

## Peacebuilding Commission

### Ambassadorial-Level meeting on The Gambia

18 October 2022

#### Chair's Summary

1. On 18 October 2022, the Chair of the Peacebuilding Commission (PBC), H.E. Mr. Muhammad Abdul Muhith, convened an Ambassadorial-level meeting to provide an opportunity for Member States to receive an update on The Gambia's transitional justice process, including the Government's White Paper on the implementation of the recommendations of the Truth, Reconciliation and Reparations Commission (TRRC), and to discuss priority areas and related actions for which The Gambia will need further support from international partners.

2. In his opening remarks, the Chair recalled the PBC's continued engagement with The Gambia since 2017, as the country embarked on its transition and peacebuilding journey through a set of inter-related reforms in the areas of democratic governance and national reconciliation. He noted that since then the PBC has been a trusted partner of The Gambia in its efforts to pursue durable peace, including helping the country to engage and mobilize international partners' support to the country's peacebuilding priorities. The Chair commended The Gambia's notable progress in the transitional justice and reconciliation processes and welcomed the Government's intention to convene a Stakeholder Conference in 2023 as an important step for mobilizing support for the key priority areas of the White Paper. In this regard, he reiterated the PBC's readiness to support the implementation plan of the TRRC recommendations and the actions outlined in the White Paper.

3. **H.E. Mr. Dawda A. Jallow, Attorney General and Minister of Justice of The Gambia**, briefed the Commission on the transitional justice process, including the Government's White Paper on the recommendations of the TRRC. He recalled that TRRC, set up in 2018, had submitted its sixteen-volume report to the President in 2021, and that the Government had released its White Paper on 25 May 2022, which represents the Government's position on the TRRC recommendations and outlines its proposed implementation plan. He informed PBC members that the Government intended to organize a Stakeholder Conference during the first quarter of 2023 to present the implementation plan of the TRRC recommendations, including detailed activities and resource requirements, to enable partners to identify areas of support and opportunities for cooperation. The Minister further outlined some of the key priority initiatives the Government was working on to implement urgent recommendations of the TRRC. These include an autonomous Special Prosecutions Office, which, as part of the accountability mechanisms, will have investigative and prosecutorial authority over the offences recommended for prosecution by the TRRC, and a Reparations Bill under which an independent body will be put in place with the sole responsibility to administer a reparations fund for the victims. They also include a Peace and Reconciliation Commission that will be established to help heal from the trauma caused by the atrocities committed during the former regime and nurture the fragile peace the country currently enjoys, as well as the Security Sector Reform (SSR), which has a significant role in the country's transition and is one of the key institutional reforms of the post-TRRC phase, given the fact that the security sector is the most implicated institution in the TRRC's findings and recommendations.

04. The Minister underscored the need for capacity-building to implement these initiatives that require expertise in legislative reforms, the criminal justice system, witness protection and prosecution,

investigation, digitalization of data, as well as in the social cohesion initiatives, health care, and education. The Minister expressed the Government's appreciation for all the support received from 2017 to date from the PBC and the Peacebuilding Fund (PBF), noting that as a nascent democracy, The Gambia has earned respect for its advancement in institution-building and human rights practices with PBC's guidance, assistance and support. He expressed his hope that The Gambia and the PBC would pursue engagement and conclude together a journey they had started together.

4. **Ms. Giovannie Biha, Deputy Special Representative of the United Nations Secretary-General for West Africa and the Sahel**, welcomed the Government's endorsement of the TRRC recommendations through its White Paper and noted that genuine national reconciliation was the necessary foundation for the development of the country. She welcomed the first visible steps of the implementation, such as the suspension of some public servants who were adversely mentioned by the TRRC report, as well as the commitment of budgetary resources to the reparations process, while noting the need for an independent body to manage the reparation fund. She encouraged the Government to accelerate the preparation for the Stakeholder Conference mentioned by the Minister of Justice, indicating that the conference would send a signal of commitment to the partners, stakeholders, and citizens of The Gambia. She expressed gratitude to the PBF for targeted and timely support, including support to enabling the National Human Rights Commission (NHRC) to fulfill its responsibility of monitoring the implementation of the TRRC recommendations. She thanked the PBC and expressed appreciation for the effective cooperation between the Gambian authorities and the United Nations.

5. **Ms. Fatou Baldeh, CEO and Founder of Women In Liberation and Leadership (WILL)**, noted that many victims of sexual and gender-based violence (SGBV) had not taken part in the TRRC process due to a culture of silence and the fear of stigma. She underscored the need to address SGBV at all levels in the next phase of the transitional justice, and to document human rights violations against women. She noted that transitional justice process provided a unique opportunity to strengthen women's rights, and that the process should take into account gender differences in order to effectively address past crimes and violations and build sustainable peace. She highlighted the need to develop laws that foster gender equity, elevating women as equal participants in the transition, and providing accountability for crimes committed against women and girls. She also stressed the prerequisite to address the structural inequalities and underlying causes of SGBV, such as poverty, trauma, and gender inequality, and the need to identify and develop strategies and programs to transform harmful socio-cultural gender dynamics. She also noted the importance of reparations program addressing victims' basic needs, as well as root causes of discrimination, including women's economic development, educational opportunities, healthcare, and political participation. She concluded by acknowledging that women have a central role to play in shaping the impact of transitional justice, therefore they should be meaningfully included in the process.

6. **Ms. Aissata De, UNDP Resident Representative in The Gambia**, congratulated the Government on the transitional justice progress, and underlined the impact of the PBF support during the delicate transition that began in 2017, as well as the continuing need for this support to implement the TRRC recommendations to sustain peace and development for the achievement of the 2030 Agenda. She thanked the partners, including the PBC, for their support as the country transitions to democratic governance, sustainable development and peace, particularly in the unprecedented global context with the COVID-19 pandemic and current Ukraine crisis. She noted the accomplishments of the peaceful and credible elections, the successful model of the TRRC, the establishment of the National Human Rights Council, and the development of a policy framework around national security and SSR preparing the ground for security sector institutions to be fit for purpose and adapted to The Gambia's security needs. She further noted the progress towards the

empowerment of women and young people, while underscoring the need to concentrate more on equality goals, especially regarding women's representation in political life. She reiterated that these transformative changes would not have been possible without the early, strategic, and catalytic support of the PBF, and reminded continuous need for the PBF and the PBC support required for the preparedness and resilience-building in facing emerging challenges within the Sahel region, including violence, extremism, and human and drug trafficking. She highlighted the need of full and timely implementation of the TRRC recommendations, which is one of the main expectations of The Gambian people to foster trust and reconciliation. She recalled the other important priorities, such as the revision of the Constitution, the fight against corruption and increased political participation of women.

7. **Ms. Awa Dabo, Director and Deputy Head of PBSO**, welcomed the timely release of a high-quality White Paper by the Gambian government on the recommendations of the TRRC. She commended the victim-centered approach, including a Victims' Bill, Victims' Support Fund, and Memorialisation Plan. She also commended the inclusive elements of the transitional justice process, including the integration of gender elements in the White Paper, as well as the planned Peace and Reconciliation Commission with decentralized structures that will allow for effective engagements at the grassroots level and potentially foster reconciliation, national healing, and social cohesion. She noted the PBF's support of the peaceful transition since early 2017, notably by supporting the establishment and operationalization of the TRRC, and expressed the continued commitment to supporting the peacebuilding priorities of The Gambia in the framework of the ongoing transitional justice process and other reforms. She informed about the PBF post-TRRC follow-up project to support the implementation and monitoring of the TRRC recommendations, using a consultative and participatory approach involving key national institutions such as the Police, Judiciary, and the National Human Rights Commission, as well as civil society organizations, with a special focus on victims and women's organizations. Further, she welcomed the robust PBC engagement with The Gambia, and hoped that the PBC can be used for sharing lessons on the transitional process. She reiterated the UN's commitment to support The Gambia's efforts for national reconciliation and peacebuilding, and the need for further support from international partners to implement the recommendations of the TRRC and to pursue other important reforms.

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

- They commended The Gambia's remarkable progress in transitional justice, reconciliation, democratic governance, and building and sustaining peace and stability. They welcomed the establishment of the National Human Rights Council, as well as the proposal to create a gender-sensitive and impartial Peace and Reconciliation Commission to enable effective engagement of the entire society to foster reconciliation, national healing, and social cohesion. They commended the victim-centered approach adopted by the transitional justice process and underlined the importance of accountability and transparency.
- They underscored implementing the TRRC recommendations as crucial for sustainable and inclusive peace, development, and stability in the country. They expressed the need to identify frameworks, institutions, structures, principles, timelines, and clear objectives for the implementation of the TRRC recommendations. In this view, they welcomed the Government's plan to organize a Stakeholder Conference in 2023. They underlined the imperative to reinforce capacity-building and strengthen national institutions in support for implementing the TRRC recommendations including in the security sector, and important legislative and economic reforms.

- Member States stressed the importance of inclusion in the transitional justice process. They emphasized the critical role of women, youth, people with disabilities, and civil society in peacebuilding and in the implementation of the TRRC recommendations. They highlighted the need to provide further support for the victims of SGBV, including mental health and psychosocial support.
- They recognized the PBC as an important platform for sharing experiences on the transitional justice and reconciliation processes. They encouraged The Gambia to engage in learning initiatives to share experiences with other countries that had undergone transitional justice and reconciliation processes. It was noted that the transitional justice process in The Gambia has been shown promising results, and that long-term investments in reconciliation and justice were key to sustain this success.
- Member States highlighted the role of the PBF in supporting the implementation of the TRRC recommendations and peacebuilding priorities in the country. They also expressed readiness to help sustain international support for The Gambia's peacebuilding priorities, including the implementation plan of the TRRC recommendations. In this respect, the Member States underscored the importance of long-term commitment and resources to support The Gambia by the UN and its partners and encouraged a coordinated and coherent approach.

9. During the closing segment of the meeting, The Gambian Justice Minister and other briefers re-emphasized key issues and priorities. It is important to engage the victims who have not been able to participate in the TRRC process, with a particular attention and support for the victims of SGBV, and to develop laws that address inequality and discrimination against women. The Gambia is a success story for PBC, especially for its support to the country's transitional justice, but long-term investments for reconciliation and justice are needed to sustain the success. There is an opportunity to facilitate support to initiatives of exchanging knowledge and sharing experiences on transitional justice and reconciliation processes across countries. The Government needs immediate support for the operationalization of the Office of Special Prosecutor to start addressing issues of accountability and for the implementation of the reparations component to provide urgent support to the victims, which is crucial for reconciliation.

10. In his closing remarks, the Chair thanked the Attorney General and Minister of Justice for his briefing and engagement with the PBC members, as well as for the Gambian Government's commitment and the actions they were already taking towards the implementation of the TRRC recommendations. He noted that the implementation of the TRCC recommendations would be an important step in The Gambia's efforts to establish long-term peace and stability in the country. Further, the Chair encouraged the United Nations and the partners to support The Gambia in a more coordinated and coherent manner, especially in implementing the recommendations of the TRRC. He indicated the PBC's readiness to support the Stakeholder Conference planned by the Government of The Gambia in the first quarter of 2023.