



UPR 20, October 28, 2014
Recommendations by Canada for Gambia's UPR

Question

In 2010, The Gambia accepted Canada's recommendation to allow access to its detention centres by independent organisations and to arrested foreigners by their diplomatic representatives in accordance with its international obligations. Could the delegation of The Gambia inform us of specific measures it has taken to implement this recommendation?

Recommendations

Canada recommends that The Gambia:

1. Amend the Criminal Code to ensure the respect of the right to freedom of expression and establish guidelines for criminal defamation prosecutions to ensure the exercise of the right to freedom of expression without fear of intimidation or harassment.
2. Take further steps to prevent child, early and forced marriage, including through education and awareness campaigns.
3. Introduce legislation to criminalize the practice of female genital mutilation.
4. Immediately decriminalize homosexuality, amending legislation to promote and protect human rights for all individuals, regardless of race, ethnic origin, religion, personal beliefs and opinions, disability, age, gender, and sexual orientation in accordance with The Gambia's obligations, including as signatories to the African Charter on Human and Peoples' Rights.

Observations (if time allows):

Canada urges President Yahya Jammeh to refrain from making discriminatory remarks against vulnerable groups, such as LGBTI persons.

We welcome steps taken by The Gambia to address violence against women and girls including through the Domestic Violence Bill of December 2013.

Canada is concerned, however, that insufficient steps are being taken to safeguard the independence of the judiciary, including with regards to judicial appointments and dismissals, the guaranteed tenure of judges and non-interference by public officials in judicial decisions.