



Final Consultancy Report: Validation and End of Assignment Report

(Documentation of the Process Leading to the
Development of a CRPD Compliant Budgeting Guidelines
to Support the Implementation of the Persons with
Disabilities Act, 2021)



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It is our hope that this Guidelines will be utilised accordingly by all the Ministries, Departments and Agencies to greatly enhance the enjoyment of human rights by persons with disabilities. For its part, the NHRC will use the Guidelines as an advocacy tool to ensure budgeting adequately takes into consideration the needs of persons with disabilities.

We express our profound appreciation and sincere gratitude to the public for its continued confidence, trust and support to our work. As a public entity, we will continue to serve the best interest of the public and also strive to ensure that Persons with Disabilities enjoy their fundamental human rights and freedoms.

Chapter 1 - Introduction, Objective of the Consultancy and Methodology:

Introduction:

In July 2015, The Gambia became a State Party to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and subsequently domesticated the instrument by enacting the persons with Disability Act (2021). With the passing of the Act, The Gambia committed itself to “take measures to the maximum of its available resources and, where needed, within the framework of international cooperation” to respect, protect and fulfil the rights of persons with disabilities. This implies that substantial budgetary resources will be appropriated through the National Assembly in favour of Government Ministries, Departments and Agencies (MDAs) to deliver goods and services for disability inclusion when the Act comes into force.

The Persons with Disabilities Act, 2021 also urges Government to prohibit all forms of discrimination on the basis of disability and guarantee equal and effective legal protection against discrimination. The Act makes provisions for health care, social support, accessibility, rehabilitation, education, vocational training, communication, employment and work protection and promotion of basic human rights for persons with disabilities. This calls for the alignment of the national budget with national commitment for disability inclusion in compliance with the CRPD principles and standards. However, the inexistence of recent comprehensive data sets on disability in the country poses a huge challenge for planning and service delivery. More so because the stigma linked to disability is real and more often than not, persons with acute disabilities are hidden from the public gaze within the family.

Having enacted the Persons with Disabilities Act, the Gambia Government now bears the responsibility to announce the commencement date and to progressively ensure the “full realization of all human rights and fundamental freedoms for persons with disabilities” including by “modifying or abolishing existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities.” Since the application of the Convention on the Rights of Persons with Disabilities has to be context specific, the Government of The Gambia must therefore create the environment to ensure that persons with disability (and/or their representatives) are meaningfully consulted in the budget processes with a view to accommodating their needs and addressing the challenges they face. As the Chairperson of the National Advisory Council for persons with Disabilities aptly put it during the validation workshop of the Disability Compliant Budgeting Guidelines: “Nothing about us, without us!” The recent mainstreaming of the principles of human rights in development planning has brought to the fore the acute challenges faced by persons with disabilities and the imperative of mainstreaming the issue for equitable human development. In that regard, interest has been growing on the role of public budget in supporting the inclusion of persons with disabilities in the socio-economic development of the country and the cost of not doing so to the economy.

Overall Objective of the Consultancy Assignment:

The objective of the assignment commissioned by the National Human Rights Commission (NHRC) with support from the United Nations Children's Fund (UNICEF) was to develop a CRPD-Compliant budgeting guideline to support the implementation of the Persons with Disabilities Act 2021 in The Gambia.

This report documents both the process and the outcomes of the consultancy assignment. It outlines the scope of work, the deliverables, the stakeholder groups who participated in the process, the milestones and the outcome documents that were produced.

Scope of Work: The tasks involved undertaking an analysis of the Persons with Disabilities Act 2021, the Convention on the Rights of Persons with Disabilities, and other resources to inform the development of the Guidelines. Consultations were held with Relevant stakeholders; Design and development of a CRPD-Compliant budgeting guideline; Development of training materials/modules (using the Guidelines) and training plan for regular rolling out; and Conducting a Training of Trainers using the training modules/materials. Against that backdrop, the following deliverables were considered for the assignment.

Deliverables: The Consultant delivered the following products: an Inception Report detailing the methodology and work plan; submitted a zero draft to the Technical Committee set up for the purpose; presented the CRPD- Compliant Budgeting Guidelines during the Validation Workshop held at the Senegambia Beach Hotel on the 10th of July, 2024; presented the Guidelines during the Regional Workshops held in Farafenni, North Bank Region (NBR) and Basse, Upper River Region (URR) on 12th and 13th July, respectively. The final validation report is submitted to the National Human Rights Commission (NHRC) on 24th of July together with the final training and end of assignment report as required by the terms of the contract.

Methodology:

For the development of the CRPD-compliant budgeting Guidelines, the following methods of data collection were used:

(a) Desk/Literature Review of documents (including relevant human rights instruments such as the Gambia's Persons with Disabilities Act 2021, the UN Convention on the Rights of Persons with Disabilities, the UN CRC, etc.), the 1997 Constitution, National Budgets, the Budget Framework Papers and the Budget Call Circular that provide the Guidelines for the National Budget preparation, etc.

(b) Consultations with all the relevant stakeholder groups (UN Agencies, NHRC, The National Assembly of The Gambia MoFEA, MoGCSW, MoH, CSOs active in disability advocacy, the etc. Persons with disability (as rights holders) were meaningfully consulted through their organizations to have a better understanding of their needs and

challenges with a view to ensuring that the Guidelines take their concerns sufficiently on board. That was done through focus group discussions and key informant interviews using semi-structured questionnaires.

A) The consultations/engagements targeted the following Government Duty Bearers and Organizations having a Special Interest or an oversight responsibility in Persons with Disabilities:

Government Duty Bearers and Local Government Authorities:

- The Ministry of Finance and Economic Affairs (MoFEA) with focus on the budget system and the integration of disability-compliant budgeting in the country's chart of accounts
- Ministry of Gender, Children and Social Welfare (MoGCSW)
- The Directorate of Social Welfare (DSW)
- Ministry of Health (MoH)
- The Ministry of Basic and Secondary Education (MoBSE)
- The Ministry of Transport Works and Infrastructure (MoTWI)
- The Ministry of Justice (MoJ)
- Ministry of Lands, Regional Government and Religious Affairs (MoLRG&RA)
- Ministry of Public Service (MoPS)
- Ministry of Communication and Digital Economy (MoC&DE)
- Ministry of Higher Education, Research, Science and Technology (MoHERST)
- Ministry of Information (MoIN)
- Ministry of Youths and Sports (MoYS)
- Ministry of Trade, Employment and Regional Integration

Groups with Special Interest:

- Child Protection Alliance (CPA)
- National Council for Civic Education (NCCE)
- Gambia Bureau of Statistics (GBoS)
- Parents of Persons with Disabilities
- National Youth Parliament (NYP)

Development Partners, Independent Bodies/Organizations Charged with Oversight of the Rights of Persons with Disabilities.

- National Human Rights Commission (NHRC)
- The National Disability Advisory Council (NDAC)
- United Nations Children's Fund (UNICEF)
- United Nations Population Fund (UNFPA)
- National Assembly Standing Committee on Human Rights and Constitutional Matters
- UN Human Rights Adviser
- Financial and Public Account Committee (FPAC)/PEC
- The World Bank (WB)

B) Focus Group Discussions with Organizations of Persons with Disability (OPDs):

Focus Group Discussions (FGDs) were conducted in the North Bank and the Upper River Regions with a mixed group of stakeholders comprising of: persons with disabilities who could speak for themselves; caregivers who spoke on behalf of PWDs; and parents of PWDs to have first-hand experts' information on their experiences. Over 40 participants took part in each region. The Gambia Federation of the Disabled (GFD) served as the entry point to reach out to the different stakeholder groups, including the Gambia Organization of the Visually Impaired (GOVI and the Gambia Association of the Deaf and Hard-of-Hearing (GADOH).

C) Data Analysis: To analyze the data, qualitative (descriptive, content, comparative) techniques were employed.

D) Design and Development of the CPRD-compliant budgeting guideline: The data received from the field informed the organization of the Guidelines in terms of thematic areas and priority budget lines

E) Project Monitoring Meetings: Over the consultancy period, consultations and briefing meeting were held with members of the technical committee to discuss implementation issues and to ensure that the work is on track and is of quality. Three meetings were held at the NHRC Secretariat in Kololi.

Chapter 2 - Salient Points from the Key Informant Interviews with Government Duty Bearers:

Introduction:

The Gambia Government's political will in terms of promoting the rights and dignity of persons with disability can be confirmed, albeit sub-optimal, given the quantum of resources and the programmes implemented thus far in the country for persons with disabilities. Whilst we agree that disability inclusion can only be progressive given the scope of intervention areas that should be addressed considering the principles of universal design and reasonable accommodation, far more ground could have been covered since having a comprehensive law on disability in 2021. One wonders why since the enactment, the gazetting and the seal of approval given by the President of the Republic of The Gambia, no significant headway has been registered in terms of accessibility, compensation, participation and non-discrimination of persons with disabilities. Indisputably, the Gambia Government has to a certain extent shown some form of commitment towards disability inclusion evidenced by the tabling and passing of the bill before the National Assembly to become part of the law of this country. In furtherance to that government through the line ministry responsible for disability matters has been engaged in the popularization of the Persons with Disabilities Act. In addition to passing the Act, government went further to establish the National Disability Advisory Council and for the first time a budget line, albeit insignificant, has been included in the national budget for the implementation of the Persons with Disabilities Act.

The Ministry of Gender, Children and Social Welfare:

As highlighted in the introduction, Government has demonstrated some degree of commitment towards implementing the Persons with Disabilities Act. The development of the Guidelines is endorsed by the Ministry of Gender, Children and Social Welfare (MoGCSW) and that in itself is an indication of the commitment to move the agenda for disability inclusion forward. The Ministry has also developed the Persons with Disabilities policy, the strategy and have a costed work plan. The government is working closely with the Gambia Federation of the Disabled (GFD) to provide core funding for different types of development initiatives. Another challenge is that the coverage, scope and financing of the social protection system in The Gambia remains limited, overall. There are limited social security services available to persons with disabilities; limited sign language interpretation at service delivery points, particularly at hospitals. Persons with disabilities face challenges in obtaining an education due to distance and accessibility related constraints. The socio-cultural and environmental factors expose them to enormous challenges in accessing health care services, including mental health and sexual reproductive health care services; education; social protection services. Similarly, basic information relating to these services themselves are also difficult to access.

Other laudable initiatives taken by the Ministry of Gender, Children and Social Welfare are: the submission of a request to the Ministry of Finance and Economic Affairs to create a new budget line for a disability fund. If approved, this fund will be used to support Organisations of Persons with Disabilities (OPDs) and activities targeting them to improve their welfare and well-being. The quantum of resources allocated to that fund will determine how impactful the interventions are going to be. Thus far, the allocations are abysmal. CSOs and oversight institutions must ensure that public expenditure progressively aligns with commitments made by Government to fulfil their obligations vis-à-vis the rights of persons with disabilities. Some Ministries are already working towards the development of accountability and other frameworks that would ensure public expenditures are fully aligned with commitments made by Government to fulfil their obligations vis-à-vis the rights of persons with disabilities both in the CRPD and the Persons with Disabilities Act.

There is evidence to show that the Ministry of Gender, Children and Social Welfare has always been at the forefront of the campaign to alleviate the suffering of persons with disabilities. Despite the modest resource endowments, they have been providing assistive devices (including Orthopaedic prosthetic limbs for victims of road traffic accidents and amputees due to diabetes, Wheelchairs, white canes, crutches, walking sticks, walking frames, mobility scooters). Concerning persons with sensory disabilities and communication barriers, it is recommended that persons with disabilities should be provided with the following assistive devices/tools to enhance their quality of life: braille" for all the visually impaired; hearing aids for all the hard-of-hearing; screen readers (a technology commonly used by persons with visual disabilities); captions or sign language interpretation services; easy-read material and visual images and easy-to-read language.

The Ministry of Gender has limited capacity to deliver the range of basic social services that are required. Development partners can help through the provision of technical and financial assistance towards implementing the government's identified priorities. However, UNICEF's support mainly focuses on establishing partnerships and mainstreaming the issues of persons with disabilities in its programmes with the Gambia Government and CSO partners. The organisation tries to ensure that persons with disabilities have a representative in their projects and programmes. This is done though working with umbrella organisations such as the Children's National Assembly comprised of Children's representatives, among them, Children with Disabilities

The Ministry of Justice (MoJ):

The Ministry of Justice (MoJ) championed the enactment of the Persons with Disabilities Act in 2021. As part of the consultation processes, a number of interface meetings were held with the Gambia Federation of the Disabled (GFD) to solicit their input for the drafting of the legislation (the Persons with Disabilities Bill). The Federation participated in the validation of the document before its enactment by the National Assembly of The Gambia. After the enactment of the legislation, the Ministry served as resource person to popularise the Act. Further to that, the Ministry built a walk

way to make its premises accessible for persons with disability. That intervention was intended to serve as an example for other government institutions to emulate.

The Ministry of Finance and Economic Affairs (MoFEA):

The Ministry of Finance and Economic Affairs (MoFEA) has confirmed taking measures to provide transparent, accessible and timely data on budgetary allocations for the rights of persons with disabilities. The publication of budget execution reports on the Ministry of Finance's Website gives credence to that decision and bodes well for disability compliant reporting. The Ministry also has plans to make the administrative data on disability-disaggregated along gender lines for budgeting purposes. That is also in keeping with the Ministry's plans to move towards gender-responsive budgeting. The current absence of comprehensively coded items relating to disability inclusion makes it difficult to track expenditure dedicated to the sector. Consequently, it is an uphill task trying to establish whether spending linked to disability related matters has been increasing or decreasing over the years. It is of interest to learn that MoFEA intends to have specific markers or coding in the national chart of accounts to promote disability inclusion and to make it easy to track disability-compliant expenditures. This is in line with ambitions to have both gender and climate mainstreamed in the national budget. Thus, disability-based coding will play a key role in the new reporting arrangements once the public finance reforms are conducted.

In 2024, MoFEA allocated a budget of D6.15 million to the Disability and Rehabilitation Services sub-program and makes it contingent on the request by the MoGCSW. However, According to MoFEA, if there are plans to increase the budgetary allocations for disability inclusion emanating from the Ministry of Gender, the Ministry of Finance was not privy to that information or request as at the time the key informant interview was conducted. MoGCSW, however, has plans to establish a Disability Fund to improve the situation of persons with disabilities in the country. It is worth noting that there are specific challenges/barriers faced by stakeholder groups in ensuring that the budgeting processes are inclusive and address the needs of persons with disabilities. This mostly relates to the availability of funding for in-depth consultations that are inclusive of all the relevant stakeholder groups.

In terms of stakeholder engagement in the budget preparation phase, the Ministry of Finance indicated that the Gambia Government has created the space for organizations defending the rights of persons with disabilities to take part in the national budget cycle processes. According to the respondent, there are annual consultations with Ministries, Civil Society organisations and the private Sector. These stakeholders are brought together in one forum to discuss plans for the following annual budget, thus giving them the chance to directly engage the Ministry of Finance and Economic Affairs. Organizations for and of persons with disabilities ((OPDs) that take part in the sessions have a unique opportunity to lobby and advocate for disability inclusion in social and public life. These stakeholders can equally engage MoFEA through its social media handles, although the effectiveness of such engagements cannot be guaranteed. Strategic engagements with MoGCSW would also facilitate the inclusion of disability

concerns in the budget. The areas of support that need to be prioritized in the national and local budget allocations should include making public buildings accessible and improving social welfare services at all levels. MoFEA intends to use Program Based Budgeting as a performance criterion to ensure that resources are allocated equitably and efficiently to meet the diverse needs of persons with disabilities. It is evident that MoFEA has the capacity to comprehensively track expenditure going towards realising the rights of persons with disabilities and other marginalised groups. They can also engage donor partners to support capacity building and other development initiatives.

The National Assembly of The Gambia:

The Chairperson of the National Assembly Standing Committee on Human Rights and Constitutional Matters admitted that by virtue of its legislative, representative and oversight functions, the National Assembly of The Gambia needs capacity development on disability-compliant budgeting to fully understand the budgetary implications and the budget oversight and scrutiny responsibilities that it will exercise to support the disability inclusion agenda that inevitably stems from the promulgation of the Persons with Disabilities Act. Having debated, amended and enacted the Persons with Disabilities Bill, National Assembly Members are already au fait with the scope of the Act and all that it provides for. For the implementation of the Act, the principles that are most critical for guiding the welfare and well-being of persons with disabilities are empowerment, participation and non-discrimination for inclusion. PWDs need to be educated on the rights accorded to them under the Act, so that they will be empowered to make informed suggestions/decisions in relation to CRPD-complaint budgeting.

The Ministry of Transport, Works and Infrastructure (MoTWI):

The Ministry of Transport, Works and Infrastructure (MoTWI) has an important role to play in terms of ensuring that persons with physical disabilities have easy access to public places, public transport facilities and public buildings. The respondent from MoTWI acknowledged that accessibility and usability of public buildings are being promoted by certain sectors, albeit slowly, by investing and strengthening accessibility to infrastructure and taking measures in the area of transportation. That entails designing and financing disability inclusive infrastructure that takes on board the needs of people that use wheelchairs. The Ministry of Transport, Works and Infrastructure's Transport Policy and Public Building & Facilities Policy caters for persons with disabilities. The policy sets out key challenges and opportunities in legislating, designing and financing disability inclusive infrastructure. According to him, the Ministry intends to use case studies to illustrate door-to-desk approaches with a view to demonstrating what disability inclusive infrastructure looks like in practice. But currently, catering for Disability Inclusive Infrastructure for Public Buildings and Facilities is yet to be fully operationalized. Additionally, there is no specific allocation for disability in the Ministry's budget. But with MoTWI's policy for public buildings and facilities, the disability inclusive infrastructures are now included in all maintenances and new construction buildings that the Ministry embarks upon. Furthermore, there is the need to establish standards and recommendations that will not only influence the

development and restructuring of the needs of persons with disabilities, but will also assume national importance.

During the focus group discussions, persons with disabilities indicated that the new OIC highway stretching from the Airport Junction to Stink Corner is unfriendly to persons with disabilities. According to them, it has inadvertently created more barriers for them than the motor way it has replaced. Wheelchair users can no longer cross the highway. Because of the absence of traffic lights, crossing the highway is considered to be very risky. To overcome these challenges, some extra costs will have to be incurred to make the road disability friendly. Having escalated that message to the National Roads Authority (NRA), adjustments are currently being made by cutting the concrete between the two sides of the road, putting speed breakers and zebra crossings to accommodate wheelchair users and persons with visual impairments.

The Ministry of Basic and Secondary Education (MoBSE):

The Ministry of Basic and Secondary Education (MoBSE) as part of the Policy directives to institutionalize an all-inclusive education regime, has made deliberate efforts to mainstream persons with disabilities (especially special needs students) by integrating them in mainstream schools and by providing them with itinerant teachers who visit the schools regularly to guide and spend time with them. It is worth emphasizing that there is no specific budget line in the Ministry's budget that is exclusively meant for children with disabilities. Instead, disability is embedded in different programmes and sub-programmes. Accordingly, inclusive education benefits all students, not just those with disabilities. It promotes a positive learning environment that values diversity and encourages collaboration and teamwork at all levels. It also helps to develop empathy and understanding among children, which can lead to more inclusive and peaceful communities. It encourages peer mentoring and promotes empathy amongst students. It also fosters a sense of belonging and a community spirit.

That notwithstanding, it is the considered view of some stakeholders that the government should construct more buildings that are disability friendly. Presently, most of the buildings including school facilities are without the type of infrastructure that fosters inclusion of persons with disabilities. The absence of sign language interpreters in major school events does not make the interactions of persons with sensory disabilities easy. The school structures are not always disability friendly for lack of ramps and toilets that persons with disabilities can use easily. The doorways and sideways are not found in most of the buildings especially in old school buildings. MoBSE is also funding some of the assistive devices for students that are in the school system taking into consideration the principle of reasonable accommodation.

Oversight Institutions and Development Partners:

Institutions such as the National Human Rights Commission (NHRC) and the UN Agencies are supporting the Gambia Government in its efforts to promote the full and effective inclusion and participation of persons with disabilities. For instance, UNICEF

is financing the development of a CRPD compliant budgeting Guidelines to be utilised by the relevant government Ministries when developing their sector budgets. In May, 2024, the American Embassy in Banjul supported the National Human Rights Commission to promote human rights-based budgeting in three Local Government Authorities: Upper River Region (URR), North Bank Region (NBR) and Lower River Region (LRR). Capacity building and sensitisation initiatives and advocacy for the rights of persons with disabilities are also being supported through the National Council for Civic Education (NCCE) and Civil Society Organizations (CSOs) active in disability governance and the human rights-based approach. The NHRC in particular, has organised a National Forum on Disability Rights in The Gambia in partnership with the Gambia Federation of the Disabled, on the theme “Advancing the Rights of Persons with Disabilities in The Gambia”. The Forum raised awareness on the rights of Persons with Disabilities in The Gambia and what environmental, institutional, community and social changes ought to be in place for Persons with Disabilities to live dignified lives. In various panel discussions, state actors and disability rights activists deliberated on the level of implementation of the Persons with Disabilities Act 2021, including progress and challenges registered, and what strategies should be put in place to accelerate the effective enforcement and implementation of the Act.

The World Bank and UNICEF are among the development partners that have supported the procurement of Braille, mobility devices such as wheelchairs, mobility scooters for persons with disabilities. The other specific areas of support or service delivery for persons with disabilities highlighted by stakeholder groups include: teacher training in disability/including disability education at the University of The Gambia and Gambia college for all teachers; education, access to information, access to communication, access to transport and other public services, awareness raising, access to social protection mechanisms, access to health, access to sports facilities and access to justice

Oversight institutions are advocating for sufficient resources to be allocated in the budgets of the relevant Ministries to ensure CRPD compliance. However, they will need to re-double their efforts to have greater impact. One way to do that is to build the capacities of the relevant actors within both central and local government levels in developing disability friendly budgets. The core mandate of CSOs is holding government to account and to advocate for improved budgetary allocation towards financing interventions that benefit persons with disabilities. These institutions can ensure that all aid-funded programmes are accessible to and inclusive of persons with disabilities by advocating that all aid-funded programmes have a mandatory requirement for the inclusion of persons with disabilities in all activities. Building a framework for mutual understanding underpinned by a good working relationship among UN entities and international funding partners as the basis for co-creation of joint programs that inform the design of future PRPD funded programs in the country is crucial and will serve as a baseline to monitor future progress to make a difference.

Oversight institutions and organizations of persons with disabilities must keep reminding government of its obligations and should hold them accountable. In particular, the NHRC in its Annual Status of Human Rights Report, will detail the level

of implementation by the state in fulfilment of its obligations under the Persons with Disabilities Act of 2021. Strengthening advocacy efforts geared towards improving budgetary allocations at central and local government authority levels through consultation and participation in the budget development processes will add significant value to the process.

Summary of Main Findings:

The promulgation of the Persons with Disabilities Act, though an important milestone, has thus far not been followed by decisive actions on the part of the Gambia Government to promote the welfare and well-being of persons with disabilities. Only small steps have been taken including the establishment of the National Disability Advisory Council, the creation of a new budget line in the 2024 Estimates of Revenue and Expenditure, to which an amount of D6.15 million dedicated to the Disability and Rehabilitation Services sub-program was allocated and the popularization of the Act by the Ministry of Gender, Children and Social Welfare and Civil Society Organizations. By CRPD standards and the wide-ranging provisions enshrined in the Persons with Disabilities Act, such an allocation is perceived to be grossly insignificant and has not made any difference in the lives of persons with disabilities. Consequently, Organizations of and for Persons with Disabilities (OPDs), Oversight Institutions such as the National Human Rights Commission, Development Partners and other like-minded institutions must step forward to ensure that the Persons with Disabilities Act is implemented. Barriers of different nature (institutional, attitudinal, structural, communication, etc.) continue to constrain the mobility and socialization drives of persons with disabilities). Accessibility of public buildings, public toilets and public spaces for persons with physical disabilities calls for the integration of universal design and reasonable accommodation measures in public policy to deepen disability inclusion. Similarly, persons with sensory impairments need assistive devices, sign language interpretation services and the support of social workers to enjoy a better quality of life.

Another important finding that emerged during the process of developing the Guidelines is that the coverage, scope and financing of the social protection system in The Gambia remains limited owing to the lack of financial resources to support the programme.

The current absence of comprehensively coded items relating to disability inclusion makes it difficult to track expenditure dedicated to the sector. But MoFEA intends to have specific markers or coding in the national chart of accounts to promote disability inclusion and to make it easy to track disability-compliant expenditures.

It is worth noting that there are specific challenges/barriers faced by stakeholder groups in ensuring that the budgeting processes are inclusive and address the needs of persons with disabilities. This mostly relates to the availability of funding for in-depth consultations that are inclusive of all the relevant stakeholder groups. However, the Ministry of Finance indicated that space has been created for organizations defending

the rights of persons with disabilities to take part in the national budget cycle processes. Additionally, MoFEA intends to use Program Based Budgeting as a performance criterion to ensure that resources are allocated equitably and efficiently to meet the diverse needs of persons with disabilities.

The National Assembly of The Gambia needs capacity development on disability-compliant budgeting to fully understand the budgetary implications and the budget oversight and scrutiny responsibilities that it will exercise to support the disability inclusion agenda that inevitably stems from the promulgation of the Persons with Disabilities Act.

Recommendations:

Oversight institutions should continuously advocate for state institutions, in particular the Ministry of Gender, Children and Social Welfare to submit CRPD-compliant budgets to the Ministry of Finance and Economic Affairs for consideration. Additionally, they should engage the National Assembly to scrutinise the consolidated national budgets submitted by the Ministry of Finance to ensure that it is CRPD-compliant. Relentless efforts should be made to strengthen the advocacy directed at the National Assembly and the Ministry Finance and Economic Affairs to ensure improved budgetary allocations to programmes that benefit persons with disabilities.

These oversight institutions can ensure that public expenditure fully aligns with commitments made under the Act by: (i) sensitising the relevant government MDAs on the importance of inclusivity and non-discrimination (ii) working towards the development of an accountability and other frameworks that ensures that public expenditures are fully aligned with commitments made by Government to fulfil their obligations vis-à-vis the rights of persons with disabilities.

- It is recommended to have extensive consultations country-wide as part of the budget process to ensure that persons with disabilities or their organizations participate actively in the decision-making processes that affect their lives. Organizations for persons with disabilities and organizations of persons with disabilities can also ensure that their concerns are championed by stakeholders during the budget bilateral sessions with the MoGCSW. Subsequently, MoFEA will ensure that public expenditure fully aligns with commitments on the rights of persons with disabilities and will disburse funds as requested by the MoGCSW, during budget execution.
- The Department of Physical Planning under the Ministry of Local Government and Lands should be given the additional responsibility to ensure that all approved plans for construction are disability compliant.

- Ramps should be built in structures of public and private institutions to provide easy access to persons with disabilities. There should be a policy decision to include ramps and/or elevators in the designs of new public buildings.
- In terms of Sensory Disabilities and Communication Barriers persons with disabilities should be provided with the following assistive devices/tools to enhance their quality of life: Braille for all the visually impaired; hearing aids for all the hard-of-hearing; screen readers (a technology commonly used by persons with visual disabilities); captions or sign language interpretation; easy-read material and visual images and easy-to-read language
- There should be sign language experts in public institutions to assist persons with disabilities access facilities
- Stakeholders need to familiarize themselves with the LGA and national budget cycles
- The advocacy strategies must also endeavour to remove all the barriers that hinder effective participation. They include: attitudinal barriers, physical barriers (both structural and communication barriers) and institutional barriers.

Conclusion:

The Persons with Disabilities Act was enacted in July, 2021 but since then, there is no significant breakthrough in terms of implementation to foster hope that a brighter future lies ahead for persons with disabilities. It is hoped that the development of this Disability Compliant Budgeting Guidelines to support the implementation of the Persons with Disabilities Act will jump-start the agenda of disability inclusion and that the Gambia Government will take ownership of the Guidelines and will urge MDAs to work towards ensuring that persons with disabilities enjoy a better quality of life.

Chapter 3 - Validation of the CRPD-Compliance Budgeting Guideline to support the implementation of the Persons with Disabilities Act 2021.

DATE: 10TH JULY 2024.

VENUE: Senegambia Beach Hotel

Introduction:

After the submission of a zero draft by the consultant, reviewed by the members of the Technical Committee set up by the National Human Rights Commission, a one-day validation workshop was organized on the 10 July 2024, at the Senegambia Beach Hotel. Key stakeholders drawn from Government institutions and Civil Society Organization with a high representation from organizations of Persons with disabilities (including GFD, GOVI, GADHOH, etc.) attended the validation workshop. The engagement gave stakeholders the opportunity to provide inputs aimed at improving the Disability Compliant Budgeting Guidelines. Throughout the session, various thematic areas were addressed by participants who engaged in robust discussions to identify and deliberate on key issues that are deemed crucial for enriching the policy document. The emphasis was on general human rights issues with regards to persons with disabilities (PWDs) in the Gambia.

Opening remarks:

The Deputy Executive Secretary of the National Human rights Commission, Ms. Matilda Mendy moderating the Opening Ceremony, welcomed all the participants to the validation of the CRPD Compliant Budgeting Guideline to Support the Implementation of The PWD Act 2021. She thanked the participants for taking time out of their busy schedules to participate in this very important activity aimed at ensuring that the Government of The Gambia respects, protects, and fulfils the rights of persons with disabilities in their programming, projects and programmes

Welcome remarks:

In his welcoming remarks the Chairperson of the NHRC, Mr. Emmanuel Joof thanked all the attendees for gracing the occasion and then emphasised the need to promote and protect the human rights of persons with disabilities in The Gambia. He reminded the audience that since the ratification of the CRPD in 2015 and the enactment of the PWD Act in 2021 domesticating the CRPD, (which provides for a broad spectrum of rights and effective legal protection for PWD, including health care, social support, access to facilities, education and enjoyment of all fundamental human rights for PWD), very little has been done in terms of implementation of the Persons with Disabilities Act of 2021. An inclusive budget aimed at allocating adequate resources to projects and programmes for disability inclusion is therefore necessary. Similarly, legislative changes for the creation of an environment that allows PWDs to exercise their rights

are required, he insisted. Consequently, the NHRC with the support from UNICEF, hired a consultant, to develop CRPD complaint budget guidelines to assist government and OPDs ensure that adequate allocations are provided to effectively implement the PWD Act. He buttressed the importance of bringing stakeholders on board in order to have a very comprehensive discussion encompassing their views and inputs of all and sundry. Continuing, he expressed the hope that when the Guidelines are approved and implemented, they will help the government allocate resources so that people can enjoy the rights guaranteed by the Act. He concluded by calling for unity in the pursuit and commitment to advocate for a more equitable, inclusive and rights-centred future in The Gambia.

Next to deliver Welcoming Remarks was Magistrate Krubally - the Chairperson of GFD and The National Advisory Council on Disability. In his remarks, Magistrate Krubally, expressed gratitude to UNICEF, The Ministry of Gender, Children and Social Welfare (MOGCSW), NHRC, and UNPRPD for their continued support to persons with disabilities in The Gambia. He called the validation workshop a positive move for persons with disabilities given the fact that this was the first time such a convergence was organized to discuss the issue of CRPD-compliant budgeting guidelines and to validate the landmark document. He explained, that since the enactment of the Persons with Disability Act of 2021, not much has happened. Continuing, he said that in order to protect these rights, there is a paradigm shift ongoing and like any other law, the fundamental rights entrenched in the Disability Act must be implemented. In his view, the time has come to mobilize everyone to ensure that after the Constitution, is the Persons with Disabilities Act, 2021 is perceived as the most progressive legislation on the rights of PWD. Thus, it is essential that government and other relevant institutional representatives present at the workshop, aid in this endeavour. He ended his statement by reminding the audience that no one is superior to the other and all ought to be treated fairly as enshrined in our National Pledge.

The UNICEF representative, Mr. Armand Gnahore was next in line to deliver his statement. He commenced by extending warm greetings to everyone in attendance and expressed happiness for taking part in the validation of the disability compliant budgeting guidelines. For him, the development represents a step in the right direction and will contribute in advancing the rights and well-being of persons with disabilities in The Gambia, particularly women and children with disabilities. Continuing, he indicated that the NHRC-led validation represents a turning point in the joint efforts of likeminded institutions to uphold and defend the fundamental rights of people with disabilities. Following the government's ratification of the Convention on the Rights of Persons with Disabilities in 2015, there needs to be steps to move the disability inclusion agenda forward. He felt honored, he said, to be included in this important initiative to support PWD in a bid to foster an inclusive society in which everyone's rights are equally valued. It is all about making certain that the rules are appropriate, practical, and suited to the requirements of persons with disabilities in The Gambia. He expressed the hope that the adoption of the Guidelines will establish the foundation for human rights-based budgeting in The Gambia, he said. He also reaffirmed UNICEF's commitment to helping the Gambia to implement the Persons with Disabilities Act. .

The final speaker to deliver a statement at the opening ceremony was Mr. Philly Nyassi, the representative of the Ministry of Gender, Children and Social Welfare. After thanking the participant for gracing the occasion, Mr. Filly Nyassi expressed optimism for the advancement and protection of human rights of persons with disabilities in the Gambia. He highlighted how honored he was to speak at this auspicious occasion on behalf of his Permanent Secretary who was unavoidably absent. According to him, the Ministry takes great pride in its affiliation with the community of persons with disability to respect, protect and fulfil their rights. He stated that the Ministry embraced various development tools and approaches in support of disability inclusion as PWDs make up a sizable portion of the Gambian population. For him, no genuine development can take place without taking their rights and well-being into account. Because of this, the government approved the AU protocol on human rights, and in 2021 enacted the Persons with Disabilities Act, 2021. He informed the participants that the Ministry has also done a lot to address issues of poverty and has continually provided support for PWD from 2019 to date.

This he stated demonstrates the Ministry's dedication to safeguarding marginalized populations, such as PWDs by setting aside funds in the Ministry's budgets to support people with disabilities through the family support fund. Further, in July 2024, three disbursements will be made, with 4,000 dalasi going to each registered PWD. He reiterated that the goal is to uphold the rights and protection of PWDs while promoting their social inclusion in all decision-making processes that affect them as a community.

Presentations of the Rationale of the Consultancy:

The opening ceremony was followed by a number of presentations delivered by the Deputy Executive Secretary, followed by His Worship, Magistrate Krubally who doubles as the Chairperson of the National Disability Council and the Gambia Federation of the Disabled.

First Presentation: The Rational for the Consultancy

In her presentation, the Deputy Executive Secretary, Ms Matilda Mendy outlined the rationale behind the consultancy. She stated that The Gambia ratified the CRPD in July 2015, and domesticated it with the enactment of the Persons with Disabilities Act in 2021. That piece of legislation she said, provides for a wide range of goods and services to advance, safeguard, and realize the rights of all persons with disabilities. According to her, the Act creates the legal framework and the necessary environment that allows people with disabilities to live fully and independently. The enactment of the Persons with Disabilities Act 2021 requires that the Government provide substantial budgetary allocations to the Ministries, agencies and actors responsible for the implementation and enforcement of the Act. For that to happen, she stated that the national budget should be aligned with national commitments towards disability inclusion and in compliance with the CRPD principles and standards. The State, she said, must also allocate sufficient public funds to promotes inclusion and gender equality in budget

spending; ensure national expenditure and procurement processes are fully inclusive and CRPD-Compliant; promote the active inclusion of persons with disabilities in the entire budget planning and execution process. She emphasized the necessity of making both physical infrastructure and curriculum accessible to those with various types of disabilities. To ensure that PWD's requirements are met, she also suggested encouraging active inclusion of persons with disabilities in the budgeting process. To that end, the NHRC in collaboration with NCCE sought funding from UNICEF through the UNPRPD and hired a consultant to develop a CRPD-compliant budgeting guidelines to assist government in operationalizing the Act. The Deputy Executive Secretary concluded by urging Ministries to hold one another responsible in the fight to advance and defend the rights of people with disabilities as all Ministries have a stake in this and thus, an efficient coordination will aid in the implementation of the numerous rights protected by the Act.

Second Presentation: A brief overview of the Convention on the Rights of Persons with Disabilities (CRPD)

His Worship, Magistrate Krubally serving as a resource person delivered made a sterling presentation on the CRPD focusing mainly on the Human rights principles. He started by explaining that the UN CRPD was the reason behind the enactment of the Persons with Disabilities Act, 2021. He explained that historically, PWDs have experienced neglect, segregation, and lack of humane care. Consequently, the experts at the UN came up with an international treaty to protect the rights of all persons with disability. Following the ratification of the Convention, several nations including The Gambia signed and ratified the Convention which contains extensive rights protecting PWD. Following its acceptance, the government of the Gambia has committed itself to respect, protect and fulfil the rights outlined in the agreement.

He also expanded on key articles of the CRPD such as Articles 1, 2, 18 and 24 whilst also discouraging the use of the terms ‘disabled’, ‘handicapped’, or ‘differently abled’. Instead, he suggested the use of the term "persons with disabilities" As the new normal. He also pointed that according to Article 2, the convention's defining section, *brail, tactile, audio, electronic media, spoken or non-spoken and sign language* are all forms of communication for people with disabilities (PWDs). As such, the state is required to provide access to these forms of communication for all PWDs. In terms of information rights: PWDs have a fundamental right to information access, hence it is appropriate to give them the tools they need, when needed “as no person ought to face discrimination because of their disability”.

According to him, Article 24 of the CRPD enjoins the state to ensure PWD are given the right to effective and accessible education, whilst discouraging segregation and encouraging inclusion. Magistrate Krubally feels strongly about inclusive education and advocates for an integrated model of education as the best system of education for persons with disabilities.

Overview of the Consultancy Process, Methodology, Findings and Challenges, Objective by Mr. Omar Ousman Jobe:

The third presentation was delivered by Mr. Omar Ousman Jobe, the consultant hired by the National Human Rights Commission to develop a Disability Compliant Budgeting Guidelines. In a marathon presentation, the consultant gave an overview of the consultancy process for participants to comprehend the scope, the process, the stakeholder groups and the deliverables.

Overview of the Consultancy Process:

In his submission, he informed the stakeholders that the consultancy involved a series of activities, including a review of existing laws, policies, and budgeting practices; consultations with stakeholders, including persons with disabilities, civil society organizations, and government agencies; analysis of best practices in budgeting for disability-inclusive societies. The consultant also conducted desk review and analysed international best practices in budgeting for disability-inclusion.

Findings:

The consultancy found that while there are some initiatives to include persons with disabilities in budgeting processes, there is a need for more comprehensive and systematic approaches to ensure that budgeting is disability-inclusive. The consultant identified several key challenges, including limited data on disability statistics, lack of representation of persons with disabilities in budgetary decision-making processes, and inadequate allocation of resources for disability-specific projects and programmes.

Challenges:

The consultancy faced several challenges during the process, including limited access to information on disability statistics and data, resistance to engage from some stakeholders, and tight deadlines. Despite these challenges, the consultant was able to overcome these obstacles through active stakeholder engagement and collaboration with key stakeholders.

Closing Remarks: Ms Matilda Mendy, Deputy Executive Secretary of the NHRC:

In her closing remarks, expressed profound thanks and gratitude to the participants for their participation and their meaningful contributions. She further highlighted the importance of the event and its far-reaching benefits to all Persons with Disabilities in the Gambia. She emphasised that the NHRC is committed to continue to effectively discharge its oversight role to make sure that there is respect for the rights of Persons with Disabilities in The Gambia. She challenged the NHRC, partners and stakeholders to work together in developing and transforming The Gambia as that would be the legacy that we all would be proud of.

Conclusion: In summary, the activity was very successful as the participants were quick to grasp the rationale for the activity and demonstrated passion for the subject matter and the discussions that ensued. Moreover, they all made significant contributions that added value to the Disability Compliant Budgeting Guidelines and the outcome documents.

Chapter 4 - Regional Consultation and Validation of the CRPD-Compliant Budgeting Guidelines

Regional Consultation in Farafenni – North Bank Region:

Introduction:

The Regional Consultation on the CRPD Budgeting Guidelines was held at the Farafenni Hospital Hall in Farafenni – North Bank Region on Friday, the 12th of July, 2024. This activity took the format of presentation and discussion aimed at advancing the rights of persons with disabilities in The Gambia and supporting the implementation of the Persons with Disability Act, 2021. There were about 40 participants from different groups/association of PWDs within NBR, and representatives from Local Government Authorities. It aimed at sensitizing these targeted participants on disability rights, disability compliant budgeting, and the legal instruments, both international and domestic for the protection of the rights of Persons with Special Needs. Additionally, it created the opportunity to inform the participants on the services available for victims and the ways to access justice, and at the same time, familiarize them with the comprehensive provisions of the Persons with Disabilities Act. The activity also gave participants the opportunity to speak up about the challenges they face in the public space. At the end of the discussion, recommendations were proffered on ways to respect, protect and fulfil the rights of persons with disabilities.

Welcoming Remarks during the Opening Ceremony:

The workshop got off the ground with the traditional opening prayers followed by the opening remarks delivered by Mr. Jasong Sanyang, the Acting. Regional Administrator of the National Human Rights Commission (NHRC) in the North Bank Region (NBR). He started by thanking the partners and participants for gracing the occasion. Before delving into the rationale for the consultancy and the Convention on the Rights of Persons with Disabilities, he requested for a sign language interpreter and/or home gesture. Continuing, he gave a brief description of the CRPD and applauded its domestication in 2015. He added that the Persons with Disabilities Act was passed in 2021 as a result of sustained pressure from NGOs, CSOs, NHRC and others stakeholder groups. He informed the participants about the mandate of the NHRC which is the protection and promotion of human rights. He also informed the participants about the establishment of NHRC Regional offices in North Bank Region (Farafenni) and Upper River Region (Basse). According to him, persons with special needs, needed special treatment and the Government has a crucial role to play in that respect. He also informed the participants about the need for the inclusion of PWDs in the budgeting processes at both national and Local Government Authority levels.

Keynote addresses:

After providing the context, it was the turn of Honourable Almamo Dampha, the representative of persons with disabilities at the Kerewan Area Council to give a brief

statement. He told the participants that he was very glad to have been invited to such an important programme. He admitted that it was his first time he was taking part in a discussion on PWD in the North Bank Region. He thanked NHRC for such a laudable initiative and urged them to keep up the good work. He informed the audience that the PWDs should not rely solely on the Government. He added that the problems the PWDs face is huge, and that PWDs and urged them to engage the Councils to seek solutions to the acute challenges that they face.

Hon. Malick Samba, the Councillor for Farafenni Wards in his opening remarks, stated that PWDs face a lot of discriminations in society and expressed concern about the terms used to describe them. He thanked Jasong Sanyang for using the term Person with Special Needs as he believes that should be the best term to describe them. He also shared the story of his son's experiences as a PWD, who is doing very well in plumbing, despite his condition. He raised concerns about the enactment of the Persons with Disabilities Act, 2021 and the need for its urgent operationalization to enable the public institutions to build disability friendly buildings among other things.

Presentations

The second presentation was delivered by Christine Boissy, the Resource Mobilization Manager of the National Human Rights Commission. (NHRC). Ms Boissy gave a brief presentation on the rationale for the consultancy. She informed the participants that the programme is supported by UNICEF and will culminate in the development of a CRPD compliant budgeting Guidelines to facilitate the operationalization of the Persons with Disabilities Act. She also informed the participants that the Guidelines will help the government for the inclusion of PWDs in public life and in building PWD friendly structures. She stated that these laws are meant to address the very many challenges that PWDs face in society. She informed participants that the law exists but has not come into force, but promised that should the Act be operationalized, it will serve as guidelines to not only the government but private institutions like Africell, Qcell etc. for them to be as inclusive as possible in terms of staffing, building of PWDs friendly structures, etc.

Sequel to her presentation, Mr. Pierre J. Mendy of NHRC made a comprehensive presentation of the legal instruments (CRPD 2006 and Persons with Disabilities Act, 2021). He asserted that concerted efforts are needed to combat discrimination of PWD in the country. He informed the participants that there is a huge discrepancy between persons with disabilities and other categories owing to discrimination. He lamented that apart from the fact that we are all differently-abled in our own ways, we should be careful on how we handle those that are physically challenge as anyone can get trapped as a result of accident mishaps linked to diabetes and high blood pressure that can change people's fortunes overnight. He informed the participants that deliberate efforts are being made to ensure that the Persons with Disabilities Act is operationalized but patience will be required having passed the most difficult stage. He affirms to the participants that the Act is a very good law as it includes provisions that empower PWDs and protect their rights. He also talks about equality and non-discrimination which is

embedded in the Constitution, thus giving PWDs equal access to public utilities such as education, health and political representation, amongst others.

Ansumana Ceesay of the National Council for Civic Education (NCCE) also delivered a comprehensive presentation on Nurturing Responsible Citizenship and Civic Duties of persons with disabilities. He informed the participants that PWDs have right to Government budget and equal right like any other person. He also stated that PWDs have both rights and responsibilities, and the latter includes electoral processes, community development and engagements with stakeholder groups. He lamented that PWDs should not accept to be devalued and underrated and urged them to get involved into community activities. He informed the audience that the term disabled is demeaning and is a thing of the past and that the term physically challenged should be used instead and want further to reassure them that every individual has some form of disability. He also informed the audience that the Persons with Disabilities Act 2021 is for everyone, whether physically challenges or not as violation of the Act may lead to a punishment by the law; that every citizen should be held accountable and urged the PWDs not to isolate themselves but to take part in public discussion. He lamented that only responsible citizenship can bring about justice.

Omar Jobe, the Consultant presented on the Overview of the Consultancy Process, Methodology, findings and Challenges, the Main Content (Key Areas) of the CRPD-Compliant Budgeting Guidelines. He informed the audience about the importance of the Programme, as it is a very rare opportunity to talk about the marginalized people such as the PWD. He highlighted how his child with disability, against all odds, was able to attained higher education and secured a very good job, even though she faced a lot of challenges He also informed the audience that there is no difference between PWDs and others as this can be exemplify in the value of vote they caste during elections. He gave a brief description on the CRPD before he would give the floor for discussion.

Discussion: Questions and Answer Session/Testimonies

Ousman Saidy, a retired soldier and a participant shared his own story. He raised concerns about the discrimination on PWDs and the high level of isolation that they endure. He informed the participants that he was having a lot of friends before his present condition but all abandoned him after he became physically challenged. He stated that discrimination leads to stress and stress is not good for one's health and mental well-being. He also raised concern about his present condition, as he cannot do anything for himself. He informed the audience that he was relieved from duty as a result of his condition and that he had an accident whilst serving Gambia Armed Forces (GAF). He also expressed disappointment that GAF has not rendered any assistance to him since his relief from duty, apart from the payment of his entitlement.

Momodou Jallow, a representative of NBR/GAPD and a teacher informed the meeting that PWDs undermined in this country and that something needed to be done about it. He also informed participants that as a focal person in NBR, he always makes sure that

the PWDs under his authority are always cared for but it will surprise people to know that their families do a little to support them. He urged the caregivers to be more supportive to the PWDs under their care.

Amie Sallah, a participant expressed concern about the challenges they face on a daily basis. She emphasized that blindness is the worse among all forms of disabilities because, as a blind person, one cannot move without assistance. She also informed the participants how the society perceives them as mere beggars. Thus, whenever they venture out people offer them alms/charity as if they are good for nothing else. She urged people without disabilities show more consideration and respect and not discriminate them on the basis of their disabilities.

Papa Jobe, a participant, from Farafenni informed the audience that discrimination occurs even amongst persons with disabilities because some disability groups are empowered whilst others are not. He also lamented how involving in petty trading changed his life and urged others not to depend on only begging but should try to be involved in business or even learn skills to enhance their livelihoods.

Ali Drammeh, a representative from Paradise TV stressed that PWDs should not depend on street begging as it only aggravates their situation and contributes to stigmatization. He informed the group that the marginalization of PWDs living in the interior of the country, taking Koina as an example with little access to social services, should be checked. He also informed participants that PWDs in some part of the country have no opportunities at all and that awareness creation was necessary as an important tool to spread the message to amplify voice.

Kebba Dampha, a participant from Noo Kunda informed participants of how he faces multiple challenges as his dad is also physically challenged, but that did not stop him from going to school and getting involved in petty businesses. Even so, he faces a lot of difficulty as he did not have any support to grow his business, let alone have access to financial instruments.

Musa Ndow, a representative of GOVI stated how happy he was to attend such an important programme as this was his first ever to participate in a programme where the issue of disability is discussed. He informed everyone that he was present at the discussion because it has something to do with them, otherwise he would not have been present. He also urged the organizers to perpetuate such initiatives.

Awa Ceesay, representative of NBR/GAPD informed the audience that she was thankful because of the involvement of PWDs in the decision-making processes that affect their lives. She stated that nobody wished to be PWD and if each was given the opportunity to create themselves, no one would have been a PWD. She informed the group that whatever the case, trust in oneself is of paramount importance. She stressed the fact that there are so many people (PWDs) at home who cannot go out without assistance, a situation that needs to be looked into for reasonable accommodation.

Amie Ceesay, a participant from Farafenni stressed that the condition of PWDs can be so desperate that they can only resort to begging, which is not easy. She informed the audience that politician give all sorts of fake promises during the run up to elections that they will never was introduced in 2015 and because of pressure from NGOs, CSOs, NHRC and others the Act fulfil. She also informed the participants that it is difficult for them to have medicine in hospital. Hon. Malick Samba, Councillor of Farafenni Ward, who was a nurse in Farafenni General Hospital informed the meeting that during his time as a nurse, PWDs were always given priority, and they were not allowed to join the queue. He then raised concerns about the need for a budget for PWDs, but stressed the difficulties in having access to the budget. He also informed the audience that they are always in a better position to act when requests emanate from PWDs. He also affirmed that they are committed to considering PWDs in all budgetary issues.

Ebrima S. Ndure, a participant representing One Vision, informed the audience that PWDs should have association that should constantly remind authorities about their rights. He stressed that PWDs should be empowered as no one know what lies in the future. He urge participants to believe in themselves no matter the condition, and emphasize the need for empowering PWDs.

Pa Modou, a participant lamented that the Government should sympathize with the PWDs and enforce the Persons with Disabilities Act 2021. He informed that the Roots Project disbursed about 33 million dalasi for youth empowerment but PWDs were sidelined.

Dembo Jallow, Director of Early Childhood and Inclusive Education, Farafenni Cluster for Children with Disabilities stated that knowledge in PWD is lacking in our society, otherwise the issue of PWD would not have been a challenge. He informed the team that the problem starts from the home to the school. In the schools, the teachers barely pay attention to PWDs. He also informed the participants that the Government is good at bringing up initiatives but is poor in enforcement of the law.

Amie Keita, a Regional Vice-Chair representing RYC also blame politician for giving PWD fake promises and after being voted in office, they disappear into thin air. He indicated that PWDs are left out in terms of employment opportunities, but that most of them are very talented and if given the opportunity, they will excel.

Salifu Bayo, President of the PWD in NBR in his testimony told participants that they used to have support from Social Welfare, but seized to receive any support for three (3) consecutive years. He lamented the fact that PWDs need to have support from home to be able to go school. He also indicated that most of the hospitals in The Gambia are not disability-friendly – a situation which needs to be looked into.

Foday Camara, a representative from One Vision insisted that family support and societal interaction are important for the well-being of PWDs.

Fatoumatta Jammeh, the Chairperson for Upper Baddibu told the audience that NCCE has been doing such an important activity and thanked NHRC for organizing the validation workshop. She also indicated that many families regrettably, hide their PWDs, which is not helpful.

Omar Secka, a participant, reported that many are not born with disabilities. He stated that, whilst some are caused by road accident or illness, others may have other causes including ritual sacrifice.

Haddy E. Gaye, a representative from One Vision stated that all of us are disabled in our own right and recommends that government should intervene to build institutions that deliver services for PWDs. She informed the participants that the generally accepted idea is that PWDs should resort to begging, which is far removed from the truth.

Rugie Bah, a representative from NBR PWD association indicated that parents lack the skills and the knowledge to deal with the issue of disability and particularly having the understanding of the importance of educating PWDs. She stated that if parent educate PWDs, the benefits that later accrue to them and their families will be immense.

Bintou Fofana, a participant reported that the Government and NAMs do not fulfil their promises. She stated that she has not been going to school since 2021 not because she does not want to go to school, but she did not have assistance. She also indicated that the government might not be able to help them directly but can do so through NAMS and Councillors.

Recommendations and Action Points Taken

The following recommendations for the Government emanated from the discussions with the participants:

- Take deliberate efforts to ensure that the Persons with Disabilities Act, 2021 is operationalized and adequate resources provided for disability inclusion.
- Create continuous awareness and sensitization on the right of rights of PWDs to prevent stigmatization and discrimination.
- PWDs should form vibrant association that can cater for their needs and the protection of their rights by actively engaging government authorities and policymakers.
- Include persons who are physically challenged in public life and be represented in institutions such as Area Council, security forces etc.

- The Association of persons with disabilities should work within their clusters to identify and map all persons with disabilities.
- Provide training to healthcare workers to be able to communicate and handle persons with disabilities with utmost care;
- Employ experts on sign language/home gesture to ease communication difficulties between the healthcare workers and PWDs.
- The Department of physical planning to monitor all public buildings to make sure they are disability friendly.
- Make all school and public building PWD friendly by engaging institutional heads and decision makers to ensure that it happens.
- Make quota system compulsory in public offices to accommodate persons with disabilities.
- Local Government Authorities to prioritize spending on youth with special needs.
- Share with the Government the catalogue of challenges faced by PWDs that were discussed during the consultation workshop
- Government to all families that have persons with special need all the necessary support to realize their full potential.
- A follow-up to be done on the issues raised by Ousman Saidy with GAF authorities and with the Chairperson of the NHRC. The consultant will work with the NHRC Regional Office in the North Bank Region to write a letter to the Chairman to take up the matter as an important human rights issue.
- Engage caregivers who always keep their PWDs indoors and also train them on their responsibilities toward PWDs.
- Conduct a mapping study on the demographic and types of PWDs in The Gambia
- Create scholarship opportunities for PWDs.

- Each VDC chair to register PWDs in their respective villages so that it will be easier to gather data about PWDs in The Gambia
- Involve PWDs in community service and development to foster inclusion

Regional Consultations in Basse - Upper River Region (URR)

The second regional validation workshop was held at the Basse Area Council Chambers in the Upper River Region on Saturday, the 12th of July, 2024. Like in Farafenni, NBR, the Basse workshop was well attended by persons with different types of disabilities and their allies, including representatives from the Directorate of Social Welfare. Ebrima Kinteh, the NHRC Regional Administrator moderated the sessions, starting with an opening prayer and proceeded to deliver the welcoming remarks outlined below:

In July 2015, The Gambia ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and in 2021, the National Assembly enacted the Persons with Disabilities Act domesticating the CRPD. As part of its obligation to enhance the enjoyment of human rights by PWDs, the Government is required to allocate adequate budgetary resources for the effective implementation of the Act and hence strives to engage various institutions with the aim of finding adequate resources to promote disability inclusion. Consequently, with support from UNICEF through the UNPRPD, the NHRC in collaboration with NCCE and the Ministry of Gender, Children and Social Welfare recruited a consultant to develop a CRPD compliant budgeting guidelines. The Guidelines when finalized, is expected to support Government institutions in the allocation of sufficient resources to enhance the enjoyment of human rights by PWDs. Whilst anticipating your favourable participation and contribution during the deliberations, I have the singular honour to declare this validation workshop open.

After the Regional Administrator's opening remarks, he called on Ms Christine Boissy of the NHRC Head Office to discuss the rationale for the consultancy, followed by a presentation from Mr. Ansumana Ceesay of the National Council for Civic Education who delivered a presentation on "Nurturing Responsible Citizenship and Civic Duties of persons with disabilities". Therafter, the consultant, Mr. Omar Ousman Jobe discussed the process, scope, findings and challenges linked to the development of the CRPD Compliant Budgeting Guidelines.

Recommendations and Action Points:

Recommendations of the Regional Consultation on CRPD compliant budgeting guidelines to support the implementation of the Persons with Disabilities Act 2021 in URR on the 13th of July 2024.

- Participants during the engagement came up with the following recommendation to the Government.
- Conduct more awareness programs for Persons with disabilities on the Persons with Disabilities Act 2021.
- Provide assistive devices for Persons with disabilities.
- Give Persons with disabilities equal opportunities to access to education.
- Provide wheelchairs at hospitals and medical facilities for easy access to persons with disabilities.
- Provide braille machines for Persons with disabilities.
- The number of persons with different types of disabilities in Upper River Region stands at around three thousand (3000). In subsequent interventions, the NHRC Regional Office in URR should endeavour to work with the District Chiefs to map the types of disabilities and disaggregate the numbers according to gender.
- All Ministries to have a special budget for persons with disabilities.
- Build ramps at health facilities, schools, and other institutions to enable persons with disabilities have easy access to service delivery points.
- Build training centres in the regions to allow persons with disabilities in the communities to access education on equitable basis.
- Create special support units in hospitals to provide the needed support for persons with disabilities.
- Ensure availability of the services of sign language interpreters for communication purposes in all hospitals and other public institutions that provide service.
- CSOs to have a Memorandum of Understanding with Government to allow them to join the crusade to sensitise people in hard-to-reach communities.
- Area Councils to build more partnership to seek support and embark on fund-raising activities to help generate funds for disability related projects and programmes.
- Ensure Persons with disabilities have easy access to transportation/movement.
- Provide equal employment and scholarship opportunities for persons with disabilities.

