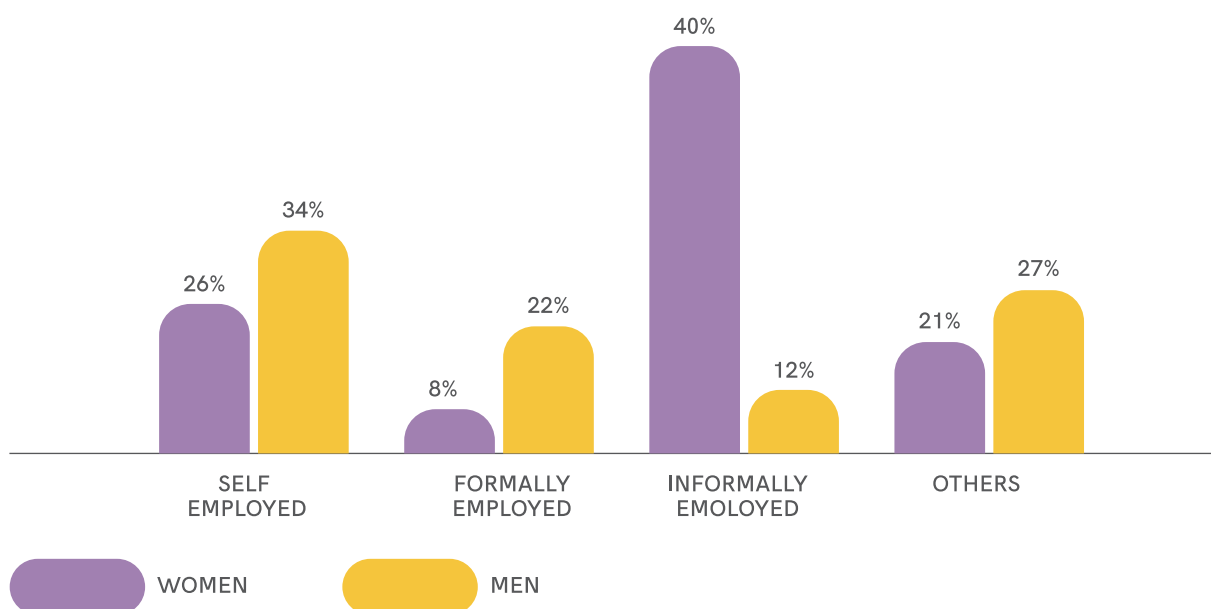
While unemployment is a general challenge, it affects females disproportionately.<sup>169</sup> A research conducted by the UN Women shows that the employment rate of women from 15 and over is 12.4% which is higher than the average unemployment rate in the country.<sup>170</sup> The female unemployment rate according to the latest labour force survey shows female

unemployment at 57.1 percent, significantly higher than the 42.9 percent male unemployment rate and the 35.2 percent national unemployment rate. When looking at the unemployment rate of women from a longer period, from 1991 to 2020, it was observed that the average unemployment of women was 12.31% compared to 7.07 % for the overall population, indicating clear disparities in the effect of unemployment across both genders.<sup>171</sup>

163. Gambia: Female Unemployment (2019) online: <[https://www.theglobaleconomy.com/Gambia/Female\\_unemployment/#:~:text=Gambia%3A%20Unemployment7%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019.181%20countries%20is%208.40%20percent.](https://www.theglobaleconomy.com/Gambia/Female_unemployment/#:~:text=Gambia%3A%20Unemployment7%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019.181%20countries%20is%208.40%20percent.)>  
164. Gambia: Female Unemployment (2019) The Global Economy via [https://www.theglobaleconomy.com/Gambia/Female\\_unemployment/#:~:text=Gambia%3A%20Unemployment7%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019.181%20countries%20is%208.40%20percent.](https://www.theglobaleconomy.com/Gambia/Female_unemployment/#:~:text=Gambia%3A%20Unemployment7%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019.181%20countries%20is%208.40%20percent.)  
165. The Gambia - youth unemployment rate 1999-2021 | Statista  
166. The Gambia - unemployment rate 1999-2021 | Statista  
167. World Bank, The Impact of COVID-19 on Labor Market Outcomes: Evidence from High Frequency Phone Survey from The Gambia, 2021, online: <World Bank Document> at 6.  
168. World Bank, The Impact of COVID-19 on Labor Market Outcomes: Evidence from High Frequency Phone Survey from The Gambia, 2021, online: <World Bank Document>  
169. The Gambia - youth unemployment rate 1999-2021 | Statista  
170. Ibid.  
171. Ibid.

As earlier noted, the onset of COVID-19 affected negatively employment for the overall population in The Gambia but had a stronger impact on vulnerable population including the women. This can be explained because women are mostly employed in informal and fragile sectors, such as agriculture, services, and trading sub sectors. About 74% of women work in the informal sector.<sup>172</sup> Additionally, agriculture accounts to 23% of the GDP of Gambia and the sector employs about 75% of the labour force in Gambia. More than 50% of those employed in the agricultural sector are women.<sup>173</sup> This is a significant issue as agriculture appears to be the lowest paid sector, accounting for only one-third of the national average whereas the highest average wages

were observed within the service industries such as tourism, finance, and business, where the wage is estimated at 74% greater than the total average wage.<sup>31</sup> Furthermore, 78.4 % of women living in rural areas are listed as unemployed compared to 21.6 % of women living in urban areas,<sup>174</sup> indicating living in rural areas as a vulnerability. Moreover, women are overrepresented in low-wage sectors like in agriculture compared to high wage sectors such as finance and business. Additionally, more women are self-employed compared to men who have high paying jobs in business and public sectors.<sup>31</sup> Overall, the number of unemployed females is significantly higher than males (60.7 % vs. 39.2%).<sup>175</sup>



**Source: UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021**

Gender disparities permeate all aspects of employment – from the type of employment (formal and informal) to the remuneration. Males and females accounted for 55.3% and 73.8%, respectively, of these informal employment rates. The informal sector is a significant employer, employing 62.8% of the total workforce.<sup>176</sup> The Gambia Labour Force Survey 2018 shows that males were more employed in all the occupations than their female counterparts, with the exception of the service and sales occupations. More males (81.8 %) are security personnel. In respect of cadres, the findings also show

that more males (82.1%) than females (17.9%) were managers.<sup>177</sup>

Additionally, very few women are in managerial (17.9%) or professional positions (25.8%).<sup>178</sup>

172. UN Capital Development Fund, Women's Economic Empowerment in The Gambia, 2021, p 15.

173. ILOSTAT

174. ILOSTAT

175. Ibid. 176. International Labour Organisation (2014) 'Decent Work Programme – The Gambia 2015 – 2017 (2014) [https://www.ilo.org/wcmsp5/groups/public/-ed\\_mas/-program/documents/genericdocument/wcms\\_560922.pdf](https://www.ilo.org/wcmsp5/groups/public/-ed_mas/-program/documents/genericdocument/wcms_560922.pdf)

177. Gambia Labour Force Survey, 2018, online: <Gambia - Labour force survey 2018 (ilo.org)>

178. Ibid.

OCCUPATION	SEX	
	MALE	FEMALE
Managers	82.1	17.9
Professionals	74.2	25.8
Technicians and associate professionals	82.9	17.1
Clerical support workers	55.7	44.3
Service and sales workers	49.6	50.4
Skilled agricultural, forestry and fishery workers	54.9	45.1
Craft and related trades workers	82.0	18.0
Plant and machine operators, and assemblers	90.5	9.5
Elementary occupations	61.5	38.5

Employed Population Age 15-64 Years by Occupation and Sex (Gambia Labour Force Survey, 2018)

## ENTERPRISE

Entrepreneurship is also critical to support poverty reduction, employment creation, as well as income generation. The National Entrepreneurship Policy articulates government's commitments to entrepreneurship. In accordance with the Policy, it is expected that The Gambia will have an enabling entrepreneurship environment, quality entrepreneurship education and a thriving entrepreneurial spirit, embracing all parts of the country by 2026.<sup>179</sup> It is also expected that to be beneficial for disadvantaged groups such as women and youth, which will be critical to national development.

Moreover, economic equality between women and men is hinged to a large degree on the freedom, capacity and resources to engage in enterprise. Financing is a key part of economic empowerment and is crucial to creation and sustainability of successful businesses. In many countries around the world, women still lag behind men in achieving economic equality, including barriers in entrepreneurial pursuits.<sup>180</sup> The same is reflected in the case of The Gambia as women-owned firms are significantly fewer than male-owned firms.<sup>181</sup>

Empowering women entrepreneurs in The

Gambia is crucial as they contribute positively to the economy growth in terms of job creation, poverty reduction, and country's gross domestic product (GDP).<sup>35</sup> However, it is important to highlight that female entrepreneurs are mostly leading small-scale businesses focusing on tie-dyeing, soap-making, beauty salons, sewing and textiles or catering services.<sup>182</sup> Thus few women entrepreneurs are heading bigger enterprises, and large-scale businesses.<sup>183</sup> Additionally, women-owned businesses are often labour-intensive and based on low profit trade of subsistence farming, selling fresh and cured fish, while men are more likely to export frozen and smoked fish, which is more capital-intensive but also have potential for higher profit.<sup>184</sup>

Moreover, women-owned businesses face sectorial-specific barriers, especially in the agriculture sector. They are often confronted

179. National Entrepreneurship Policy, 2021-2026 at 13.

180. See for example, Tolulope Olanrewaju and Julia Fernando, "Gender Inequality and Female Entrepreneurship in Developing Countries" (2022) in In: Leal Filho W., Azul A., Brandli L., Lange Salvia A., Wall T. (eds) Decent Work and Economic Growth. Encyclopedia of the UN Sustainable Development Goals. Springer, Cham. [https://doi.org/10.1007/978-3-319-71058-7\\_92-1](https://doi.org/10.1007/978-3-319-71058-7_92-1).

181. International Trade Centre, Entrepreneurship Ecosystem in The Gambia: A Network Analysis of Institutions Supporting Entrepreneurship, 2020, online: <Entrepreneurship-Ecosystem-in-The-Gambia.pdf (nyc.gm)> 182. Aisha Keita, "Female Entrepreneurs in the Gambia: Opportunities and Challenges" (2017) <Empower Women - Female Entrepreneurs in the Gambia: Opportunities and Challenges>

183. Ibid. See also, Isatou Cham, "Women Entrepreneurs in The Gambia: Investigating the Challenges and Motivation of Women Entrepreneurs in The Gambia" (2018) Working Paper Series, WPS NO / 171/ 2018-05.

184. Simonetta Zarrilli, "The Gender Dimension of Trade Case studies from Africa: Lesotho, Gambia, Rwanda, Angola and Cape Verde" (2014) UNCTAD, online: < The Gender Dimension of Trade Case studies from Africa: Lesotho, Gambia, Rwanda, Angola and Cape Verde by Simonetta Zarrilli (unctad.org)



with the challenges of the seasonality of the agricultural business due to weather changes.<sup>185</sup> Coupled with insufficient storage facilities, they are forced to sell at cheaper rates maintaining them in poverty.<sup>36</sup>

It was also noted that the lack of role models and networks as well as male-dominated societal perceptions discourage females to consider entrepreneurship as a career path. Despite targeted initiatives to women, most institutions do not cover female entrepreneurs in their programmes.<sup>186</sup>

The biggest barriers faced by women to develop their business are the access to financing and assets.<sup>187</sup> In the Gambia, many women do not own land and are therefore unable to access credit facilities<sup>188</sup> because traditional banking institutions generally require estate property to approve loans. A mistrust of formal financial services is also a notable obstructing factor preventing women from accessing credit from formal banking institutions.<sup>189</sup> Most women businesses were started with personal funds which tend to be limited.<sup>37</sup> It is also important to note that access to financing would also impact the type and scale of women enterprises. The Government has developed a National Entrepreneurship Policy addressing this issue by introducing “preferential measures and special incentives to encourage business formalization by different vulnerable groups. Promote the role of women entrepreneurs and, if necessary introduce legislation related to asset ownership rights to enable women to own, control and have the choice over the use of productive assets.”<sup>190</sup> Despite an effort to address the issue of women in entrepreneurship, the implementation of the policy is lagging behind.

FGD participants noted that when women seek financing from banks, men are often required as guarantors which constitute an additional barrier to accessing financing. However, the increasing use of micro-finance banks could counter-balance this issue and provide an easier path to credit access for women.

This kind of loan is much needed, especially for women who are divorced because they have deprived from the owning anything belonging to her former husband.

Through the Women Enterprise Fund Act (enacted in 2020) and set out in the National Development Plan, the Government is advocating for as a viable vehicle to increase women’s access to financing. In 2021, D7.4 million was disbursed as loans to women entrepreneurs.<sup>191</sup>

It is also important to emphasize that women entrepreneurs often utilize a portion of their revenues to help their families, which further hinders their business development.<sup>192</sup> Women generally also focus on social goals.<sup>193</sup> Over time, this observation has become the basis to advocate for increased access of women to credit facilities. Several organizations such as Reliance Financial Services, The Gambia Investment and Export Promotion Agency (GIEPA), Gambia Women’s Finance Association (GAWFA), Young Entrepreneurs Association (YEA Gambia) among others have been formed to help women entrepreneurs in The Gambia.<sup>194</sup> However, technological challenges and heavy taxation still hinder women’s enterprise.

Furthermore, women are often excluded from entrepreneurial support ecosystems, institutions and linkages, which include incubator and accelerator programmes or networks of commerce, amongst others. By being excluded, women are missing networking, collaboration and learning opportunities, as well as potential to engage more strongly in negotiations and to access finance and markets.<sup>195</sup> As a result, some initiatives have emerged such as Gambia Women’s Chamber

185. Ibid.

186. International Trade Centre, *Entrepreneurship Ecosystem in The Gambia: A Network Analysis of Institutions Supporting Entrepreneurship*, 2020, online: <Entrepreneurship-Ecosystem-in-The-Gambia.pdf (nyc.gm)> at 23.

187. See for instance, Cham, *ibid*.

188. A Senghore, *Economic Empowerment Of Women Through Islamic Microfinance: A Case Study Of Women Vegetable Producers In The Gambia*, Hamad Bin Khalifa University (Qatar) ProQuest Dissertations Publishing, 2019.

189. UN Capital Development Fund, *Women’s Economic Empowerment in The Gambia*, 2021, p 58.

190. National Entrepreneurship Policy at 2.2 (p.21).

191. Finance Minister: “Gender Ministry Disbursed D7.4 Million Loans For Women Groups” | Foroyaa Newspaper

192. K Zagrodny, *Microfinance and Morals: The Interplay of the Moral Economy and Capitalist Interests through Business in The Gambia*. (2011). Service Learning and Directed Research, Banjul, Gambia

193. International Trade Centre, *supra* note 106. 194. Aisha Keita, *supra* note 79.

195. See generally International Trade Centre, *Entrepreneurship Ecosystem in The Gambia: A Network Analysis of Institutions Supporting Entrepreneurship*, 2020, online: <Entrepreneurship-Ecosystem-in-The-Gambia.pdf (nyc.gm)>

of Commerce,<sup>196</sup> Bridging Gaps, Woman Boss,<sup>197</sup> Buzz Women Gambia to create mentorships,<sup>198</sup> networking, and access to finance opportunities.<sup>199</sup> However, role clarification and improved collaboration between the emergent initiatives need to be fostered to increase their overall impact.<sup>200</sup>

Furthermore, this study observes the need to develop and implement gender-sensitive procurement guidelines in the public sector that would support women-owned businesses. Every year, about 100 million USD is spent in public procurement in The Gambia.<sup>201</sup> However, women entrepreneurs benefit significantly less than their male counterparts and face significant barriers to participation in public procurement. The Gambia spends an estimated 1 % of its public procurement budget on women-owned businesses.<sup>202</sup> The following have been identified as the barriers women-owned businesses face in public procurement:

Inadequate national legislation and policies, poor government practices, misfit tender design, lack of information and experience, excessive requirements, and limited capability to undertake large contracts, insufficient track record which makes them ineligible, limited finances, limited or no interaction with procuring entities (including lack of feedback on unsuccessful bids), poor networks which limit collaboration which can make bids more successful.<sup>203 204</sup>

Many potential solutions can be highlighted such as the need to implement gender-sensitive tenders and identify barriers that may prevent women from bidding. The Gambia Public Procurement Regulations establishes a margin of preference when assessing offers from local companies. There is, however, no definition of women-led businesses in the regulations. There is a need to review and amend The Gambia Public Procurement Act, 2014 to address these issues.<sup>205</sup>

## DISCRIMINATION IN EMPLOYMENT

As mentioned earlier, the Gambian Constitution prohibits discrimination amongst all citizens on the basis of gender.<sup>206</sup> The Gambia has also committed to several International Convention

fostering equal employment for all genders, such as:

1. ILO Equal Remuneration Convention, 1951 (No. 100) which supports equal remuneration for the same work for both women and men;
2. Discrimination (Employment and Occupation) Convention, 1958 (No. 111) which constrains countries to “pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof”<sup>207</sup>
3. CEDAW<sup>208</sup>
4. the Maputo Protocol,<sup>209</sup>
5. UN Guiding Principles on Business and Human Rights.

At National level, apart from the Constitution, the Labour Act is the main legal framework covering employment. However, it does not specifically mention gender-based discrimination in employment. Other legislations such as the Women’s Act and the Domestic Violence Act include elements regarding discrimination, sexual harassment and other related workplace matters.

However, unfriendly and abusive work environment towards women and gender-based discriminatory laws remain widespread in the Gambia. Studies show that many domestic workers (who are mostly female) are vulnerable to long hours, poor remuneration, unconducive work environments, abuse and

196. Gambia Women’s Chamber of Commerce, Gambia Women’s Chamber of Commerce – Support for Women Engaged in the Private Sector in Gambia (gamwcc.com)

197. <https://www.womanboss.com>

198. Bridging Gaps.

199. See for example, Gambia Women’s Chamber of Commerce Annual Report 2020, online:

200. International Trade Centre, Entrepreneurship Ecosystem in The Gambia: A Network Analysis of Institutions Supporting Entrepreneurship, 2020, online: <Entrepreneurship-Ecosystem-in-The-Gambia.pdf (nyc.gm)> at 14.

201. International Trade Centre, Making Public Procurement Work for Women, 2020; Key Informant interview with UNOPS.

202. Ibid.

203. International Trade Centre, Making Public Procurement Work for Women, 2020.

204. Ibid at 31.

205. Ibid.

206. Section 7, Constitution of The Gambia 1997, as amended.

207. Article 2

208. See Article 11 of the Convention on the Elimination on Discrimination against Women which mandates State Parties to tackle discrimination against women in the field of employment, including measures to ensure that women are not penalized or unduly disadvantaged for their marital status or during pregnancy. See also Paragraph 232(m) of the Beijing Platform for Action (1995).

209. Article 8 of the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa which requires State Parties to ensure that women are represented equally in law enforcement

harassment.<sup>210</sup> Beyond this, there is a significant wage gaps between males and females, as high as 65 %.<sup>211</sup> This can be explained as more women are working in the informal sector where earnings are lower and have lower academic qualifications.<sup>212</sup>

Sexual harassment is also an issue predominantly affecting women in the workplace. A study carried out in 2020 to assess sexual harassment in the media agencies in The Gambia, found that majority of harassers in the workplace are male.<sup>213</sup> Sexual harassment often emphasises the dominance of men over women in the workplace, reinforcing gender inequality. One study (date) showed that sexual harassment most commonly happened at the recruitment, business trips, role allocation at work and promotion.<sup>141</sup>

While some legislation like the Criminal Code, Women's Act and the Domestic Violence Act may provides some legal base on sexual harassment, there is not specific law on sexual harassment in the workplace. As a result, employers rely on internal disciplinary mechanisms to deal with sexual harassment in the workplace.<sup>214</sup>

Maternity policies are also critical to addressing women's economic empowerment and potential to thrive in the workplace. Some of the FGD participants noted the impact of maternal issues on their employment.

Pregnancy and breast feeding are very challenging, they reduce the progress of women in workplace.

When you are pregnant it reduces your progress therefore it reduces your earning.

The law provides maternity protections for women in addition to the anti-discriminatory provisions in the Act. Section 83 of the Labour Act prohibits the dismissal or disciplinary action against women due to pregnancy or for having taken maternity leave. The Act also allows maternity leave for at least 12 weeks.<sup>215</sup> The Act also details that maternity leave is only granted on condition that the female

employee has "two years continuous service with the same employer" or that her "period of service with the same employer has been interrupted by one or more periods, none of which exceeds seven months and who has in aggregate not less than eighteen months service with the same employer."<sup>216</sup> The Act also guaranties paternity leave of minimum ten working days with pay.<sup>217</sup> Compared to other countries in the Region, these provisions are progressive. However, some improvements could be noted. The provisions requiring two years of continuous service with the same employer can be restrictive and unprotective for women. Moreover, the above-mentioned provisions conflict with the Women's Act which set out a minimum of six months maternity leave for all pregnant women. It has been argued that the Women's Act should supersede It has been suggested that the conflict should be resolved in favour of the Women's Act because the Women's Act derives from the CEDAW and the Maputo Protocol. One might also add that the Women's Act is latter in time, suggesting that the parliament's intention is for the provisions of the Women's Act to supersede.

The Government is continuing its efforts as another Bill is being designed to amend the Labour Act and bring it in line with the Women's Act.<sup>218</sup>

Other amendments are also being advocated to protect women's maternal rights and earning potentials as well as protections for the infant including provisions guaranteeing payment of full allowances during absence, breastfeeding breaks, and ability to be employed during pregnancy.<sup>219</sup>

210. US Department of State, 2021 Country Reports on Human Rights Practices: Gambia, online: <Gambia - United States Department of State>

211. Ibid.

212. In the formal sector, the same salary rates largely apply. <Gambia - United States Department of State>

213. Gambia Press Union (2020) Research Report On Sexual Harassment And Discrimination In Media Agencies In The Gambia

214. National Human Rights Commission (NHRC) (2020) Advisory Note Sexual Harassment. The Gambia Press Union, for example, has stepped forth to validate the sexual harassment policy for the media to combat sexual harassment in the course of their employment

215. Section 7 of the Labour Act.

216. Section 71 (1) of the Labour Act

217. Section 71 (2). 218. "National Assembly Adopts Report that Seeks to Protect Pregnant Women," Forayaa September 6, 2021, online: <National assembly adopts report that seeks to protect pregnant women | Forayaa Newspaper>

219.





## GENDER EQUALITY IN KEY BUSINESSES LEADERSHIP POSITIONS

At the top of enterprises, one key question that arises is with respect to the leadership of corporate bodies and gender equality. Do women lead companies? Are they an equal part of boards?

After review of the literature and interviews,

it was noted the lack of information regarding the gender equality in key leadership positions across businesses. One recommendation of this study would be to conduct further researches and data collections to understand the gender parity situation and identify potential barriers.

In conclusion, reaching gender equality fosters economic growth and makes societies resilient.<sup>220</sup> If all persons have access to work,

220. World Bank, Women Business and the Law: Western and Central Africa (2022).





are able to achieve their full potential both as employees and as entrepreneurs, there will be positive impacts at macro-economic level. However, there are still many persisting gaps in gender equality in employment and enterprise in The Gambia.

### 3.8 EDUCATION

Education is interlinked with other socio-economic factors such as employment, behaviour,

income, maternal health, and fertility choices.<sup>221</sup> Studies conducted on the benefits of education show that those with higher education have better employment, better health and are more involved in their communities compared to people with lower levels of education.<sup>222</sup> However, existing educational inequalities are found along the dimensions of gender, ethnicity, race, socioeconomic status, ability and social group.<sup>223</sup> This was the basis for the Sustainable Development Goals (SDG) 4 that is focused on achieving equal education for all. Achievement of SDG 4 plays a crucial role in fulfilling the 17 Sustainable Development Goals (SDGs) adopted by the General Assembly of the United Nations in September 2015 as improved access to education will positively impact the other goals.<sup>224</sup> To achieve this overarching objective in The Gambia, the defined targets includes eliminating gender disparities in education and ensuring equal access to all levels of education, removing bottlenecks that hinder equitable quality service delivery, limited access to education for children living with disabilities as well as pre-existing gender norms.<sup>225</sup>

The legal framework provides for universal education: In this respect, the Children's Act of 2005 (Article 18) and the Republic of The Gambia's Constitution of 1997, as amended, requires the provision of 9 years of free and compulsory basic education (Article 30), which includes lower basic (6 years, ages 7 – 12) and upper basic (3 years, ages 13 – 15) education levels.<sup>226</sup> Senior secondary school (3 years, ages 16–18) is also free for all Gambians, and the amended Draft Constitution in 2020 makes it obligatory.<sup>227</sup>

Gender disparities persist in education and literacy levels in The Gambia. According to the DHS (2020), the literacy rates for males aged 15 to 49 was 67% compared to 47% for

221. Gambia Bureau of Statistics (GBoS) and ICF, The Gambia Demographic and Health Survey 2019–20. Banjul, The Gambia and Rockville, Maryland, USA: GBoS and ICF (2021).

222. Manandhar, M., Hawkes, S., Buse, K., Nosrati, E., and Magar, V. (2018). Gender, health and the 2030 agenda for sustainable development. *Bulletin of the World Health Organization*, 96(9), 644–653. <https://doi.org/10.2471/BLT.18.211607> and Ihaji E., Gerald, E. and Ogwuche C. (2014) Educational Level, Sex and Church Affiliation on Health Seeking Behaviour among Parishioners in Makurdi Metropolis of Benue State, *Journal of Educational Policy and Entrepreneurial Research (JEPER)*

223. Friedman, J., York, H., Graetz, N. et al. Measuring and forecasting progress towards the education-related SDG targets. *Nature* 580, 636–639 (2020). <https://doi.org/10.1038/s41586-020-2198-8>

224. UN SDG Goals, online: <THE 17 GOALS | Sustainable Development (un.org)>

225. UNICEF, Gambia Education Fact Sheet, 2020, online <<https://www.unicef.org/gambia/education>>

226. UNESCO (2021) 'Non-state actors in Education', Global Education Monitoring report Available at <https://education-profiles.org/sub-saharan-africa/gambia/~non-state-actors-in-education>

227. Ibid



women in the same age bracket.<sup>228</sup> The MICS 2018 have similar data but a closer margin between women and men than the DHS: Men (aged 15-49), are more likely to have achieved literacy than women (69 percent versus 64 percent).<sup>229</sup> This may be attributed to the fact that the DHS is more recent, but is worth a deeper investigation. However, the MICS also find that girls constitute the majority (around 55 percent) of children who are not learning (even though in school), for both reading and numeracy.

Past education initiatives helped to reach gender parity at primary school level.<sup>230</sup> However, while enrolment gap disappeared, there are still disparities in primary school completion rates.<sup>231</sup> Girls (69%) are more likely to complete primary education compared to boys (61%) (UNICEF, 2020).<sup>232</sup>

This trend is reversed in secondary school where 53 % of boys did not complete lower secondary levels compared to 55 % of girls who did not complete upper secondary level.<sup>233</sup> Similar gender disparity in the lower secondary school, while 56% of out-of-school youngsters are males, 42% are females.<sup>234</sup>

Thus, there are gender disparities where more boys did not complete school at primary level and where a majority of girls did not complete school at the secondary level. While attention has been paid and continues to be paid to girls' education, especially in light of the disparity in literacy rates of women and men, attention also needs to be paid to boys' education.

However, regarding upper secondary school, 31% of boys complete whereas only 28% of girls complete secondary education.<sup>235</sup> This disparity could be explained by the gender norms and social expectations where girls need to participate in domestic duties as well as the impact of child marriages. Regardless of existing laws and treaties ratified by The Gambia, towards advancing girls fundamental right to education, the lower completion rate of girls at the primary level, remain a major concern to be addressed.

Early marriages, more prevalent in rural parts of The Gambia, have been correlated with low levels of education and poverty in the girl's family.<sup>236</sup> In the capital city, Banjul, the average age of women marrying is 22.2 years

old, but in Basse, it is 17.9 years old. Similarly, the average age of marriage for women with secondary or higher education is 22.9 whereas it is 17.7 for women with no education. In general, about 18 percent of young women aged 20-24 years old are married or entered a union between their 15th and 18th birthday; 8 percent did so prior to their 15th birthday. Studies further argue that the high levels of illiteracy amongst women can be attributed to the patriarchy that seeks to leave women subservient to men and in traditional roles.<sup>237</sup> Gambian women are also facing obstacles in acquiring vocational skills.<sup>238</sup>

While all public schools have eliminated tuition fees for all students up to the secondary level, it is important to note some geographic disparities in the access to education. Urban residents have been found to have a higher level of education compared to their rural counterparts. Further, in rural regions, about half of females (53%) and men (48%) have no education, compared to roughly one-third of girls (33%) and males (30%) in urban areas.<sup>239</sup> The median number of years of education among both men and women was also found to increase as income increases.<sup>240</sup> The discrepancies in rural-urban education experiences can be attributed to the fact that, while education is free, there are other significant costs of education, such as cost of transportation, reading materials etc. This is typically more accessible for urban dwellers compared to rural dwellers. The numbers of girls completing school has an impact on the number of qualified female teachers.<sup>241</sup> This in turn also has an adverse impact on having role models and achieving gender parity at school.

Studies conducted in The Gambia have reported 27 per cent of girls missing at least one day

228. Gambia Bureau of Statistics (GBoS) and ICF (2021) The Gambia Demographic and Health Survey 2019-20. Banjul, The Gambia and Rockville, Maryland, USA: GBoS and ICF

229. UNICEF, Gambia Education Fact Sheet, 2020, online <<https://www.unicef.org/gambia/education>>

230. See Table

231. Bozic I. (2018) 'Top 10 Facts About Girls' Education In The Gambia', The Borgen Project

232. See UNICEF fact sheet (2020)

233. Ibid.

234. Ibid

235. Ibid

236. Joughi, J. and Stark, L. (2017) Causes and Motives of Early Marriage in The Gambia: Is New Legislation Enough?

237. Olagbaju, O (2020) "Adult Literacy and Skill Acquisition Programmes as Correlates of Women Empowerment and Self-Reliance in The Gambia", Education Research International, vol. 2020, Article ID 7264171, 8 pages, 2020. <https://doi.org/10.1155/2020/7264171>

238. Oladotun Opeoluwa Olagbaju, "Adult Literacy and Skill Acquisition Programmes as Correlates of Women Empowerment and Self-Reliance in The Gambia", Education Research International, vol. 2020, Article ID 7264171, 8 pages, 2020. <https://doi.org/10.1155/2020/7264171>

239. Ibid

240. Ibid

241. "Barriers and Obstacles to Girls' Access to Education in Developing Nations: The Gambia." (2019) online: <5 Barriers to Girls Education in The Gambia | SaGG Foundation>

of school during their most recent period.<sup>242</sup> Access to menstrual hygiene products, poor water sanitation in schools and related issues have also been identified as barriers to girls' education.<sup>243</sup> Further studies may be required to establish a link between menstrual poverty and secondary school completion for girls. Furthermore, studies show that women who lived in the Banjul LGA (83.8% and 67.2%) were more likely to access education compared to women from Basse LGA (77.2% and 27.8%) who reported the least frequency and school attendance.<sup>244</sup>

Apart from access, another key issue is standardisation. The Gambia's education system is governed by the Ministry of Basic and Secondary Education (MoBSE) which oversees all education from early childhood to senior secondary (including private schools, grant-aided schools, and Madrassas), the centralized Ministry of Higher Education, Research, Science, and Technology (MoHERST) that oversees tertiary education and the General Secretariat for Islamic and Arabic Education (GSIAE or Amaanah), the country's umbrella organisation for all Madrasa education providers, supervising Madrassas in close coordination with the MoBSE.<sup>245</sup> Thus, currently, the educational landscape in The Gambia includes both state, grant-aided and private schools ==that teach in English and the madrassas which are seemingly modern Islamic schools that educate in Arabic.<sup>246</sup> The madrassas unlike conventional schools move to further promote the understanding of the Koran and Islamic religion asides from the secular education taught.<sup>247</sup> They are still considered equivalent to conventional schools in The Gambia. However, it is important to ensure that they provide the same standard of education. As noted by a key informant:

But the one thing I would like to highlight is there is this upsurge of Madrassas considering themselves as basic and secondary education entities. We have to make sure that this curriculum that we have given up for all the schools are also applied in these madrassas. Because if people take their education from there and there is a standard curriculum that everyone should be respecting and they are not then we have a problem.  
KII Participant

In the past, gender balance in tertiary education has been supported through collaborations between the Government and organisations such as UNICEF. The aim was to encourage the enrolments of women and girls in tertiary education, especially in courses like mathematics and other core sciences.<sup>248</sup>

However, at the onset of the COVID-19 pandemic, the education of women and girls were most disproportionately affected. Following the school closures and lockdown policies at the height of the pandemic, access to the new remote way of learning proved particularly challenging to the girl child who appeared to be saddled with domestic chores compared to their male counterparts.<sup>249</sup> This attempted to further impact educational disparities across both genders and reverse the gains made in advancement of the girl child education. The implication of which is a widespread illiteracy, unemployment, and rising poverty among women in The Gambia, particularly in rural regions.

However, it is important to note that the situation has improved for both women and men, girls and boys in terms of education. The DHS notes that "the percentage of women who attended at least some secondary education increased from 40% in 2013 to 50% in 2019-20. Among men, the percentage increased from 56% to 62%. The percentage of women and men with no education declined between 2013 (47% and 31%, respectively) and 2019-20 (35% and 22%, respectively)."<sup>250</sup>

In sum, education is a crucial facet of national development. There are legal and policy commitments towards improving education in general, and the education of females in particular. There is, however, need for stronger implementation. There are gender gaps existing in all aspects of education from access to utilization, frequency and uptake. There is a need to bridge the gaps and increase women's

242. V Shah et al, "Effects of Menstrual Health and Hygiene on School Absenteeism and Drop-out among Adolescent Girls in Rural Gambia (2022) 19 Int J Environ Res Public Health 3337 <<https://doi.org/10.3390/IJERPH19063337>>

243. Ibid. See also, V Shah, et al "A Rite of Passage: A Mixed Methodology Study about Knowledge, Perceptions and Practices of Menstrual Hygiene management in rural Gambia. BMC Public Health. 2019. <<https://doi.org/10.1186/s12889-019-6599-2>> H M Nabwera, « Menstrual Hygiene Management Practices and Associated Health Outcomes among School-Going Adolescents in rural Gambia. PLoS ONE. 2021 <<https://doi.org/10.1371/journal.pone.0247554>>

244. See table

245. Ibid

246. Tamari T (20) Qur'anic Memorisation Schools in The Gambia: An Innovation in Islamic Education

247. Ibid. 248. Ibid

249. Wannamakok W, Sissokho O, Gates TG. Human rights and education for Gambian young women during COVID-19: Recommendations for social policy and practice. International Social Work. 2020;63(6):825-829. doi:10.1177/0020872820952860

access to equal and fair education. This will require gender norms transformation, financial support to boost women's uptake of education and inclusive policy review. The education of women will reduce poverty, gender inequality child and maternal mortality, improve formal sector labour participation which has potential for higher earnings, and ensure that women are financially independent thereby ensuring

participation in the decision making of the family and the economy and strengthen women's capacity to advocate for gender equality<sup>251</sup> In the bid to improve the education of females, it is also important to recognise that gender equality requires ensuring that boys' education be paid attention to, especially where boys are lagging behind.

## 3.9 HEALTH

Health indices in the Gambia are average in the West African region. Women's average life expectancy was 67.7 years and 65.5 years for men.<sup>252</sup> HIV prevalence stands at 1.8% for persons between 15-49 years<sup>253</sup>, while other health indicators such as the infant and under-5 mortality rate stood at 42 and 56 deaths per 1,000 live births, respectively.<sup>254</sup> In addition to this, maternal mortality ranged from 204 to 375 deaths per 100,000 live births in 2020.<sup>255</sup> It is also important to note that there is also a shift in disease burden, with non-communicable illnesses (NCDs) such as ischemic heart disease becoming more prevalent. Changes in food choices and sedentary lifestyles have been attributed to this shift, which has increased the prevalence of diabetes and hypertension. According to WHO estimates, NCDs and injuries account for 41% of all fatalities in the Gambia, with a 19% chance of dying from NCDs between the ages of 30 and 70.<sup>256</sup>

To address these issues and enhance access to healthcare, the Gambia has developed policies and laws including the National Health Insurance Act which was recently signed in 2021. The Gambia has also made commitments in the National Health Policy (NHP) (2010 – 2020) (currently under review), and the National Health Sector Strategic Plan (2021- 2025) which is currently being finalised, which are aimed at strengthening the health systems and providing quality healthcare for citizens. A key guiding principle of the National Health Policy (2010- 2030) was ensuring that “the planning and implementation of all health programmes addresses sensitive and responsive issues including equal involvement of men and women in decision-making; eliminating obstacles (barriers) to services utilisation; and

the prevention of gender based violence.”<sup>257</sup> It therefore recognised the need to support gender equality especially in decision-making regarding health.

However, despite all these measures, improvements in health indices have been poor, and universal health coverage is a challenge in The Gambia. Since the signing of the Abuja declaration in 2001 where all African countries committed to allocating not less than 15% of the national budget to healthcare, The Gambia like many other African countries has consistently fallen below the required standard. The Gambia's health expenditure in 2015 was \$21, a 6.62% decline from 2014. This figure accounts for less than 5% of the country's budget.<sup>258</sup> Currently, development partners contribute almost half of all health spending.<sup>259</sup> The population's out-of-pocket spending on healthcare is 23.19 percent, which is high.<sup>260</sup> Furthermore, the uptake of health insurance schemes is low among the populace and is also a major determinant of high out-of-pocket spending, especially among women of reproductive age.<sup>261</sup> Given high poverty levels as earlier discussed, and women's higher level of poverty, the impact of out of pocket expenditure is significant for men, but even more catastrophic for women. In addition, women have even less access to insurance. Men and women, boys and girls, are all susceptible to various diseases and

250. The Gambia Demographic and Health Survey, at p. 32.

251. Ministry of Basic & Secondary Education & Higher Education Research Science & Technology: Education Policy. (2016). Retrieved from <http://bit.ly/2oeD6c4>

252. <https://www.worldlifeexpectancy.com/gambia-life-expectancy>

253. <https://data.worldbank.org/indicator/SH.DYN.AIDS.ZS?locations=GM>

254. Gambia Bureau of Statistics (GBoS) and ICF. 2021. The Gambia Demographic and Health Survey 2019-20. Banjul, The Gambia and Rockville, Maryland, USA: GBoS and ICF.

255. Supra 3

256. Bai C, Shaun S, Linda N, Omar B, Jennifer S. (2018). Burden of hypertension in The Gambia: evidence from a national World Health Organization (WHO) STEP survey. *International Journal of Epidemiology*, Volume 47, Issue

257. The Government of Gambia, National Health Policy, 2010- 2020, at p. 17.

258. <https://www.macrotrends.net/countries/GMB/gambia/healthcare-spending>

259. National Health Financing Policy, 2017 – 2020.

260. <https://data.worldbank.org/indicator/SH.XPD.OOPC.CH.ZS?locations=GM>

261. Menen T, Bezawit M, Kegnle S. (2022). Access to health care problem and associated factors among reproductive age women in Gambia: Using Gambia Demographic

they have different experiences with illness and healthcare services. Their ability to obtain health care varies, depending on their income and employment status. Women's health care decision-making and access to health care services may be limited as a result of their lower economic status, greater financial dependence on men, and gender norms that favour men's decision-making.<sup>262</sup>

Accessibility is also a challenge. As at 2016, The Gambia had 7 public hospitals at the tertiary level, 49 secondary level health centres, and 634 health posts at the primary level, as well as 41 private clinics. The problem with equitable access to health services amongst men and women is attributed to population and geographic dynamics. Urban centres in The Gambia are saturated with more health facilities when compared to rural areas.<sup>263</sup> In these places, health centres are limited and far between with a lower number of health personnel than in urban areas. However, fewer women have vehicles or means of transportation than men as already stated.<sup>264</sup> This, in addition to illiteracy, causes women to seek care among traditional birth attendants and prayer houses, which puts pregnant women at risk of preventable mortality.

Health-seeking behaviours are also gendered. Men take on certain jobs to fulfil roles as providers and breadwinners, which makes them more vulnerable to occupational health issues such as accidents, stress-related illness, and unhealthy sexual practices. Men's health-seeking behaviour is frequently influenced by social norms that expect men to be strong in the face of illness and to avoid appearing weak by seeking medical help. Cultural and social norms continue to influence health-care-seeking behaviour, with women being more likely than men to seek medical help.<sup>265</sup>

Even though women are more likely to seek health care, they have less autonomy in many parts of the Gambia because they need male permission or guardianship to access health services.<sup>266</sup> According to the GDHS, only 27 percent of currently married women aged 15-49 make decisions regarding their own health care, major household purchases, and visits to their family and relatives either alone or jointly with their partner.<sup>267</sup> This restricts their access to contraception and their chances of receiving care after spousal rape or

domestic violence.<sup>268</sup> The high prevalence of HIV/AIDS and unwanted pregnancies, according to the data, is due to women's inability to negotiate the circumstances surrounding sexual encounters in comparison to men, a lack of education and access to information on how to prevent disease transmission, particularly among women in rural areas, harmful practices such as female genital mutilation, and the prevalence of sexual violence against women.<sup>269</sup>

The Women's Act (2015) sets out the right of every woman to enjoy the highest level of physical, mental and social well-being, health care and health care services including family planning.<sup>270</sup> Section 29(3) further gives women the right to determine processes concerning reproduction in her body with international best practices.

In several ways, health is gendered, with women and girls bearing the brunt of health challenges. Early marriage is high, with 1 in 5 of girls (20 per cent) aged 15-19 married, as compared with less than 1 per cent boys of the same age group.<sup>271</sup> Teenage pregnancy is high, with 14 per cent of adolescents commencing childbearing.<sup>272</sup> Women with no children have higher pregnancy rates. The total fertility rate (TFR) is 4.4.<sup>273</sup> Women in rural areas and some local governments (Basse especially) have higher fertility rates, averaging 5.7. Poorer women also have higher fertility rates. The Gambia has one of the highest maternal mortality rates in West Africa accounting for more than 30 per cent of deaths.<sup>274</sup> Maternal deaths constitute 17% of all deaths among women age 15-49, and 289 maternal deaths per 100,000 live births.<sup>275</sup> Another health indicator that is a major problem in the Gambia is maternal healthcare. Several studies have attributed maternal mortality to poor access

Health Survey 2019/20. <https://doi.org/10.21203/rs.3.rs-1397227/v1>

262. *Ibid.*

263. Rees CP, Hawkesworth S, Moore SE, Dondeh BL, Unger SA. Factors Affecting Access to Healthcare: An Observational Study of Children under 5 Years of Age Presenting to a Rural Gambian Primary Healthcare Centre. *PLoS One*. 2016 Jun 23;11(6):e0157790. doi: 10.1371/journal.pone.0157790. PMID: 27336164; PMCID: PMC4919103. 264. See Section on Employment and Enterprise.

265. S Dierickx, K O Oruko, E Clarke, Ceesay S, Pacey A, Balen J (2021). Men and infertility in The Gambia: Limited biomedical knowledge and awareness discourage male involvement and exacerbate gender-based impacts of infertility. *PLoS ONE* 16(11): e0260084.

266. Y Sanni, I Dina, A Olalekan, B Ghose, Determinants of unmet need for family planning in Gambia & Mozambique: implications for women's health. *BMC Women's Health* (2021) 21:123

267. The Gambia Demographic Health Survey; See also CEDAW Report, 2022.

268. *Ibid.* See Sanni et al., *supra* note 227.

269. UNFPA, "The Parallel Pandemic: Domestic and Gender Based Violence during COVID-19 in The Gambia," 2020.

270. Section 29, Women's Act 2010.

271. Gambia Demographic Health Survey, 2021, p. 62

272. *Ibid.*, p. 73.

273. *Ibid.*

274. V. Kermue, P. Garmai, O. Williams, Prevalence of Maternal Mortality in West Africa: A Systematic Review (2021) 6:1 *ARC Journal of Gynecology and Obstetrics* 10-20.



to maternal health, occupation, wealth index, maternal education, husband's education, media exposure, residence, and health insurance coverage.<sup>276</sup> Another study also found that 45% of reproductive-age women in the Gambia have difficulty accessing maternal health services. The most common problems that limit women's reproductive-age care among reproductive-age women in the Gambia are access to money which stood at 27.03 per cent and distance to health facilities which stood at 25.50 per cent.<sup>277</sup>

Contraceptive use is still low in the Gambia. The DHS reports an unmet need for contraceptives for 24 per cent of 45 per cent for unmarried women.<sup>278</sup> Factors associated related to religious beliefs, illiteracy, and partner's approval limit the uptake of contraceptives.<sup>279</sup> Scents and young girls in The Gambia ranged from 7% to 9%, according to studies.<sup>280</sup> The study also revealed that females in The Gambia have a low uptake of modern contraceptive methods, which contributes to the high pregnancy rates among adolescent girls. The study also found that cultural and religious barriers, such as misconceptions that contraception is associated with promiscuity, shame, and the disapproving attitude of health workers, contribute to low contraception uptake among adolescents and young people. All of these factors contribute to why young people do not seek medical help, even if they have sexually transmitted infections.<sup>281</sup>

Other aspects of sexual and reproductive health are also a challenge in the Gambia. Research indicates that access to adequate information and services on sexual and reproductive health is low. Teenage pregnancy, especially among adolescent girls between the ages of 15 to 19 years, is rampant and this has adverse consequences on HIV and the prevalence of unsafe abortions in the country.<sup>282</sup> The Reproductive, Maternal, Neonatal, Child and Adolescent Health Policy, 2017-2026 was developed to tackle these challenges, but sexual and reproductive health in The Gambia remains work in progress.

Much of available funding is devoted to vertical programs that target women and children.<sup>283</sup> There are fewer services that specifically address the health needs of men. While these interventions are based on available data, it also means that men's health care needs are frequently overlooked.<sup>284</sup> The

Covid-19 pandemic has further exacerbated health inequalities and the attendant impact on gender in the Gambia. In 2020, the Gambian Network Against Gender-Based Violence (NGBV) recorded 1068 cases of sexual violence across nine "One-Stop Centers," a massive increase from the 2,000 cases of SGBV collected nationally over four years from 2015 to 2019.<sup>285</sup> The pandemic led to economic instability and loss of livelihood which made young girls vulnerable to early marriage, adolescent pregnancy, complicated deliveries, obstetric emergencies, unsafe abortions, sexually transmitted infections, human immune virus (HIV), and vesicovaginal fistulas. It has also increased the risk of gender-based violence by causing anxiety, frustration, and anger among men in the Gambia who have been unable to fulfill their ascribed breadwinner roles, as some have resorted to violence to assert power and authority.<sup>286</sup> Further, during the pandemic, women and girls were forced to stay at home due to increased care responsibilities for children who were home-schooled, sick relatives, or school closures, making it difficult for them to participate and voice their concerns in decision-making spaces where pandemic preparedness and responses were discussed. Interventions to address emergent concerns include a Girls' Centre for the production of sanitary towels in Basse (with UNFPA support), and a Fistula Rehabilitation Centre in LRR (funded by the ECOWAS Gender Development Centre).<sup>287</sup>

There are other areas of concern. As with all the other thematic areas, there are significant inequalities, including gender which have an impact on health. These intersect with geographical location (rural versus urban), income levels, and levels of education, with impacts on women and men.

275. Gambia Demographic Health Survey, 2021, p. 243.

276. Ibid.

277. Access to Health Care Problem and Associated Factors among Reproductive Age Women in Gambia: Using Gambia Demographic Health Survey 2019/2020. Available Online at <https://assets.researchsquare.com/files/rs-1397227/v1/d3633baa-b356-4b2c-a781-d7dd0bcdcf25.pdf?c=1653646456>

278. The Gambia Demographic and Health Survey 2019-20, p. 97.

279. Barrow A. (2020). A survey on prevalence and knowledge of family planning among women of child bearing age in the provincial settings of Gambia. A descriptive cross-sectional study. *Advances in Preventive Medicine* · November 2020

280. Ibid.

281. <https://www.panafrican-med-journal.com/content/article/40/221/pdf/221.pdf>

282. The Gambia 2019-2020 Demographic and Survey Report available online at <https://dhsprogram.com/pubs/pdf/SR268/SR268.pdf>

283. Sundby J. A rollercoaster of policy shifts: Global trends and reproductive health policy in The Gambia. *Glob Public Health*. (2014) Sep 14; 9(8): 894-909.

284. Ibid.

285. How COVID-19 pandemic exacerbates sexual based violence in the Gambia <https://www.chronicle.gm/how-covid-19-pandemic-exacerbates-sexual-based-violence-in-the-gambia/>

286. UNFPA, "The Parallel Pandemic: Domestic and Gender-Based Violence During COVID-19 in the Gambia [2020], The Gambia Gender Unit

287. "Finance Minister: 'Gender Ministry Disbursed D7.4 Million Loans For Women Groups'" Foroya, November 23, 2021 online: <Finance Minister: "Gender Ministry Disbursed D7.4 Million Loans For Women Groups" | Foroyaa Newspaper>







### 3.10 GENDER-BASED VIOLENCE

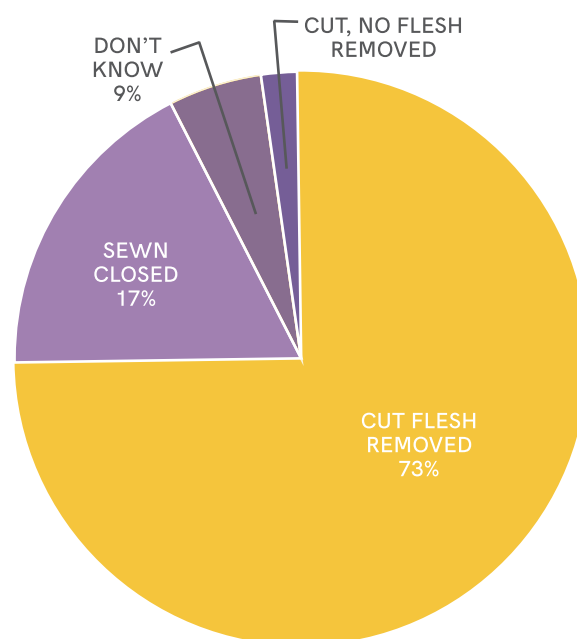
In The Gambia, one in every three women has experienced sexual or physical violence at some point in her life, which is close to the global rate.<sup>288</sup> The magnitude of gender-based violence in the Gambia continues to grow and women are more vulnerable due to the existence of discriminatory laws and socio-norms that put men in a vantage position over women.<sup>289</sup> Rape, sexual assault, sexual harassment, intimate partner violence (IPV), female genital mutilation (FGM), harmful traditional practices, son preference, widowhood ceremonies, forced marriage, human trafficking, child marriage, and cyberbullying are all common forms of violence in the country.<sup>290</sup>

The National Demographic and Health Survey 2019-2020 report indicated that 11% of women have experienced physical violence. In addition, about one-third of ever-married women (39%) have experienced spousal violence from their current or previous husband or partner, whether physical, sexual, or emotional. Physical violence is the most common type of spousal violence (29%), followed by emotional (24%) and sexual violence (6 percent).<sup>291</sup> Although men and women are victims of GBV, women are disproportionately affected, and recent findings point to this fact.

GBV can also be translated through Cultural practices. For example, the practice of female genital mutilation (FGM) which is associated with culture is prevalent in the Gambia. The NDHS 2019-2020 reported a prevalence of 73% of FGM among women aged 15-49 years. The study also went further to explain that about two-thirds of women (65%) were circumcised when they were younger than age 5, while 18% were circumcised between the ages of 5 and 9, 6% at age 10-14, and 1% at age 15 or older.<sup>292</sup> The attendant effect of FGM on the physiological make-up of women is devastating. Women who undergo this procedure are exposed to a lot of medical complications which may have life-long consequences on their health and general well-being. Furthermore, the Covid 19 pandemic and the lockdown further fuelled the occurrence of different forms of GBV in the Gambia. According to a survey, Gambia recorded 1068 cases of sexual violence across nine reporting centers which was a

significant increase from the 2,000 cases of SGBV recorded across the country from 2015 to 2019.<sup>293</sup>

#### Female Genital Mutilation/Cutting



#### Percent distribution of women aged 15-49 who have been cut by type of FGM

Child marriage which is also a form of GBV continues to be a challenge and a human rights violation of women and girls in The Gambia. Recent data show that showed that 30% of women aged 20 to 24 years were first married or in union before age 18.<sup>294</sup> This practice of child marriage although harmful is supported by religious and cultural practices.

Furthermore, reports have also shown that women and girls are disproportionately the victims of trafficking in the Gambia. The sole aim of trafficking is for victims to work as sex slaves and forced laborers. Families of victims support this action in other to get financial gains.<sup>295</sup>

288. [thecommonwealth.org/news/gambia-announces-plans-launch-national-no-more-campaign-against-domestic-violence](https://thecommonwealth.org/news/gambia-announces-plans-launch-national-no-more-campaign-against-domestic-violence)

289. *ibid*

290. *ibid*

291. Gambia Bureau of Statistics (GBoS) and ICF. 2021. The Gambia Demographic and Health Survey 2019-20.

Banjul, The Gambia and Rockville, Maryland, USA: GBoS and ICF

292. *ibid*

293. How COVID-19 pandemic exacerbates sexual based violence in the Gambia <https://www.chronicle.gm/how-covid-19-pandemic-exacerbates-sexual-based-violence-in-the-gambia/294>. UNFPA., 2020. The Parallel Pandemic: Domestic and Gender-Based Based Violence during COVID-19 in The Gambia

295. <https://www.state.gov/reports/2021-trafficking-in-persons-report/gambia/>

## Legal Framework for Gender-Based Violence in the Gambia

The Gambian laws prohibit rape and assault, however spousal rape is not recognized by the law.<sup>296</sup> Sexual assault, exploitation, and harassment are all illegal under the Sexual Offences Act (date). This bill modifies the law and procedure for the prosecution of rape and other sexual offenses. The Act removes some of the roadblocks that have previously hampered the prosecution of rape and other sexual offenses. This Act broadens the definition of sexual assault and other coercive crimes to encompass situations in which the survivor is coerced into sexual acts, as well as perpetrators who would have gotten away with it before the revisions.<sup>297</sup>

The Domestic Violence Act (DVA) of 2013 is a law that prohibits domestic violence and protects victims, particularly women and children. The use of violence in the home is not justified based on consent, according to section 18 of the DVA. The Act also requires police officers to respond promptly to any request for assistance from a victim of domestic violence and to provide such protection as the circumstances of the case or the person who made the report require, even if the person who made the report is not the victim.<sup>298</sup>

The Women's Act (2010 amended 2015) is a ground-breaking and comprehensive piece of legislation that protects women from violence. Section 6(1) of the Act establishes protection that was not addressed in The Gambia's 1997 Constitution or any other law. (1) Every woman shall be protected from any form of physical, sexual, psychological, or economic harm, suffering, or violence, whether in public or private life; (2) Any form of violence against women is prohibited; and (3) All government departments, agencies, organs, public and private institutions must take appropriate steps to promote and protect women's legal rights and status from any form of abuse by any person, enterprise, organization, or institution.

The Trafficking in Persons Act of 2007 domesticates the Optional Protocol on Trafficking in Persons (the Palermo Protocol), and address the human trafficking of women and children, among other things. The Act's main goal is to prevent, suppress, and punish those who engage in human trafficking, as well as to

rehabilitate and reintegrate survivors. The government has also adopted the National Referral Mechanism (NRM) for the Protection of Vulnerable Migrants, including Victims of Trafficking (VoTs) and the National Plan of Action to address trafficking in persons (2021-2025). The national task force of trafficking in persons (TIP) is a key entity in the implementation of these documents.

Despite the existence of these laws, GBV persists in The Gambia. The drivers of GBV are rooted in socio-cultural norms and practices. FGM and child marriage are practised for example as a result of norms emphasising female chastity, the subservience of women and girls as the data from the GDHS indicate. Furthermore, at this time, there has been no prosecution of a case of FGM under the law. FGM persists especially in the rural areas despite the 2015 amendment of the Women's Act to criminalise FGM.

Furthermore, some studies have shown, for example, a need to curb workplace violence related to nurses.<sup>299</sup> Many nurses are female. Other issues relate to a lack of policies with respect to clinical management of survivors of gender-based violence. Aside from issues related to violence, there is need for a comprehensive approach to issues of gender in the health space – making provisions for a life-course approach that acknowledges the different vulnerabilities of men and women at different points in life, that enshrines non-discrimination and professionalism, and provides for equal and equitable access to quality, gender responsive healthcare free of gender based discrimination.

There is also a need for effective responses and mechanisms to address challenges faced by survivors of GBV. The Victims' Support Unit (VSU) was established pursuant to Section 13 (a) (ii) of the Truth, Reconciliation and Reparations Commission Act, which has a Psycho-Social Unit.<sup>300</sup> Recently with support from UNFPA, the Ministry of Gender has established some one-stop centres victims of domestic violence at locations including Bakoteh. Helplines for reporting cases

296. *ibid*

297. [hrda.org/wp-content/uploads/2020/07/Handbook-on-SGBV-in-The-Gambia-FINAL.pdf](https://hrda.org/wp-content/uploads/2020/07/Handbook-on-SGBV-in-The-Gambia-FINAL.pdf)

298. Domestic Violence Act, 2013.

299. Ebrima Saiwo et al. *Workplace Violence against Nurses in the Gambia: Mixed Methods Design* (2017) 17: 311 BMC, online: <Workplace violence against nurses in the Gambia: mixed methods design | BMC Health Services Research | Full Text (biomedcentral.com)>

300. CEDAW Report 2022.

have also been established for GBV (1313) and violence against children (199) are and are operational.<sup>301</sup> Other key interventions include the establishment of a gender unit by the Attorney General's Chambers to train police officers, prosecutors, and other law enforcement agents on the application of the relevant legislation on sexual violence, and Sexual and Gender Based Violence unit established at the Ministry of Justice in 2018 to monitor, investigate, prosecute, and provide support for counselling of victims of sexual and gender-based violence, particularly women and children.<sup>302</sup> (It is not clear if the VSU established under the Truth, Reconciliation and Reparations Commission Act and the unit

established under the Ministry of Justice work together or separately.) But there are still gaps which have been identified including issues of concern include lack of implementation of the existing laws, severe under-reporting, lack of effective reporting mechanisms, and low rate of prosecution of alleged perpetrators. From a service provision perspective, there is also inadequate support for victims of violence, including legal assistance, shelters, and rehabilitation services.<sup>303</sup> According to the UN CEDAW Report 2022, other initiatives by the UNFPA in conjunction with the government to address some of these gaps are upcoming this year.<sup>304</sup>



301. UNFPA The Gambia | Women Empowerment Centre to provide integrated care to survivors of Gender-Based Violence  
302. CEDAW Report, 2022.  
303. Ibid at 8.  
304. CEDAW Report, 2022.




## 3.11 DIGITALISATION

can also include labour market participation, greater financial digital inclusion, access to health care through telemedicine, access to information on a range of issues, promoting freedom of expression, with potential for economic benefit and overall wellbeing. Easily accessible, secure and reliable internet is also crucial for bridging digital gap and reducing inequalities particularly providing more opportunities for women and girls<sup>305</sup> The government through laws has attempted to bridge digital gap and inequalities through laws for instance the Information Communication Act (2013) establishes a “a universal service access fund” aimed at financing projects to provide telephone, internet and associated services to rural parts of the country<sup>306</sup> According to Gambian Investment and Export Promotion Agency.

The Gambia has registered significant progress in the area of information and communication Technologies (ICT). The driving force behind this has been The Gambian Government who mainstreamed ICT in all public activities to promote socio-economic development goals<sup>307</sup> ICT sector however contribution is still relatively modest in The Gambia. According to the Gambia’s Bureau of Statistics (GBOS), the communications sector contributed 3.4 percent to GDP in 2019. Though it is quite low, there exists huge potential to its contribution to Gambians GDP in the future.<sup>308</sup> This Report will attempt to consider various aspects of digitalisation including use of mobile and other digital technologies, internet use, social media, ICT/tech business, artificial intelligence etc. With regards to ensuring women’s empowerment, two key aspects need to be considered:

 Access and the utilization of digital technologies

 The advancement of women to leadership and decision-making roles in the digital sector.<sup>309</sup>

More than three quarters (76 per cent) of women and 86 per cent of men own a mobile phone. Among mobile phone owners, 9% of women and 10% of men use their mobile phone for financial transactions<sup>310</sup> According to the 2021 Digital Global, Gambia, about 580,200 (Five Hundred and Eighty Thousand

Two Hundred) persons use the internet in the Gambia, with internet penetration standing at 23.7 per cent of the Gambia population. Thus over 70 per cent of persons in The Gambia did not have access to the internet as of 2021. Consequently, there are still a significant number of Gambians, women and men, who are not digitally connected. The Digital Global, Gambia 2022 showed significant increase in internet users in The Gambia. According to the report there are 1.29 million internet users in The Gambia, and internet penetration rate stood at 51.0 % of the total population of the start of 2022. These figures show that about 1.24 million do not use internet at the start of 2022. Meaning about 49% of the entire population of the Gambia remained offline.<sup>311</sup> As regards social media use in The Gambia, there were 461,000 thousand social media users in The Gambia in 2022. The number of social media users stood at 18.3% of the total population. More men than women use social media<sup>312</sup>

Women and girls’ participation in ICT is also relatively low according to an ITU report with women being less than 30 per cent of ICT professionals.<sup>313</sup> Opportunities for a new generation for women in the ICT sector remains significantly high and there are sufficient opportunities for employment. This is a key economic factor to both local and international development. The growth however in jobs in the ICT domain has seen a lot of women left behind particularly in the senior level<sup>314</sup>. A lot of work will have to be done in grassroots particularly in universities, research and development centres and trade or applied schools. In order to respond to the needs of the ICT industry and particularly get more women employed in the ICT Sector.<sup>315</sup>

305. “Digital Transformation in Africa” available online at <https://www.consiliun.europa.eu/media/40535/annex-2-digital-transformation-in-africa.pdf>

306. “Digital Rights in The Gambia” available online at [https://cipesa.org/?wpfb\\_dl=290](https://cipesa.org/?wpfb_dl=290)

307. “Gambian Investment and Export Promotion Agency” available online at <https://www.giepa.gm/ICT#:~:text=ICT%20The%20Gambia%20recently%20has,enhance%20socio%20economic%20development%20goals>

308. World Bank Group “Digital Economic Diagnostic: The Gambia” available online at <https://thedocs.worldbank.org/en/doc/1f7221545bf1b7c89b850dd85cb409b0-0400072021/related/The-Gambia-Digital-Economy-Diagnostic-Report-Final.pdf>

309. OECD, “Bridging the Digital Gender Divide Include, Upskill and Innovate” in <https://www.oecd.org/digital/bridging-the-digital-gender-divide.pdf>

310. Demographic and Health Survey of the Gambia Summary Report of the Gambia. Available online at <https://dhsprogram.com/pubs/pdf/SR268/SR268.pdf>

311. Digital 2022: <https://datareportal.com/reports/digital-2022-gambia>

312. For instance, at the beginning of 2022, 32.4 percent of Facebook’s ad audience in The Gambia was female, while 67.6 percent was male. See Ibid

313. “Improving Girls’ education in Africa through Technology” available online at <https://www.saggfoundation.org/blog/archives/04-2021>

314. “Gambian Girls in The ICT Celebration Equity and Empowerment in ICT usage” available online at <https://thepoint.gm/africa/gambia/article/gambian-girls-in-ict-day-celebration-equity-and-empowerment-in-ict-usage>

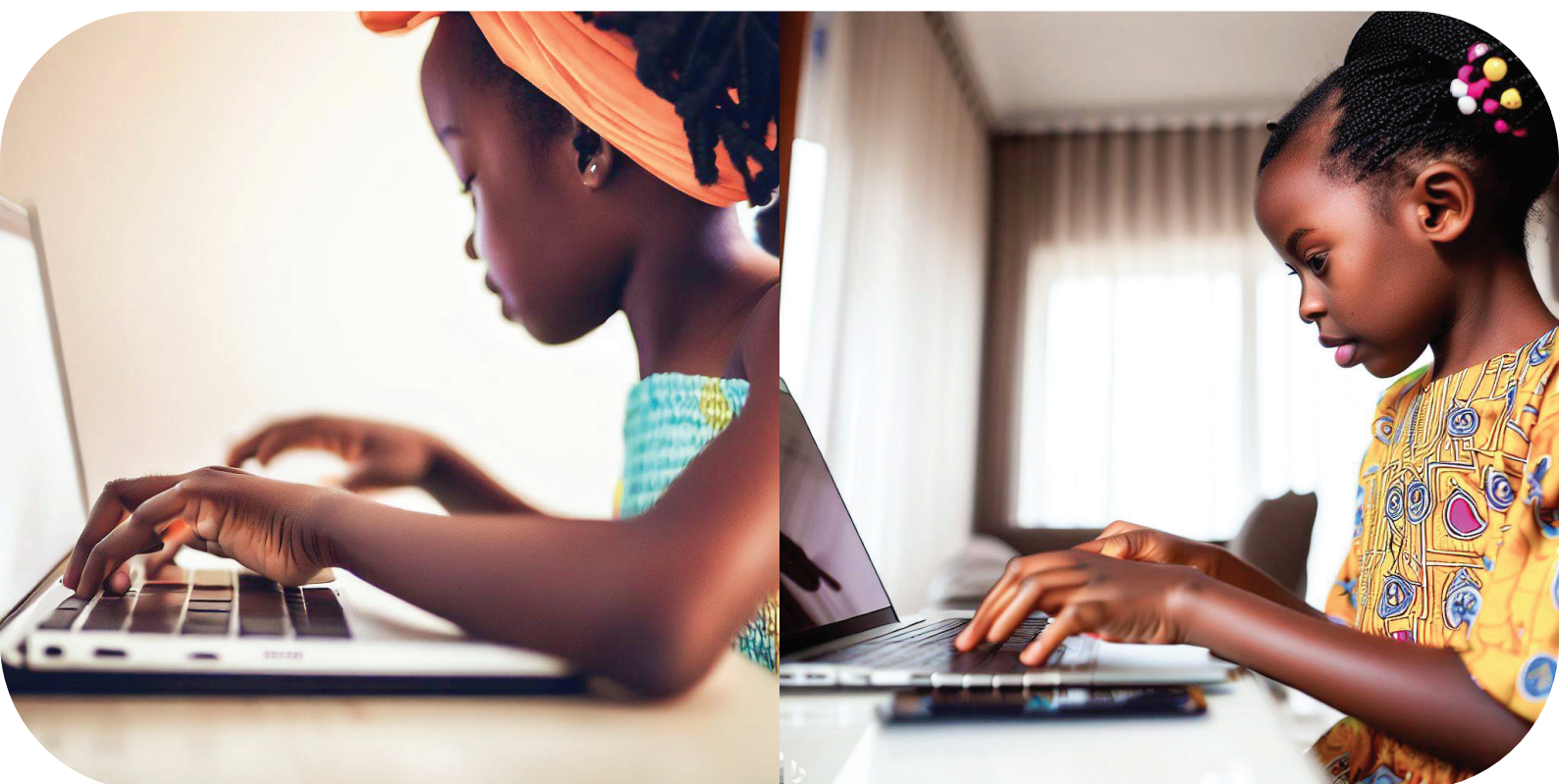
315. Ibid

Gambian girls face several barriers in education. The lack of access to technology presents a quagmire to this issue: technology is not available in most of the Gambian schools. In the few cases where technology is available girls are not given access. The gender norms in The Gambia creates certain beliefs that women are less capable of using technology than men, and that technical positions such as STEM (Science, Technology, Engineering and Mathematics) careers are not the ideal career path for women<sup>316</sup>. This belief is reflective in the total numbers of girls enrolled in secondary and tertiary institutions who undertake STEM subjects. A survey conducted by the Ministry of Higher Education, Research and Technology reveals that only 12.8% (58.58% boys and 41% girls) of the total enrolled students in secondary schools were specialized in sciences. Data shows that as females begin to go further into their career path, men outnumber females in pursuit of advanced STEM degree programmes. Representation of females in the natural sciences stood at 20 per cent compared to males at 80%. Engineering and

Technology stood at 21 per cent for females compared with males at 79 per cent.<sup>317</sup>

As the world moves towards artificial intelligence, computing and robotics, the workforce will need different skillsets. A significant number of jobs available in today's world will likely require digitalization in the near future. This means that digitalization has the potential to significantly improve the social and economic upshot for women. Gaps in digital skills will lead to inequality in employment, education, and other opportunities.

In essence, there are gender gaps in all aspects of digitalisation, from access, utilisation, career path, career opportunities and participation in women in the ICT sector. There is need to bridge the gaps and increase women's participation in, and gains from, digitalisation. This will require gender norms transformation, educational and financial support to boost digitalisation for both women and men, with additional efforts in support of women.



316. Supra Note 9

317 "Stem and Gender Advancement: The Gambia Country Report, 2018" available online at <https://www.moherst.gov.gm/sites/default/files/2021-12/Gambia-SAGA%20Country%20Report-DRAFT02.pdf>

## 3.12 AGRICULTURE, CLIMATE CHANGE AND ENVIRONMENT

The Gambia is vulnerable to the effects of climate change. Such vulnerability is reflected in increase in temperature, sea level rise, decrease in rainfall, changing rainfall patterns, frequent and intense extreme weather events and deforestation.<sup>318</sup> Deforestation not only contributes to a decrease in rainfall, but also allows storms and flash floods to wash away fertile soils<sup>319</sup> These affect the key components of the country's economic sector, in particular, the agricultural sector and the tourism sector.<sup>320</sup> These factors have direct effects on the agricultural sector including adverse effects on crop growth based on their need for water, as well as soil fertility and potential increase in pests and diseases. In terms of livestock, climate change also affects the quality and amount of food supply and water available to the animals.<sup>321</sup> In addition, the tourism sector can potentially be severely impacted by coastal erosion and other climatic events which may damage The Gambia's beaches, a prime tourist attraction. Floods are also increasingly a challenge, damaging crops and infrastructure across the country.<sup>322</sup> All of these exacerbate already existing inequalities, in particular, gender inequality.

Over 60 per cent of Gambians depend on agriculture for their means of livelihood. Women constitute more than half of the agricultural labour force and produce about 40% of the total agricultural output of The Gambia.<sup>323</sup> Given the link between climate change and agriculture, climate change is likely to have negative impacts on agricultural productivity. Agriculture accounts for 23 per cent of the GDP of Gambia. The sector employs about 75 per cent of the labour force in Gambia of which more than 50 per cent of those employed in the agricultural sector are women.<sup>324</sup> Women are thus more likely to be impacted by climate change, lose profits from agricultural work, but also suffer potential adverse effects on food production and the chain of supply of agricultural products.

The increase in heat is one of the consequential health threats caused by climate change. Exposure to very high temperatures and humidity poses occupational heat stress which affects women who work outdoors.

Women have been shown to suffer more from climate change due to their dual productive and reproductive role. Women are more likely to be impacted from a nutritional perspective. Pregnant women need nourishment, as do children (much of whose caregiving responsibilities fall on women). Thus, in addition to livelihoods, women are also impacted by the impact of climate change on the health of their children.

Additionally, women involvement in policy, advocacy, decision making in climate change mitigation is very limited. This further aggravate gender inequalities in the impact of climate change in The Gambia.<sup>325</sup>

The Gambia is one of the signatories to the Paris Agreement, which is a legally binding international treaty on climate change adopted by 196 countries in 2015 and which entered into force in 2016. The key objective of this Agreement is to limit to reduce carbon footprint and limiting the effect of global warming to at least below 2 degrees Celsius.<sup>326</sup> The Gambian government has made considerable effort to limit the destruction delivered by climate change in line with the Paris agreement.<sup>327</sup> The Gambian Climate Change Net Tracker also shows The Gambia has attained an almost sufficient rating in its effort to limit the effects of climate change.<sup>328</sup> The Gambia also has in place National Climate Policy (NCCP) since 2016. It creates a direction for human resource development, and emphasises the connection between climate change adaption and disaster risk reduction. Through this Policy, The Gambia aims to

318. World Bank, Climate Change Knowledge Portal "The Gambia" available online at [Knowledgeportal.worldbank.org/country/gambia#:~:text=The%20country%20is%20vulnerable%20to,well%20as%20the%20tourism%20sector](https://knowledgeportal.worldbank.org/country/gambia#:~:text=The%20country%20is%20vulnerable%20to,well%20as%20the%20tourism%20sector).

319. "Weathering the uncertainties of climate change in the Gambia" available online <https://www.un.org/africarenewal/news/weathering-uncertainties-climate-change-gambia>

320. Climate Change Knowledge Portal "The Gambia" available online at [Knowledgeportal.worldbank.org/country/gambia#:~:text=The%20country%20is%20vulnerable%20to,well%20as%20the%20tourism%20sector](https://knowledgeportal.worldbank.org/country/gambia#:~:text=The%20country%20is%20vulnerable%20to,well%20as%20the%20tourism%20sector).

321. Food and Agricultural Organization of the United Nations "Adapting Agriculture to Climate Change in Gambia" available online at <https://www.fao.org/3/cb8739en/cb8739en.pdf>

322. International Peace Institute, Toward a New Gambia: Linking Peace and Development, online: < [ipinst.org](https://www.ipinst.org) > at 9.

323. JLI FAD "Investing in Rural People" available online at <https://www.ifad.org/en/web/operations/w/country/the-gambia#:~:text=Country%20Facts, on%20agriculture%20for%20their%20livelihood>.

324. [https://www.theglobaleconomy.com/Gambia/Female\\_unemployment/#:~:text=Gambia%3A%20Unemployment%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019,181%20countries%20is%208.40%20percent](https://www.theglobaleconomy.com/Gambia/Female_unemployment/#:~:text=Gambia%3A%20Unemployment%20rate%20for%20females%2C%201991%20%2D%202019%3A&text=The%20latest%20value%20from%202019,181%20countries%20is%208.40%20percent).

325. "Challenges of Working in the Heat Whilst Pregnant: Insight from Gambian Women Farmers in the Face of Climate Change" available online at <https://www.frontiersin.org/articles/10.3389/fpubh.2022.785254/full>

326. "United Nations : Climate Change" available online at <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

327. "What the smallest country in mainland Africa can teach us about climate action" available online at <https://www.weforum.org/agenda/2021/11/what-the-smallest-country-in-mainland-africa-can-teach-us-about-climate-action/>

328. "The Gambian Climate Change Tracker" available online at <https://climateactiontracker.org/countries/gambia/>



achieve mainstreaming of climate change into national planning, budgeting, decision-making and programme implementation. It envisages that this will be achieved through effective mechanisms, coordinated financial resources, and human resource capacity.<sup>329</sup> In 2012, The Gambia set out the Gambia 2050 Climate Vision, which aspires to be a climate resilient, middle-income country by 2050 through green economic growth assisting sustainable. Low emissions development, and finally contributing its fair share to global efforts to address climate change.<sup>330</sup>

The National Climate Change Policy recognises the place of gender mainstreaming in achieving climate change- related goals. Its vision is to “Achieve a climate-resilient society, through systems and strategies that mainstream climate change, disaster risk reduction, gender and environmental management, for sustainable social, political and economic development.”<sup>331</sup> Various interventions are ongoing to address the linkage between

the adverse impacts of climate change and gender. A respondent shared some of the initiatives of government as follows which includes the Ministry of Women, Children and Social Welfare working with the Ministry of Environment to ensure that gender equality and gender mainstreaming is taken into account in the implementation of the Climate Change Policy while the Ministry of Women, Children and Social Welfare is also building in climate change indicators in health projects such as using solar panels etc.<sup>332</sup>

However, there is need to create more awareness around climate change for women in agriculture and support them in resilience building. There is also need for more interventions that specifically recognise the impact of climate change on women and girls. The International Gender Action Plan of the UN Framework Convention on Climate Change (UNFCCC) can provide guidance for developing such interventions.



329. “Climate Change National Policy” available online at <https://www.climate-laws.org/geographies/gambia/policies/climate-change-national-policy#:~:text=The%20goal%20of%20the%20Policy,and%20enhanced%20human%20resources%20capacity.>  
330. “The Gambia 2050 Climate Vision “ online: <<http://extwprlegs1.fao.org/docs/pdf/gam208266.pdf>>  
331. National Climate Change Policy, 2016.  
332. KII Informant.



Migration in The Gambia can be classified into two main types: internal migration within The Gambia mostly from rural to urban areas, and external migration from The Gambia to international destinations. About 17 per cent of the population are estimated to have moved from rural to urban areas.<sup>333</sup> According to the 2020 IOM Study, 34 per cent of rural migrants come from Kerewan LGA.<sup>334</sup> Brikama is the choicest destination (65 per cent), followed closely by Kanifig LGA.<sup>335</sup> Internal migration is generally influenced by many factors including economic, infrastructural, political and social factors. Economic factors, such as better job opportunities and higher income, are a major reason for most people moving from the rural areas to the urban areas. Poverty is especially high in the rural areas, with many trying to increase their income.<sup>336</sup> Men are more likely to migrate from rural to urban areas, and more likely to migrate to LGAs such as Banjul, Brikama and Kanifig.<sup>337</sup> Majority of those who migrate (71 per cent), are married. Putting this together, if majority are men and are married, their wives stay behind.<sup>338</sup> In essence, while men are expected to be providers and therefore migrate to earn more money, women are

less likely to migrate and are more likely to be left behind to manage the home.<sup>339</sup> Male migration affects women in various ways, including changing the impact on women: it is changing the demographic balance in villages, (with fewer men), and leaving women to manage the home, but also the workload from farming. They are also vulnerable to poverty, GBV, conflict and natural disasters.<sup>340</sup>

In terms of external migration in The Gambia, men have been found to migrate at a higher rate compared to women, owing arguably to restrictive prevalent traditional gender roles.<sup>341</sup> While women may have the desire to travel, there appears to be a preoccupation with responsibilities such as domestic duties and caring for the children that limits their ability to explore migration opportunities.<sup>342</sup> This contributes to the likelihood of women seeking regular routes of migration compared to men so as to enable them cater to these responsibilities.<sup>343</sup> The Gambia Labour Force Survey records a total of 37,914 irregular male migrants in 2018 compared to 577 women.<sup>344</sup> Most often these migrants opt for Europe and North America through Libya, Niger and Algeria.<sup>345</sup>

	MALE		FEMALE		TOTAL	
AREA	Irregular	Regula	rrregular	Regula	rrregular	Regular
RURAL	15,453	6,270	91	1,111	15,543	7,381
URBAN	22,461	10,940	486	4,703	22,948	15,643
THE GAMBIA	37,914	17,210	577	5,814	38,491	23,024

**Table 1: Irregular and regular migration by gender, 2018 source:**  
The Gambia Labour Force Survey, 2018

333. Government of The Gambia, The Gambia National Development Plan, 2017-2020.  
334. IOM The Gambia, Mobility Assessment on Internal Migration, 2019.  
335. Ibid.  
336. Ibid.  
337. Ibid.  
338. Ibid.  
339. Actionaid, "Back Way' to Europe: How Can The Gambia Better Address Migration and Its Development Challenges? 2018.  
340. Ibid.  
341. Suso, C. (2019) 'Involuntary Immobility and the Unfulfilled Rite of Passage: Implications for Migration Management in the Gambia, West Africa' International Migration, 0, Imig.-12675doi:10.1111/imig.12675  
342. Ibid.  
343. See The Gambia Labour Force Survey, (2018)  
344. Ibid.  
345. Zanker, F. and Altrogge J. (2017) The politics of migration governance in the Gambia', Arnold-Bergstraesser-Institut Freiburg online: [https://www.researchgate.net/publication/320628458\\_The\\_politics\\_of\\_migration\\_governance\\_in\\_the\\_Gambia](https://www.researchgate.net/publication/320628458_The_politics_of_migration_governance_in_the_Gambia)

Although there are numerous factors that prompt migration in the Gambia, such as the economic situation and poverty, some gender-specific influences have been identified. For instance, female migrants are often confronted with segregation in employment and opportunities that limits their economic potential and spurs them to migrate in search of better opportunities.<sup>346</sup> Others seek the financial empowerment migration ostensibly provides in order to escape forced marriages or domestic violence.<sup>347</sup> On the other hand, male migrants are influenced by the cultural pressure to provide for their families at all costs despite economic hardship and reservation from their families.<sup>348</sup> This is substantiated by The Gambia Labour Force Survey that shows that 78.4% (58.9 irregular, 19.5 regular) of men claimed to have migrated due to 'lack of work' compared to women who had a higher percentage (2.4%) reporting other family reason as the motives for migration.<sup>349</sup>

Further, other factors like education, employment and living situation has a significant impact on the rate of migration for both men and women. While both women and men were more likely to migrate (irregular or regularly) if they lived in urban compared to rural areas,<sup>350</sup> women were found to be less likely to utilise irregular means of migration if they had higher/tertiary education.<sup>351</sup> This can arguably be attributed to the fact that women's access to formal job opportunities increases with higher levels of education and thus reduces the need to seek other opportunities. Also, women who were unemployed had a higher percentage of migrants (regular 385; irregular; 3,281) likely to utilise regular channels to migrate compared to their male counterparts (regular: 20,910; irregular: 9,087).<sup>352</sup> This could possibly be due to the ease of younger unemployed urban women accessing financial support for educational migration from family regardless of their economic situation.<sup>353</sup> There exists a

linkage between parental educational and migratory paths with those of their children such that parents plan educational migratory experience in their children's future.<sup>354</sup> From a gender perspective, therefore, men are more likely to engage in irregular migration in The Gambia. This was also confirmed by key informants.

"...Particularly in the area of assisted returns and reintegration of Gambians, mostly it is dominated by males, the proportion of returnees are males about 97% maybe because of the journey is harsh, the route is a little bit difficult"  
KII Participant

To address issues of migration, the Gambian government introduced its first National Migration Policy in December 2020, intended to act as a guiding framework for future national migration governance.<sup>355</sup> It addresses primarily issues on internal migration, labor migration, diaspora migration, and return migration among others.<sup>356</sup> The government has also embarked on extensive projects to empower young people to remain in the country. A KII participant had contributed as follows:

"... For example, we have the youth empowerment project which is translated as 'to make it in The Gambia' from the local language. Its purpose is to help young people realise you don't need to go outside or try risky ways of getting into Europe to make it."  
KII Participant

346. International Organisation for Migration (2020) Greener Pastures: migration decision making and journeys <https://migration.iom.int/reports/gambia-%E2%80%944-migration-decision-making-and-journeys>

347. Ibid

348. Zanker, F. and Altrogge J. (2017) The politics of migration governance in the Gambia', Arnold-Bergstraesser-Institut Freiburg [https://www.researchgate.net/publication/320628458\\_The\\_politics\\_of\\_migration\\_governance\\_in\\_the\\_Gambia](https://www.researchgate.net/publication/320628458_The_politics_of_migration_governance_in_the_Gambia)

349. See The Gambia Labour Force Survey, 2018

350. See table 1

351. See The Gambia Labour Force Survey, 2018

352. Ibid

353. See The Gambia Labour Force Survey, 2018

354. Kea, P. (2020) 'Gambian educational migration, care and the persistence of the domestic moral economy', *Children's Geographies*, 1–12. doi:10.1080/14733285.2020.1825623

355. Sowe (2020): Gambia Launches First National Migration Policy. <https://foroyaa.net/gambia-launches-first-national-migration-policy/> 24.02.2021.

356 Altrogge, J., Cham, O. and Zanker F. (2021) 'The Gambia', Migration control, [https://migration-control.info/en/wiki/the-gambia-2021/#\\_ftn8](https://migration-control.info/en/wiki/the-gambia-2021/#_ftn8)

The National Gender Analysis provides an understanding of the gender inequalities in The Gambia and its causes, how it intersects with other inequalities, how it impacts on human rights, access to development efforts as well as an understanding government's commitment and capacity to work on Gender Equality Women and Empowerment issues (GEWE). There are several areas of progress over the past decade, especially in the enactment of progressive laws and the development policy. In addition, a mid-term review and evaluation of the National Gender Policy was undertaken in 2018. The findings of that mid-term review resulted in the establishment of the Ministry of Women, Children and Social Welfare, with different departments to focus more holistically on issues of gender amongst others. It also resulted in the scaling up of the Gender Management Information System (GMIS)<sup>357</sup>

Gender equality and women empowerment is considered a key cross-cutting enabler in the national development in the Gambia. The National Development Plan already set out key strategies that address many of the issues highlighted in the foregoing national gender analysis:

Government is therefore determined to promote gender equity, equality and empowerment of women and girls for sustained socio-economic development. Key measures under this theme will include gender mainstreaming; capacity development of women entrepreneurs; establishment of a fund to improve access to finance; legislative reforms and advocacy for enhanced representation and participation in decision making; gender-based violence reduction programmes; and abolishing harmful traditional practices, such as female genital mutilation (FGM) and early marriage.<sup>358</sup>

Despite these commitments and progress, gender inequality persists. The state of gender equality was examined using a thematic analysis approach. The trends show improvements in gender equality over the past five years across different areas, for example, in the area of maternal mortality, primary school completion rates for girls and female participation in the formal workforce. However, they have remained about the same in a few others, such as with gender-based violence, in particular FGM and child marriage. In other areas, the trend shows a downward trend, such as in political participation. In total, while there are improvements across many thematic areas, they are not hugely significant as shown by the graph and table below. This suggests that the intervention and programmes implemented by government and other partners have supported improvements. However, there is still much room for progress.

357. CEDAW Report, 2022.

358. The Gambia Government, The National Development Plan, 2018-2021 at 16.

## TABLE 7: TREND ANALYSIS FOR THE GAMBIA

GLOBAL GENDER GAP			
S/N	Years	Position	Data Source
01	2017	119 out of 144	Global Gender Report, 2017
02	2022	121 out of 146	Global Gender Report, 2022
FEMALE POLITICAL PARTICIPATION			
Females in Ministerial Positions			
	Years	Position	Data Source
01	2018	10.5%	Ministry of Women, Children and Social Welfare, Report on Implementation of Beijing Declaration. Gambia, 2019
02	2022	13.6%	UN Gambia, 2022. Conversation on Political Empowerment of Women
Females in National Assembly			
01	2018	10.3%	Global Gender Report, 2018
02	2022	8.6%	Figures from 2022 elections
INCLUSION AND INTER-SECTIONALITY			
Female Youth Unemployment			
01	2012	44.1%	Gambia Labour Force Survey, 2012
02	2018	57.1%	Gambia Labour Force Survey, 2018
Female Irregular Migration			
01	2012	1.9%	Gambia Labour Force Survey, 2012
02	2018	2.1%	Gambia Labour Force Survey, 2018
POVERTY AND INEQUALITY			
Women Below Poverty Line			
01	2015	9.3%	Ministry of Women, Children and Social Welfare, Report on Implementation of Beijing Declaration Gambia, 2019
02	2022	8.2%	UNCT Report, 2022
ENTERPRISE AND EMPLOYMENT			
Women Employed in the Formal Sector			
01	2012	24.3%	Gambia Labour Force Survey, 2012
02	2018	39.2%	Gambia Labour Force Survey, 2018
01	2017	26%	Global Gender Report, 2017
02	2022	22.4%	Global Gender Report, 2022



## EDUCATION

### Female Primary School Completion Rate

01	2017	60%	Ministry of Women, Children and Social Welfare, Report on Implementation of Beijing Declaration Gambia, 2019
02	2022	69%	UNICEF, The Gambia Education Fact Sheet, 2020

## HEALTH

### Contraceptive Use

01	2014	9%	GDHS, 2013/2014
02	2022	19%	GDHS, 2013/2014

### Maternal mortality

01	2014	36%	GDHS, 2013/2014
02	2022	17%	GDHS, 2013/2014

## GENDER-BASED VIOLENCE

### Child Marriage

01	2014	16%	GDHS, 2013/2014
02	2022	18%	GDHS, 2013/2014

### Female genital mutilation

01	2014	75%	GDHS, 2013/2014
02	2022	73%	GDHS, 2013/2014

## DIGITALIZATION

### Female Enrollment in Science Courses (Secondary School)

01	2014	41.2%	MoHERST, National Innovation Study Report, 2014
02	2019	44.7%	MoHERST, National Innovation Study Report, 2019

### Female Researchers (Research and Experimental Development)

01	2014	7%	MoHERST, National Innovation Study Report, 2014
02	2019	8%	MoHERST, National Innovation Study Report, 2019

The main findings, dissected in greater detail below, are that women and girls continue to suffer gender inequality which has impacts across many spheres of life. Women are disproportionately affected by harmful gender norms, poor political participation and decision-making. Gender equality is also hampered by higher rates of female poverty,

low earnings, poor financial inclusion, lower educational attainment. Further, high maternal mortality rates, poor access to health care in general, gender-based violence, harmful practices such as FGM and child marriage keep women from realizing their full potential. These challenges persist despite policy commitments by government and support

from development partners. This indicates the need for renewed attention, intensified efforts and alternative approaches towards improving gender equality and women's empowerment in The Gambia. The key findings are dimensioned along the themes as set out below:

## LEGAL FRAMEWORK

The Government has ratified many gender equality and international human rights instruments as noted in the earlier sections. The country has a positive legal framework and progressive policies in place addressing key gender equality issues. The Constitution, the fundamental law, declares that everyone is equal before the law and prohibits discrimination. But these provisions are subject to personal law which governs many aspects of life including family law and inheritance rights, and thereby introduce an internal conflict of laws, which is antithetical to gender equality as some aspects of personal law are discriminatory.

## POLICY FRAMEWORK

From the key informant interviews there was wide agreement that there is a significant degree of government commitment to gender equality and women empowerment, as expressed by the extant policies. Yet, from the lived experiences of people in the country, wide gender disparities persist. There is therefore commitment on paper but limited practical implementation of the provisions of international instruments and domestic legislation and policies. There is insufficient evidence that gender-responsive budgeting for the implementation of annual budgets and policies is being undertaken. There is little information on whether action plans on gender-relevant policies and strategies are budgeted and that these budgets are released and expended on matters relevant for gender equality. Further, several of the policies are now expired and are now need in of renewal. Another key finding was the limited knowledge of the policies, particularly from the FGDs conducted with communities and CSOs indicating also limited advocacy efforts on the commitments articulated in the policies.

## GENDER NORMS

Gender norms that negatively affect women and are still prominent in The Gambia. These norms impact many areas from political participation to financial inclusion, from the types of employment that women, particularly in rural areas can be engaged in, to issues related to climate change. Work on transformation of gender norms is therefore critical to changing the narrative on gender equality in The Gambia.

## PARTICIPATION IN DECISION-MAKING

Women's political participation and participation in decision-making at all levels was noted not only in the literature but by several key informants as critical, and in several cases, as a priority. The Gambia constitution makes adequate provision for women's involvement in the political sphere, however, these have not yet yielded the desired effect in terms of increased women political participation. Politics is still largely dominated by men which is troubling when it is considered that women account for half of the population and the electorate. The major drivers for the minimal representation of women in politics and limited support for women candidates as recorded in literature review and key informant interviews conducted were largely due to gender practices rooted in culture which puts women in supportive roles and not in leadership positions. Another driver is the absence of an effective legal and policy framework to back affirmative action and restore historically unfair chances for political participation. Other challenges noted by respondents include limited political parties' support, the abuses and derogatory language women face during campaigns, as well as limited financing.

## POVERTY AND INEQUALITY

Poverty and inequality cuts across both gender with 49% of the population living below the poverty line. However, more women are disproportionately affected. The study found that poverty affects many aspects of women life including financial inclusion, access to essential services such as education and health care. In addition, more women are employed in the informal sector when compared to men and

this comes with low earnings which further aggravates poverty.

## LAND INHERITANCE

Access to land is limited for women in The Gambia. This is a result of social and cultural norms that prohibits and restrict ownership. The inability to own land or property fuels poverty especially among female headed households. Although the Constitution provides protection against unlawful dispossession of property, this is however at variance with sharia and customary laws which place men above women on inheritance issues.

## EMPLOYMENT AND ENTERPRISE

Unemployment is a major issue in The Gambia and this affects both genders. Findings however show a higher rate of unemployment among women and over-representation in lower earning work in informal sector. In addition, the low number of educated females also contributes to the higher prevalence of unemployment among this group.

With respect to enterprise, women-owned firms are significantly fewer than male-owned firms, and women are less represented in managerial roles. More women are found to establish small scale enterprises while few women entrepreneurs establish large scale enterprises. Many factors contribute to the low entrepreneurial pursuits among women in the Gambia. They include access to financing and lack of female role models in a male dominated environment. Women are also very significantly under-represented in public procurement.

## EDUCATION

Education is closely linked to various socio-economic factors such as employment, behaviour, income, maternal health, and fertility choices. Although there has been improvement, fair and inclusive education is still far from being achieved. There are disparities for both boys and girls at different levels - education interventions have led to an increase in school enrollment, completion rate is still a major issue especially among boys. However, a change in this trend is seen at the secondary level of education where more females have

a higher completion rate when compared to males. In terms of upper secondary education, completion rate is higher among boys when compared to women. Education enrollment and achieving higher educational status are inhibited by different factors for both males and females. Female education is hindered by social expectations to participate in domestic duties. Furthermore, child marriage and other pre-existing gender norms also hinder education enrollment of females.

## HEALTH

The Gambia's health expenditure is still less than 5% of the budget which is against globally accepted standard. Health is gendered in several ways with women and girls bearing the brunt of health challenges. Health indices such as fertility rate, teenage pregnancy rate and maternal mortality rate are very high. Findings from literature have attributed these to poor access to maternal health, occupation, wealth index, maternal education, husband's education, media exposure, residence, and health insurance coverage. Out of pocket payment healthcare access especially for poor people, mainly women. The impact of harmful gender norms is also highlighted here with women being unable to exercise autonomy over their own health in different respects.

## GENDER-BASED VIOLENCE

One in every three women in the Gambia have experienced at least one form of gender-based violence at some point in life. Data has revealed a persistent trend in various forms of GBV in the country. GBV is driven in large part by socio-cultural practices including FGM and child marriage with consequences for women's health and rights. Implementation of progressive laws on GBV has been inadequate. While there are progressive laws on GBV, including a 2015 amendment of the Women's Act to prohibit FGM by law, and interventions such as helplines for reporting, there is inadequate enforcement and this is reflected in the number of cases prosecuted and in little changes in rates of different forms of GBV, particularly FGM. Support for victims remains inadequate, though there are initiatives including some by the UNFPA to address the gaps. Legal assistance, shelters, and rehabilitation services, amongst other supports remain inadequate.

## DIGITALISATION

Digitalisation and technology have many advantages from a sustainability perspective: digital technologies are cost effective and have far-reaching impacts. The country has registered significant progress in the area of information and communication technologies. Studies have revealed that many Gambians have access to mobile phones, however ownership is still gendered with more males owning mobile phones. Similarly, women and girls participation in ICT is also relatively low when compared with men. Furthermore, the number of women who study STEM (Science, Technology, Engineering and Mathematics) is significantly low and this has a direct effect on women participation and involvement in the digital space.

## AGRICULTURE, CLIMATE CHANGE AND ENVIRONMENT

Gambia has not been exempted from the global climate crisis. The effect of climate change is largely on agriculture and tourism, two main income-generating ventures in The Gambia. Women constitute more than half of the agricultural labour force and produce about 40% of the total agricultural output of The Gambia. Thus, they are more likely to be impacted by climate change, lose profits from agricultural work, but also suffer potential adverse effects on food production and the chain of supply of agricultural products. The potential adverse impacts on food security and nutrition are also more likely to be more directly felt by women. Several of the respondents noted that climate change and disaster reduction in relation to the gender dynamics were some of the areas that required more attention than they were currently getting.

## INTERSECTIONALITY AND INCLUSION

Many females in their productive and reproductive age are living with disability. This further aggravates poverty and also reduces

quality of life. People living with disabilities are often subjected to stigmatization, discrimination and marginalization. In general, women with disability face even more inequalities than other women and other persons with disabilities, on the basis of both their gender and their disability.

## OTHER CROSS-CUTTING FINDINGS

**Heterogeneity:** A key finding that cuts across all the thematic areas is that women in The Gambia are not homogenous. There are of course major commonalities but there are also differences in the way they are impacted by gender inequality, depending on their age, whether they live in the urban or rural area, what income bracket they are in, whether they work in agriculture or not. The challenge with land ownership is particularly crucial in rural areas where gender norms are more strongly held, education is more likely to be lower, and the financial independence of the women are more likely to be limited, and migration from rural to urban areas is more likely to adversely affect women. These differences must be taken into account in planning interventions.

## INSTITUTIONAL STRUCTURES:

There was a general view that CSOs, especially community-based organisations in The Gambia need more support, and more collaboration, stronger ideological basis, in order to present a formidable force for gender equality. The reasons advanced for this include the 22 years spent under a dictatorship which hindered free expression, deep patriarchal roots and ethnic differences where some tribes are more liberated than others.

## LIMITED EVIDENCE:

There was limited information in some areas. These include gender budgeting, board diversity, women with disabilities, amongst others. This suggests that there is little or no attention to these matters.



The challenges highlighted across various themes indicate the need for more in-depth gender mainstreaming across various thematic areas. While many of the challenges are well understood, implementation of policies is lagging behind in many cases, while in other cases, little evidence is available to support interventions.

**Legal Framework:** To ensure the equality of women and men as provided by the Constitution and committed to international and regional instruments, several laws must be amended in the following respects:

- A. The Constitution should be amended to address the subjection of equality provisions to personal laws. This would include the repeal of Section 33 (5) ©. To ensure that personal law remains applicable and that positive aspects of this law continues to operate within a pluralistic legal system, personal law should be made subject to the equality and non-discrimination provisions of the Constitution. The same should apply to all other legislation. Previous efforts to amend the Constitution have failed at parliament level. Advocacy efforts must therefore be directed at members of parliament. Gender norms transformation strategies must be included in these strategies which may include capacity building workshops, engaging civil society more in efforts to push amendment bills, including a new affirmation bill.
- B. It has been recommended also that a Family Code be instituted which covers all women and addresses issues of divorce, marriage, child custody, etc.<sup>359</sup>
- C. The legal framework needs to be amended to address other harmful practices such as levirate marriage, inequalities in inheritance amongst others.<sup>360</sup>
- D. The Matrimonial Causes Act should be amended to include domestic violence as a specific ground for divorce.<sup>361</sup>
- E. The capacity of CSOs should be strengthened in relation to provisions of the law in order to enable them be able to advocate for revision of extant laws that are unsupportive of gender equality.
- F. Advocacy at different levels should be supported to engender support for the amendment of extant laws to support gender equality.
- G. Improvement of implementation is critical, and this can be achieved through engagements with different stakeholders on the provisions of recent law promoting gender equality such as the amendment of the Women's Act (2015) on FGM. These engagements may include capacity building for the Ministry of Justice, law enforcement, the establishment of scorecards by civil society which can be used to monitor progress, and increased sensitization for the general public particularly in the rural areas.

## POLICY FRAMEWORK

- A. (a) There are several policies which have expired and require renewal. It is recommended that they be renewed in order to guide government actions towards gender equality.
- B. (b) Government with the support of partners should lead a review of recent budgets to measure government attention

359. UN Women, "Towards Reserving The Discrimination in Law: Mapping and Analysis Of the Laws Of The Gambia From a Gender Perspective" online: [https://africa.unwomen.org/sites/default/files/FIELD%20Office%20Africa/Attachments/Publications/2020/Gambia%20report%20\\_layout\\_FINAL\\_DIGITAL\\_2907.pdf](https://africa.unwomen.org/sites/default/files/FIELD%20Office%20Africa/Attachments/Publications/2020/Gambia%20report%20_layout_FINAL_DIGITAL_2907.pdf)

360. Ibid.  
361. Ibid.

to gender and gender-relevant issues, advocacy to relevant stakeholders for improvement based on the findings,

- C. (c) High level advocacy based on the findings is required to improve budget allocations for implementing policies for gender equality and to support the work of the Ministry of Women, Children and Social Affairs and the implementation of policies.
- D. (d) Capacity strengthening is recommended for the Ministry of Finance, but also other relevant Ministries including Gender, Children and Social Welfare, Education and Health, and other stakeholders such as academia and CSOs on gender-responsive budgeting.
- E. (d) As suggested above, it is essential to develop strategies to encourage implementation. These including developing advocacy strategies for the major policies relating to gender equality, sensitisation of civil society on existing policies, and development of scorecards to monitor implementation of policies.

## GENDER NORMS

There is a need to change cultural beliefs and norms as this affects all sectors and spheres of life.

(a) Gender norms transformation strategies including male engagement in programmes, education, awareness creation and sensitisation and providing spaces for reflection on gender norms among both males and females were recommended by respondents. Targeted approaches that may be considered would be gender norms training for religious and community leaders, edutainment campaigns such as radio dramas to increase understandings and promote dialogue; engagement with community leaders to promote and sustain change. Adopting a life course perspective and gender relational approach in community engagements to reach all levels of the ecological framework.<sup>362</sup>

(b) A bottom-up approach through avenues like revision of school curriculums to address issues of socialisation and gender norms,

sensitisation of community gate-keepers amongst other strategies may also be helpful.

© Support gender norms transformation training of trainers for civil society organisations which will be stepped down in communities around the country.

(d) Implementation of gender integration approaches in all development projects especially in the rural areas including ensuring participation of women and men, encouraging the designing of all development programmes by government and the development sector applying a gender lens.

(e) Use social media messaging to spread information on the impacts of restrictive gender norms.

**Political Participation:** There is a need to change cultural beliefs and norms, but also to implement gradual changes even within the political parties. In addition, the following recommendations are also suggested:

(a) There is a need to provide (or continue to provide) support for women's groups and other groups that are advocating for women's political representation and participation.

(b) Advocacy for the passage of legislative reforms supporting affirmative actions including quotas for females must continue. This may be supported by development partners and CSOs

© There is need for the government, development sector, and civil society to work with other actors like the inter party committees to address the challenges of women's representation

(d) An identification of entry points for gender-sensitive party support by CSOs and development partners may be helpful to understand how to advocate to political parties regarding changes that will ensure female representation.

(e) Collaboration with political parties is required to address gender issues in candidate selection processes. This includes develop

362. Gender Norms Transformation: The Art and Science of Implementing Gender-Based Violence Interventions for Adolescents, 2018.

technical guidance for political parties on gender integration with recommendations on issues affecting women's political participation, and adoption of gender responsive rules, policies procedures for internal democracy within the parties.<sup>363</sup>

(f) Civil society should sensitise and collaborate with community leaders to champion women leaders.

(g) Government in collaboration with other actors should implement leadership training initiatives for women and girls at all levels, communities, in schools and tertiary institutions

(h) Civil society and other actors should implement mentorship initiatives for young female politicians

(i) Efforts must also continue even beyond elections and between elections.

(j) Support to women with the financing needed for electioneering is needed and continued work on socialisation processes to encourage women to have confidence to stand elections, being able to bear loss, the challenges of electioneering and other costs (psychological, opportunity, etc) of politics.

(k) Mentorships for women by other women and even men is also a critical strategy that will help strengthen women's skills and confidence.

(l) Another recommendation that has been made in the past but remains vital is the development of "measurable and concrete indicators for increasing women's participation in the decision making processes at the party level and in the electoral processes at all levels."<sup>364</sup>

(m) Another is the development of a database of potential female and providing them support from an early stage, including mentorship, peer to peer learning and advisory and developing their competencies on electioneering.<sup>365</sup>

**Poverty and Inequality:** Poverty and inequality are major challenges in The Gambia. Both genders are affected, however females more adversely impacted. The following recommendations are suggested to tackle the issues of poverty in the Gambia

;

(a) Education is a cross-cutting issue which has the potential to make an impact on employment indices, especially for women. Education access for women and girls can be improved through providing cash transfers and increased budgetary allocations to education for girls and boys

(b) Collaborations, advocacy and engagement with the private sector involvement in respect of gender equality should be deepened in general. More specifically, such engagement is required particularly with the banking sector to develop banking products and services for low-income people and women in rural areas which is crucial in closing the wealth gap.

© As financial inclusion is increasingly driven by technology, adequate training on digital skills should be given to women in order to increase utilization

(d) Funded research on female poverty and long-term pragmatic solutions are also recommended.

(e) Government and other actors should review the impacts of cash transfer schemes already established. Additional social security and safety nets should be considered and developed for women, especially in the rural areas, to cushion the effect of poverty.

## ENTERPRISE AND EMPLOYMENT

(a) To increase women's participation in the higher earning formal sector, attention to completion of education including at higher levels is crucial.

(b) Ensure role clarification and greater collaboration between the emergent initiatives for supporting women's participation in enterprise and in the emerging women-focused ecosystems.<sup>366</sup>

363. Rumbidzai Kandawasvika-Nhundu, Role of Political Parties on Women's Participation and Representation, 2018, online: <IDEA\_Observer Paper\_Political Parties\_EGMCSW65.pdf (unwomen.org)>

364. African Centre for Democracy and Human Rights Studies, Research Report on Promoting Gender Equality through Participation and Representation of Women in National Governance and Development in The Gambia, online: <Final-Report-of-Gender-Analysis-of-Political-Party-Manifestos-for-printing.pdf (acdhrs.org)> 365. Ibid.

366. International Trade Centre, Entrepreneurship Ecosystem in The Gambia: A Network Analysis of Institutions Supporting Entrepreneurship, 2020, online: <Entrepreneurship-Ecosystem-in-The-Gambia.pdf (nyc.gm)> at '14.



©Collaboration is recommended between financial actors, government, the IT industry, civil society and development partners to sensitize community leaders and communities on the benefits of financial inclusion for women, digital initiatives for financial management, awareness of financial products.

(d) Micro-finance banks are more likely to provide support for women. Collaborations with these banks as well as advocacy to them may help to improve financial inclusion, financial literacy, and better access to finance for female entrepreneurs.

(e) Government, civil society, and the development sector should work with the financial sector to identify, build a business case for, and develop, products to finance health and education.

(f) Government and private should work to develop entrepreneurial support ecosystems, institutions and linkages, including incubator and accelerator programmes or networks of commerce and networking platforms for women entrepreneurs, collaboration and learning opportunities, including opportunities to improve on negotiation skills, and to access finance and markets.

(g) Support new and strengthen existing mentorship initiatives for businesswomen developed by existing entities such as Gambia Women's Chamber of Commerce, Bridging Gaps, Woman Boss, Buzz Women Gambia to create mentorships.

(h) Government, private sector, development partners and civil society should collaborate on research on board diversity in The Gambia to provide data, identify the current barriers and the possible remedies.

(i) Government and civil society should engage with private sector on diversity at all levels, including more female employment at managerial levels and inclusion of females in corporate boards

## PUBLIC PROCUREMENT:

(a) Government, working in conjunction with other actors, should develop a central registry of registered women-owned businesses, and clear criteria for women-owned businesses to ensure that women benefit

from gender-sensitive approaches to public procurement.

(b) It is also recommended that ongoing review of The Gambia Public Procurement Act of 2014 to address gender inclusive procurement be completed by the GPPA and a Bill addressing current gaps be tendered to the legislature promptly.

©It is also recommended that the capacity of members of the GPPA be developed/strengthened on gender-responsive procurement.

## HEALTH

(a) Government should increase investments in health. Allocation to health should meet the 15 per cent of the budget threshold agreed under the Abuja Declaration 2001.

(b) Investments in health should include increasing investment in infrastructure, including building hospitals in remote regions, outside of Banjul which currently houses many of the big hospital. This will also increase accessibility which was identified as a challenge for many rural women.

© Efforts to improve universal health coverage must take gender and the life-course into account, including the implementation of national health insurance schemes.

(d) Grassroots campaigns, as well as campaigns that support health care access, including health insurance. It is critical to comprehend how social safety nets like health insurance reflect gender. There is currently not enough information and study on the subject matter in the Gambia.

(e) It is also advised that support for digital initiatives for women's health, including tele-medicine and information access should be made a priority.

(f) Gender norms transformation within the health space is key to improve women's understanding of their autonomy to manage their own health through sensitization of health workers, and involving health workers in campaigns to women empowerment campaigns

(g) Engage healthcare workers in the reformation of gender norms, including through the development of technical guidance, to support the advancement of gender equality in

healthcare delivery and among the workforce.

## EDUCATION

### 1. There is need to increase:

a. Investments in female education through budgetary allocations;

b. Engagement with community leaders and communities to sensitise them on the benefits of female education

c. Support initiatives around e-learning and edutech, non-formal learning opportunities at primary school level for women and girls who have missed out on formal schooling altogether.

d. Disability inclusion in education should be prioritized.

e. The Ministry of Education should work to standardize curriculums of other learning systems such as madarass to provide similar levels of education and work in collaboration with the Ministry of Women, Children and Social Welfare, including comprehensive sexuality education and gender norms transformation education.

f. Menstrual poverty needs to be taken seriously. Recommendations include government collaborating with the development sector to address related issues including infrastructural issues such as implementing water sanitation measures such as pads disposal facilities, running water, and soap, in all schools across the country, alongside changing attitudes, taking into consideration the context.<sup>367</sup>

## GENDER-BASED VIOLENCE

(a) Efforts to implement GBV laws must tackle root causes as these are one of the main drivers of GBV.

(b) There is also a need to develop implementation guidelines and action plans with proper monitoring indicators to address enforcement of the laws in place.

© Gender norms transformation approaches as already noted are especially critical for GBV, especially on endemic types such as FGM which despite efforts remain of high

prevalence and child marriage. Efforts such as engagements with community leaders, community women, and religious leaders must be reviewed with a view to identifying good practices, what has worked and continuing gaps so as to improve. Identification of cross-cutting efforts and approaches may also be helpful – for example implementing livelihood improvement programmes or health programmes alongside FGM reduction programmes.

(d) The Sexual and Gender Based Violence team established at the Ministry of Justice should have units in all local governments with the mandate to collect information to aid reporting and prosecution.

(e) Strengthen any existing local systems for reporting of, and response to GBV.

(f) Create an action plan for health sector response to GBV in the Gambia in order to provide holistic health care for victims.

(g) A synergistic linkage between all existing services and a proper referral system will support more effective and efficient use of existing resources. This will require the development of a referral pathway, similar to what National Referral Mechanism for Trafficking

(h) A multi-sectoral and collaborative approach is also essential to harness the resources of CSOs, the private sector, the media, faith-based organisations, traditional leaders, schools, amongst others to tackle GBV effectively to ensure more effective reporting and support. It is recommended that more collaboration between different actors working on GBV including FGM take place through establishment of forums for information exchanges.

(i) The Ministry of Women, Children and Social Welfare should work in conjunction with the Ministry of Education to ensure inclusion of educational material on gender based violence particularly FGM in the curriculum where not already in place. Special training opportunities

367. V Shah et al, "Effects of Menstrual Health and Hygiene on School Absenteeism and Drop-out among Adolescent Girls in Rural Gambia (2022) 19 Int J Environ Res Public Health 3337 <<https://doi.org/10.3390/IJERPH19063337>>

368. B. Mboge et al, "Female genital cutting in the Gambia: can education of women bring change?" (2021) 43:2 Journal of Public Health, Volume 43, Issue 2, June 2021, 398–404, online: <<https://doi.org/10.1093/pubmed/fdz081>>

for teachers may also provide an avenue for gender norms shifting and for better education for students on GBV.

(j) There is evidence that targeted education for older women, including women who have themselves undergone FGM, helps to change minds and attitudes.<sup>368</sup> Programmes should therefore not be restricted to young persons such as students as recommended above, but also to older women who can help transform attitudes at community levels.

(k) Leverage digital approaches and platforms for disseminating information on different types of GBV, especially FGM, including success stories

(l) Continue to leverage community leaders as champions, including through annual awards for community leaders who fully support FGM elimination and prevention efforts.

## AGRICULTURE, CLIMATE CHANGE AND ENVIRONMENT

(a) There is need for awareness creation on the impact of agriculture, climate change and the intersections of gender at all levels.

(b) In addition, there is also need to explore opportunities for investing in protective measures relating to climate change at the government level, support gender mainstreaming in adaptation planning.<sup>369</sup>

© Further, there is a need to ensure that women's voices are heard in efforts to address climate change in the country and that all committees set up in this regard are gender-balanced to bring the perspectives of women and girls to bear in all efforts.

(d) The same is key for tracking budgets and ensuring gender inclusion in spending, as well as in data collection, ensuring gender-disaggregated data in climate-change related projects.

## GENDER AND MIGRATION

a. Government should take steps to ensure the implementation of the National Migration Policy

b. The root causes of external migration are similar to that of rural-urban migration. Government with the continued collaboration of other actors should ensure implementation of policies that seek to improve the economy of the country

c. Government and non-state actors such as (religious bodies, traditional leaders and civil society organizations) should advocate against illegal migration and trafficking in the Gambia.

## DIGITALIZATION

a) The Ministry of Science and Technology should work in collaboration with the Ministry of Women, Children and Social Welfare, the private sector and development partners to establish scholarship programs for women and girls at secondary and tertiary levels to incentivise girls' and women's interest in STEM

b) The Ministry of Science and Technology should work in collaboration with the Ministry of Women, Children and Social Welfare and the private sector to develop community and school sensitisation programmes that will help highlight the opportunities, pathways and benefits of digitalization and related businesses. Social media messaging can also supplement these initiatives.

c) It is recommended that government establish gender-responsive policies to encourage interest in and uptake of opportunities in the digital sector.

d) Government and other actors should leverage relationships with technological companies to provide opportunities for engaging more women in the digital space, including through development of free training programs in core tech areas such as (software engineering, application development e.t.c) aimed specifically at women.

## INTERSECTIONALITY AND INCLUSION DISABILITY:

a) Data on disability and its impacts particularly on women is outdated. Government

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369. FAO, Integrating Agriculture in Adaptation Planning, online:< Linking gender and climate experts for adaptation planning in the Gambia | Integrating Agriculture in National Adaptation Plans (NAPs) | Food and Agriculture Organization of the United Nations (fao.org)>

should, in collaboration with disability rights organisations, civil society and other actors support research on women with disability and its impacts.

b) Collaboration with disability rights organisations to provide more inclusive education through establishing assessment and resource centres in some schools, developing programmes to create awareness in schools to eliminate cases of peer harassment of children with disabilities,<sup>370</sup> and providing disability-inclusive infrastructure including hearing aids, visual aids, etc in schools.

c) The COVID-19 pandemic has also shown the need for building infrastructure to address the needs of women with disabilities during emergencies, including alternative ways of providing information, implementing public health measures like physical distancing etc. It is also recommended that outdated laws which have a negative impact on the protections of persons with disabilities be repealed in particular the Lunatics Detention Act of 1917. These recommendations, and the provisions of the Persons with Disabilities Act can be implemented through an action plan developed using a gender lens, with specific activities, key performance indicators, role definitions and timelines. This will also provide a basis for budgetary allocations.

## OLDER PERSONS:

It is recommended that older women be taken into account in policy formulation. A life-course approach would be valuable as an approach for many development projects, understanding from a gender and life-course perspective, the impacts of such projects.

It is also necessary for The Gambia to ratify the AU Protocol on the Rights of Older Persons in Africa. Other recommendations made elsewhere should also be considered by government – provision of social protection including in the form of comprehensive health insurance and minimum income security; develop a targeting mechanism for identifying older persons and supporting them and the families and carers taking care of them, providing and improving on specialised and responsive care.<sup>371</sup> It is further recommended that research on older persons be undertaken from a gender perspective, to understand the impacts of age on older women, and the

intersections of gender and old age.

## YOUTH

a. Government (including the Ministry of Finance) working in collaboration with the private sector and other actors should:

a. Review current programmes for job creation for the youth, applying a gender lens to develop gender-responsive approaches to addressing the specific needs of female youth

b. Invest additionally in digital training and soft skills programs for female youth;

c. Provide soft loans for youths with start-ups with special attention to female youth;

d. Provide additional financial and other support for female youth involved in agriculture.

e. Develop the capacity of female youth in entrepreneurship and also encourage their interest in entrepreneurial areas that are usually considered male dominated, such as construction, engineering etc.

f. Support new and strengthen existing mentorship initiatives developed by existing entities such as Gambia Women's Chamber of Commerce, Bridging Gaps, Woman Boss, Buzz Women Gambia to create mentorships for female youth.

## SEXUAL ORIENTATION

Repeal legislation criminalizing same sex between consenting adults, including women.

Other Cross-Cutting Recommendations

## COVID-19:

COVID-19 has had a major impact on all areas of life since the pandemic began in 2020. As noted in several areas of the Report, the impacts on employment and entrepreneurship, poverty and wellbeing, gender-based

370. "The Gambia: National Disability Study 2013" available online at [https://rodra.co.za/images/countries/gambia/research/Final%20National%20Disability%20Study\\_2013.pdf](https://rodra.co.za/images/countries/gambia/research/Final%20National%20Disability%20Study_2013.pdf)

371. See Human Rights Commission On International Day For Older Persons - Gambia. com



violence and other areas are yet to be fully calculated. The impacts and lessons from the pandemic must be taken into consideration in implementing the recommendations of this Report. For instance, it is clear that there is need to deepen women's engagement with and benefit from digitalization, or develop emergency supports for GBV, or to take the impact of COVID-19 on employment into consideration in developing and strengthening social protection policies.

## COLLABORATIVE/WHOLE OF GOVERNMENT APPROACHES:

Respondents shared some examples of collaborations with different sectors, for example, the Ministry of Women, Children and Social Welfare working with Ministry of Education or Health on projects led by the latter ministries. These collaborations can also extend to the private sector in order to harness more effectively existing resources towards improving gender equality.

## CAPACITY BUILDING/ CAPACITY STRENGTHENING:

There is need for capacity building and strengthening across the different themes explored in this analysis for different sectors as may be relevant. Key areas include strategies for gender norms transformation, gender responsive budgeting, amongst others.

## HARNESSING THE POWER OF SOCIAL MEDIA AND DIGITAL COMMUNITIES

There are many ways in which social media and the digital communities can improve and enhance key strategies for improving gender equality and women empowerment. It can help spread the word on financial inclusion, digital financial products, share the success stories of Gambian entrepreneurs, as well as help enhance knowledge of entrepreneurship initiatives that support women. It can help spread information on shifting of gender norms and provide messaging on alternative ways of living as a woman. It can support the advocacy against GBV including through sharing information on helplines, avenues

for help-seeking, and information on laws against GBV. Developing plans for use of social media for these purposes may prove very helpful in improving gender equality and shifting gender norms.

## RESEARCH:

There are aspects of gender where there is limited information. To build an evidence base for targeted and effective intervention, more research is needed including on approaches that have worked across a variety of thematic areas, gender responsive budgeting, the impacts of climate change, the impacts of gender on aging in The Gambia amongst other matters.

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## INTERNATIONAL INSTRUMENTS, LEGISLATION AND POLICIES

Beijing Platform of Action

ILO Equal Remuneration Convention, 1951

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The Gambian constitution

The UN Guiding Principles on Business and Human Rights.

The African Charter on Human and Peoples Rights

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)

The Convention on the Rights of the Child  
The AU Solemn Declaration on Gender Equality in Africa,

The Sustainable Development Goals

The Gender Mainstreaming and Women Empowerment Strategic Plan, (2010 – 2015)

The Integrated National Disability Policy (2009-2018)

The Labour Act (2007)

The National Climate Policy (NCCP)

The National Development Plan. Gender and Women Empowerment Policy (2010-2020)

The National Entrepreneurship Policy

The National Health Policy (2010- 2030)

The National Health Policy (2012-2020)

The National Health Policy (NHP) (2010 – 2020)

The National Health Sector Strategic Plan (2021- 2025)

The National Health Sector Strategic Plan (2021- 2025)

The National Plan of Action Against GBV 2013 – 2017

The National Plan of Action for Accelerated Abandonment/Cutting of FGM in The Gambia

The National Plan of Action to address Trafficking in Persons (2021-2025)

The National Policy for the Advancement of Gambian Women (NPAGW) (1999-2009)

The National Policy on Non-Formal Education (2017 – 2021)

The National Population Policy (2016-2020)

The National Referral Mechanism for the Protection of Vulnerable Migrants,

The National Social Protection Policy (2015-2025)

The National Social Protection Policy and Strategy (2016 – 2020)

The Reproductive, Maternal, Neonatal, Child and Adolescent Health Policy (2017-2026)

The Sexual Offences Act (2013)

## POLICIES

The Climate Change National Policy

The Domestic Violence Act 2013

The Draft Mental Health Policy 2007

The Education Sector Policy (2016-2030)

The Gambia National Development Plan (2018-2021)

The Gambia National Development Plan (NDP) (2018-2021(2022)

The Gambia National Social Protection Policy 2015-2025

The Gambia National Social Protection Policy 2015-2025

The Gambia's Development Strategy and Investment Programme (2012 – 2015)



The Special Needs and Inclusive Policy Framework (2009-2015)

The Tourism Offences Act (2003)

The Trafficking in Persons Act (2007)

The Women's Act (2010) amended 2015.





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