

Ambassadorial-Level Meeting of the Peacebuilding Commission on The Gambia

27 October 2021

Chair's Summary

1. On 27 October 2021, the Peacebuilding Commission (PBC) convened an Ambassadorial-level meeting on The Gambia. The meeting was held on a virtual platform and chaired by H.E. Mr. Osama Abdelkhalek, Chair of the PBC. The objective of the meeting was to Update the PBC on the transitional justice process, including the work of the Truth Reconciliation and Reparations Commission (TRRC) and other interrelated reform processes, as well as preparations for the presidential election. In his opening remarks, H.E. Mr. Osama Abdelkhalek commended the Government of The Gambia for progress in the areas of reconciliation and rule of law as well as efforts towards economic development. He thanked PBC members for their attention to his appeal in May 2021 to help meet the funding needs for The Gambia's 2021-2023 Electoral Process. He underscored the importance of sustaining coherent international support to the country's national reconciliation and transitional justice efforts and noted Egypt's bilateral support for sustainable development and peacebuilding in The Gambia, including through technical assistance and the work of the Cairo Centre.
2. H.E. Mr. Dawda A. Jallow, Attorney General and Minister of Justice of The Gambia, reiterated the Government and the people's appreciation of PBC support since 2017. He provided an update on work underway related to the electoral process, including in preparation of the presidential election scheduled for 4 December 2021, to be followed by the legislative and local elections on 22 April 2022 and 13 May 2023, respectively. He noted that preparations for the presidential election were on target, including in terms of voter registration which was completed with no appeal or objections received on the voters' list. He emphasized that this would be the first major election since the democratic transition and thanked the country's partners, including the UK Government, for supporting a series of dialogues aimed at promoting peaceful elections. Accompanying tools included a code of conduct and an inter-party commission. He regretted that time had not permitted to set up necessary arrangements enabling the diaspora to vote. On Transitional Justice, Minister Jallow informed that the TRRC had concluded its public hearings and that upon receipt of the TRRC report the Government will work hard on the implementation of the recommendations. He explained that the Government is seeking additional support to enhance the capacity of the Ministry of Justice to discharge the government's related responsibilities within the maximum statutory period of 6 months. He reiterated the government's commitment to ensure justice for victims of human rights abuses and violations and in this respect, he added that the Government, in collaboration with the UNDP and OHCHR, was finalizing a project proposal for submission to the Secretary-General's Peacebuilding Fund (PBF) in support of the timely implementation of the TRRC recommendations. He also indicated that the Ministry of Justice and the Gambia Center

for Victims of Human Rights Violations were setting up a victims-led taskforce for the drafting of legislation to create a Victims Compensation Fund to succeed the TRRC Reparations Committee. The Government had already committed resources in the draft 2022 Budget Estimates, to be utilized as part of the reparations fund. Minister Jallow updated on other interrelated reforms and legislative processes, highlighting the “Access to Information Bill”, the “Persons with Disabilities Bill”, and the “Anti-corruption Bill”. He informed that his Ministry had reviewed and advised on the Constitution (Amendment) Bill, to be tabled before the National Assembly by an elected representative. He explained that, if passed, The Gambia’s National Assembly would see a significant increase in the number of women representatives as well as representatives of persons with disabilities. On the Security Sector Reform, the Minister noted that while the objectives set out in the SSR agenda at the dawn of the transition had not been fully met, considerable milestones had been achieved, including the development of the National Security Policy, the SSR Strategy, and the National Security Strategy. He further indicated that the National Vetting and National Counter-Terrorism Strategy Implementation Plans had been launched in December 2020. Minister Jallow concluded by thanking the UN and the PBC for their continuous support to the government’s efforts to deliver the reforms that have been promised to the Gambian people since 2017.

3. Dr. Lamin J. Sise, Chairperson of the TRRC, recalled the main objectives of the TRRC as articulated in section 13 of the 2017 Act establishing the Commission and highlighted the transparent nature of the live public hearings of the testimonies of the victims that begun on 7 January 2019 and the self-confessions by perpetrators of human rights violations and abuses that occurred during the twenty-two-year-long military dictatorship of Yahya Jammeh. During the 871 days of the Commission’s public hearings, The Gambia and the world heard from 393 witnesses, the majority of whom were victims of atrocities meted out to innocent civilians by the State, its agents or individuals sponsored by both. The atrocities and other human rights violations detailed during the public hearings by witnesses, including self-confessed perpetrators, included arbitrary arrests, unlawful detention, unlawful killings, torture, enforced disappearances, sexual and gender-based violence, inhuman and degrading treatment, witch hunting, fake HIV/AIDS treatment and general and widespread abuse of public office. Dr. Sise indicated that the final TRRC report should be completed in the following few days. He shared that the report contained approximately 415 findings and 180 recommendations, and that the recommendations had been organized under the following headings: 1) Legal and institutional reforms; 2) Repeal of draconian laws and decrees still in the statute books; 3) Addressing impunity through the prosecution of individuals who bear the greatest responsibility for the crimes and abuses; 4) Addressing impunity through further investigations, with a view to prosecuting where necessary; 5) Addressing impunity by banning individuals from Public Service; 6) General reforms, including training and capacity building; and 7) Infrastructural enhancement. He stressed that the Government had respected the TRRC’s independence and that TRRC was accountable for delays in finalizing the report.

4. Mr. Mahamat Saleh Annadif, Special Representative of the Secretary-General for West Africa and the Sahel, noted that since the last presidential election in 2016, The Gambia had made significant strides in terms of institutional reforms. He commended the Inter-Party Committee (IPC) of The Gambia for promoting peace, tolerance and reconciliation ahead of the 4 December presidential election and welcomed overall preparations for the holding of peaceful elections. He referred to a national stakeholders' forum organized by the IPC in collaboration with the UN in support of peaceful and credible elections in the Gambia, which he had attended a few dates earlier with the President of the ECOWAS Commission, Mr. Jean Claude Kassi Brou, and to the peace pledge signed by political party leaders in the presence of political actors, civil society stakeholders and international observers. He commended the TRRC on its commitment, diligence and inclusive process and explained that, given the delay in the submission of the final TRRC report and the imminence of the presidential election, the best option would be for the TRRC report to become the prerogative of the next elected president. He suggested that once the election is concluded, immediate action must be taken to ensure the implementation of the TRRC recommendations. This would require a solid post-TRRC monitoring mechanism. Mr. Annadif further noted that success in implementing the TRRC recommendations was closely linked with reforms in other areas, including the strengthening of rule of law institutions and the justice system to execute any post-TRRC prosecutions that may follow. On the constitutional reform process, he stressed that relevant stakeholders should not lose sight of the aspirations of the Gambian people to see this process completed. Noting that one year had passed since the National Assembly rejected the 2020 Constitutional Bill, he highlighted the importance of the government's efforts to revive this process suggested that this should be a top priority for the incoming president. Mr. Annadif welcomed PBF support for the work of the TRRC and for the implementation of Security Council resolution 1325 (2000) and subsequent resolutions on women, peace and security in The Gambia. He concluded by emphasizing the need for continuous PBC support for the consolidation of peacebuilding and democratic gains in The Gambia.

5. Mrs. Tabu Njie Sarr, President of the Gender Platform, a civil society advocate group for women's rights, noted the importance of gender in the constitutional reform and welcomed the inclusion of women and people living with disabilities in political processes and national institutions. She welcomed PBF support to the Gender Platform, which had enabled it to influence the transitional justice process, including through advocacy for gender balance in the selection of Commissioners and for the establishment of a women's unit within TRRC. These and other similar initiatives helped to overcome barriers linked to the patriarchal nature of the society and therefore to enhance the transitional justice process. She further welcomed the Ministry's open-door policy with the Gender Platform, which allowed to advocate for progressive inclusion of minorities. In this respect, Mrs. Sarr stressed the importance of allocating 14 seats for women and 2 seats for people living with disability in the National assembly as part of the constitutional amendment bill. She called for sustained international

attention in support of her country's efforts to improve social justice and equality, promote social cohesion and healing, and build sustainable peace. She warned against the risks of structural inequalities, deep mistrust, and political divisions along ethnic and religious lines, which she characterized as the legacy of the former regime. She stressed the importance of ensuring timely follow-up to the TRRC recommendations and suggested to consider mechanisms such as an infrastructure for peace that would draw from diverse segments of society to help the country preserve its fragile peace. She further suggested to harness faith, building on the two Gambia's major faiths, Islam, and Christianity, which she saw as powerful forces for reconciliation and healing.

6. H.E. Mr. Lang Yabou, Permanent Representative of The Gambia, expressed his appreciation for the PBC's recommitment to peacebuilding and sustaining peace in The Gambia and thanked PBSO/DPPA for the close collaboration in preparation of this meeting. He qualified the PBC engagement since 2017 as timely preventive diplomacy and underscored the need for continuous support to ensure successful implementation of the TRRC recommendations. He also underscored the need to consolidate gains in the Security Sector Reform, Rule of Law, democracy, and social cohesion, and called on the PBC to continue to mobilize support and forge partnerships for empowering youth and women, promoting sustainable energy and helping address the impacts of climate change, as well as for building back better and addressing the challenges of the COVID-19 pandemic.

7. Member States welcomed the briefings and made the following observations:

- They commended The Gambia for its commitment to peace and reconciliation at home and abroad, as also shown by the role played by The Gambia in support of global efforts to combat impunity, including through an ongoing process at the International Court of Justice.
- They welcomed the work undertaken by the TRRC and took note of the intention to finalize imminently the TRRC report in an independent manner. They encouraged the timely publication of its recommendations and welcomed the opportunity to support the government's efforts to implement them, recognizing that reconciliation is a long-term process.
- They took note of efforts to ensure women's participation in the TRRC process and encouraged women's participation in the post-TRRC work and in the political process, including the Constitutional reform process. In this respect, they were pleased to note the strong emphasis on gender in PBF initiatives, including in the programming of a new PBF project to support the implementation of TRRC recommendations and a

separate PBF project to help address sexual and gender-based violence through the Fund's gender window.

- They expressed their hope that the TRRC report would provide a solid foundation to strengthen rule of law and fight impunity, and in this respect highlighted the importance of pressing forward on critical policy, governance, and institutional reforms to build on the gains of the past years and to meet the democratic aspirations of the Gambian people. They stressed the importance of peaceful and transparent elections in consolidating democratic gains since 2017 and encouraged concrete steps to ensure that those from marginalized communities are given the opportunity to participate.
 - They urged all stakeholders not to lose sight of The Gambia's peacebuilding agenda, particularly in the area of SSR, underscoring the importance of consensus building and coordination in the security sector.
 - They expressed their readiness to help sustain international support for The Gambia's peacebuilding priorities, including the transitional justice process, and in this respect, they encouraged continued commitment by the country's leadership to democracy, peaceful elections and respect for minority rights.
8. The meeting coincided with the conclusion of Mr. Oscar Fernandez-Taranco's tenure as Assistant Secretary-General for Peacebuilding Support, which prompted the representatives of the Gambian authorities to express appreciation for PBSO/DPPA's contributions in support of the country's peacebuilding priorities, and PBC members to pay tribute to his transformative leadership and central role in the evolution of the PBC.
9. In his closing remarks, the Chair noted the richness of the discussions and thanked the Government for its continuous engagement with the PBC. He noted that The Gambia deserved sustained support. In response to the Government's request, he reiterated the PBC commitment to continue to mobilize support for the consolidation of peace and democracy in The Gambia.
