

# **Gambia 2024 Human Rights Report**

## **Executive Summary**

There were no significant changes in the human rights situation in The Gambia during the year.

Significant human rights issues included credible reports of child marriage.

The government took credible steps to identify and punish officials who committed human rights abuses.

## **Section 1. Life**

### **a. Extrajudicial Killings**

There were no reports the government or its agents committed arbitrary or unlawful killings during the year.

### **b. Coercion in Population Control**

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

#### **Physical Attacks, Imprisonment, and Pressure**

On September 30, authorities detained two editors of a local newspaper and charged them with “false publication and broadcasting” for reporting President Adama Barrow had chosen a successor as part of an exit plan. The Gambian Press Union condemned the arrest, argued the journalists did not violate laws, and urged police to respect the right to press freedom. In November, authorities dropped the case and released the two journalists.

#### **Efforts to Preserve the Independence of the Media**

On September 5, the vice president swore in five individuals as commissioners of the Access to Information Commission. The commission worked to increase access to public information and promote good governance and transparency.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law provided that workers, except for civil servants, domestic workers, court officers, and certain other categories of workers, were free to form and join independent unions, bargain collectively, and conduct legal strikes.

A broad range of essential service employees, including in the military, police, health, ambulance, prison, water, electricity, and radio and telecommunication sectors, were prohibited from forming unions.

Additionally, the law authorized the minister responsible for labor matters to exclude any other category of workers from the protection of the law.

Unions had to register to be recognized. The law required a minimum membership of 50 workers for the registration of a trade union, a threshold few workplaces could meet.

The law did not prohibit antiunion discrimination.

The law also stated the registrar of unions had to give the commissioner of labor written notice 14 days before beginning an industrial action (28 days for actions involving essential services). An employer could apply for a court injunction to prohibit industrial action deemed to be in pursuit of a political objective. The court also could forbid action judged to be in breach of a collectively agreed procedure for settlement of industrial disputes.

The government did not consistently enforce the laws governing freedom of association, collective bargaining, and the right to strike. Penalties for violations of freedom of association, collective bargaining, and the right to strike were commensurate with those for analogous violations such as civil rights offenses but were rarely applied.

Union members negotiated without government interference, but trade unions were small and fragmented and often lacked experience, organization, and professionalism, and they turned to the government for assistance.

## **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acceptable Work Conditions**

### **Wage and Hour Laws**

The law provided minimum wages in six sectors: commerce, artisans, transport, port operations, agriculture, and fisheries, covering 20 percent of workers. The minimum wage was less than the national poverty level.

The basic legal workweek was 40 hours but could be extended up to 48 hours including overtime work. Alleged violations of wage, hour, and overtime laws were common in the informal sector.

## **Occupational Safety and Health**

Occupational safety and health (OSH) standards were appropriate for the main industries in the country. Government OSH experts did not proactively identify unsafe conditions; response to worker complaints was unclear. The law did not prevent possible termination for workers who removed themselves from unsafe conditions. Violations of health and safety standards were common in the service, construction, agricultural, and domestic labor sectors.

## **Wage, Hour, and OSH Enforcement**

The Department of Labor enforced minimum wage, overtime, and OSH regulations. The government did not enforce the law or act to prevent violations. Penalties were not commensurate with those for similar violations such as fraud or negligence, and penalties were rarely applied. The number of inspectors was insufficient to enforce compliance, although inspectors had the right to make unannounced inspections and initiate sanctions.

The government did not apply labor laws in the large informal sector, which accounted for approximately 63 percent of workers.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

Families of individuals detained during the 1994-2017 Jammeh regime continued to demand information on their missing relatives and ask that those responsible for abuses be held accountable.

### **Prolonged Detention without Charges**

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

The law required a detainee be charged or released within 72 hours; authorities generally respected this requirement. There was a functioning bail system. In some cases, officials did not allow detainees prompt access to a lawyer. The judiciary provided lawyers at public expense only to indigent persons charged with capital crimes, such as murder, for which the death penalty could be imposed.

## **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

# **Section 3. Security of the Person**

## **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and the law prohibited such practices, and there were no credible reports government officials employed them. Nevertheless, impunity was a problem in the security forces for abuses committed during the Jammeh era.

The law banned female genital mutilation/cutting (FGM/C) of girls and women; authorities did not effectively enforce it. Survivors and witnesses rarely reported abuses because they were uncomfortable implicating family or community members. According to the United Nations Population Fund in 2020, 75 percent of girls and women between ages 15 and 49 had

undergone some form of FGM/C.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **Child Marriage**

The legal minimum age for marriage was 18. Although government campaigns in several areas of the country, particularly in remote villages, sought to create awareness of the law, there were no reports of the government enforcing it.

## **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

### **Provision of First Asylum**

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.



## **Resettlement**

The government made slow progress towards naturalization or permanent residency status for 4,000 Senegalese refugees.

### **d. Acts of Antisemitism and Antisemitic Incitement**

There was no known Jewish community, and there were no reports of antisemitic incidents.