

NATIONAL HUMAN RIGHTS COMMISSION

The Gambia



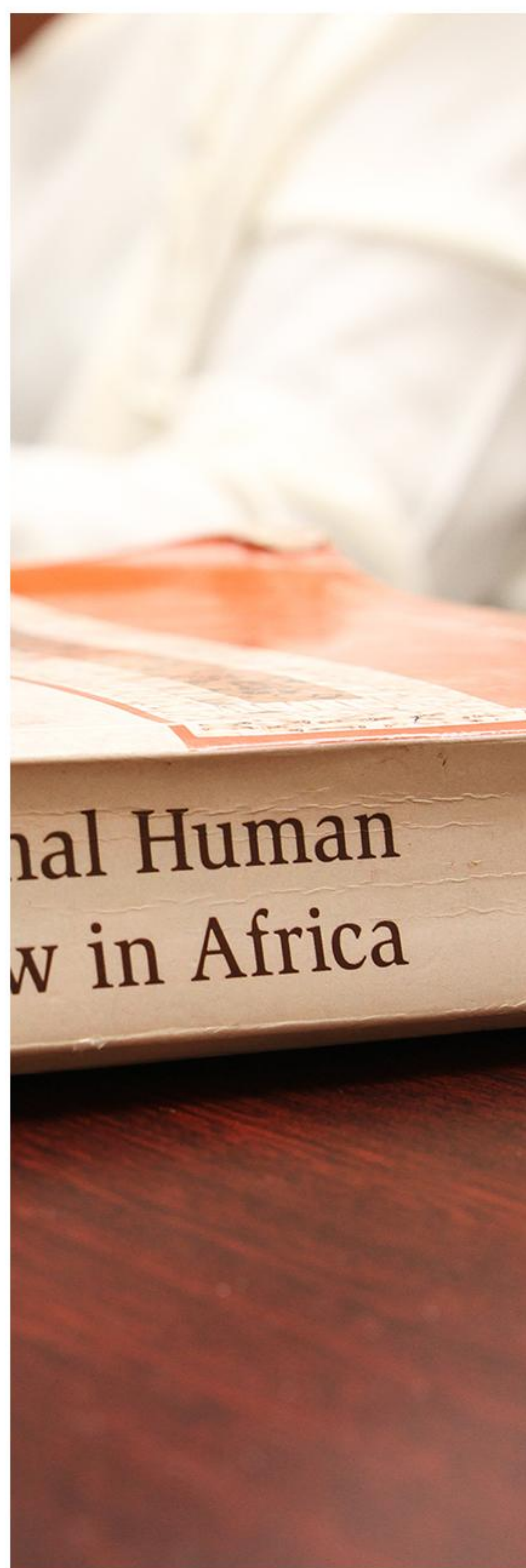
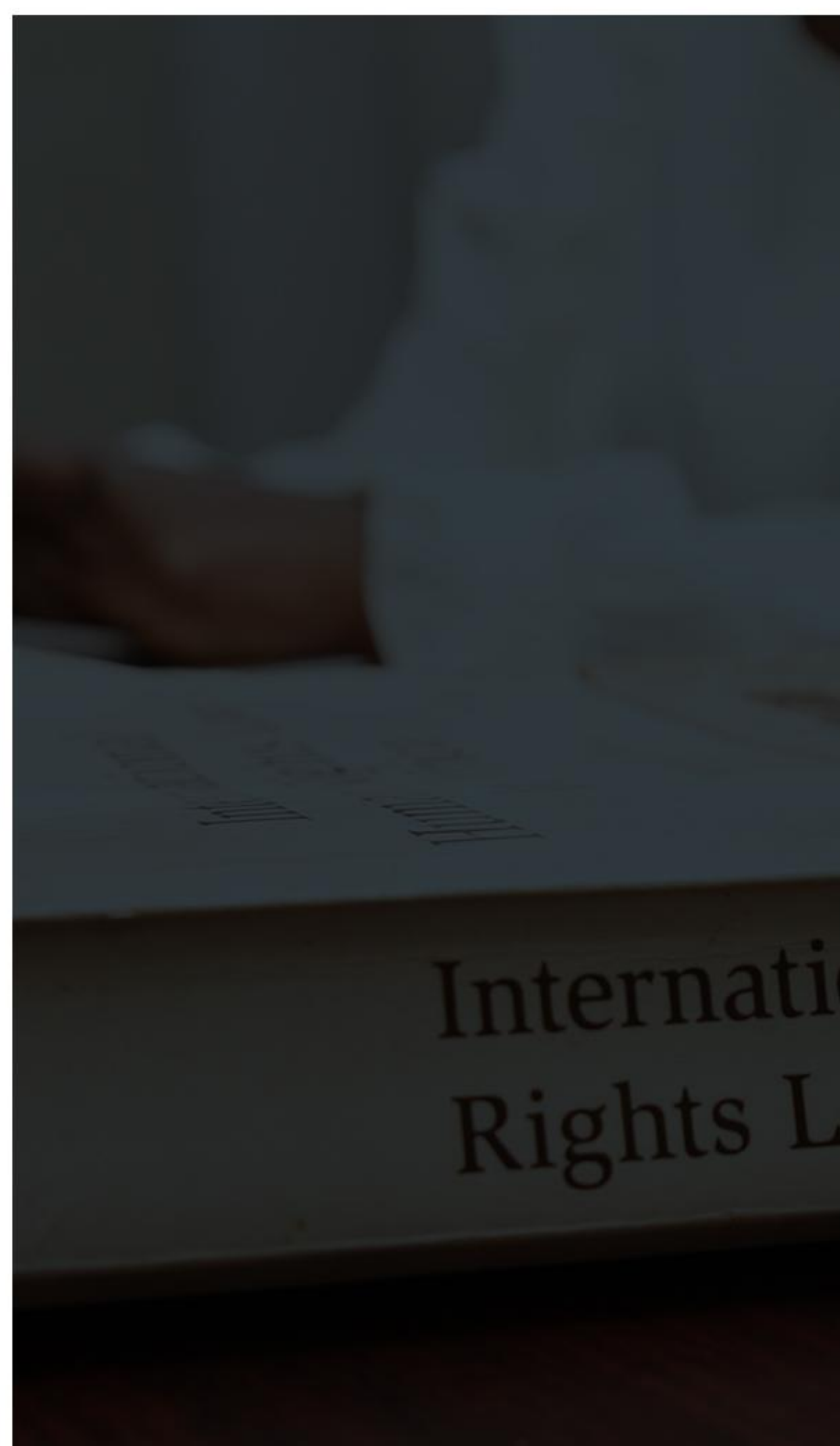
Strategic Plan *including Operational and Resource Mobilization Plans* (2021-2025)



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National Human Rights Commission - The Gambia

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Acronyms & Abbreviations

African Union	AU	
		GANHRI
		Global Alliance of National Human Rights Institutions
Network of African National Human Rights Institutions	NANHRI	
		NHRC
		National Human Rights Commission
Office of the High Commission for Human Rights	OHCHR	
		TANGO
		The Association of Non-Government Organisations
Truth, Reconciliation and Reparations Commission	TRRC	
		UNDP
		United Nations Development Programme
United Nations Transitional Justice Project Office	UNTJ	

Message from the Chairperson

Over the past four years our country has gone through fundamental and dramatic political, economic and social change. The December 2016 elections have put the country back on the path towards a vibrant, democratic society where an individual's human rights and fundamental freedoms are always respected, and the law is applied evenly to all.

The journey to this stage has been a difficult and heart-wrenching process which has required confronting the abuses of our recent past, and addressing the institutional shortcomings which have enabled it. To this end, the Truth, Reconciliation and Reparation Commission (TRRC) is investigating the human rights violations that occurred between July 1994 and January 2017, and is expected, at the end of the exercise, to make appropriate recommendations to forestall future violations and impunity from justice.

Additionally, the State has embarked on a constitutional review process to provide the country with a Constitution that is better tailored to the aspirations of The Gambian population. The draft Constitution contains a number of new provisions enshrining fundamental human rights as key foundational elements of The Gambian State. It provides for non-derogable rights during a period of national public emergency and also contains more progressive rules on locus standi (standing) in enforcing human rights provisions in the Constitution. Furthermore, it is more explicit in affirming the right to a free press, the rights of young people, the elderly, and the sick, and consumer protection rights, the right to a clean environment, and equitable development. At the institutional level, additional important reforms are proceeding in earnest with Security Sector Reform and the restructuring of the Judiciary. These reforms are of fundamental importance to the sustainable development of a vibrant, just and open African democracy.

To highlight its commitment to human rights, the Government, through the enactment of the National Human Rights Commission Act 2017, established the first ever National Human Rights Commission in The Gambia: this is a permanent and independent institution established to protect and promote human rights in our country. The Commission, in addition to monitoring, receiving, investigating, and evaluating Human rights violation complaints, is tasked to recommend appropriate remedial action to the Government, seek appropriate redress on behalf of victims, and support the Government in the formulation of appropriate policies and laws to guarantee human rights. It is expected to play an important role in ensuring that all stakeholders in The Gambia operate in full compliance with our country's commitment to human rights.

On 14 th February 2019, the President of the Republic officially appointed the five widely respected Commissioners, who were chosen through an open and participatory process. A Secretariat has been established and internal tools and policies have been developed to ensure that the Commission operates effectively. While still in its infancy, the Commission has already implemented awareness- raising activities and media engagements. It has developed and carried out capacity-building activities targeting law enforcement agencies and Civil Society Organisations.. It has begun investigating alleged human rights violations and undertook monitoring visits to detention facilities

MESSAGE from the CHAIRPERSON



across the country, and mining and fishing sites in the West Coast Region. This is just the beginning, however.

To be successful, the NHRC must transform itself into a strong, respected institution capable of promoting good practices across our nation and holding stakeholders to account. The five-year Strategic Plan highlights our priorities, which include strengthening the human rights culture in the country by holding the State accountable to its commitments and obligations under the regional and international human rights treaties to which The Gambia is a signatory. We will additionally promote the harmonization of domestic laws, policies and practices with international and regional treaties and human rights standards. This will ensure that human rights will be respected, protected and upheld in our country for years to come.

The Commission is grateful to the Government of The Gambia and its development partners, notably the Office of the High Commissioner for Human Rights - West Africa Regional Office, the UN Peace Building Fund and United Nations Development Program through the United Nations Transitional Justice Project Office, for the assistance and support they have given it so far and looks forward to ongoing constructive cooperation in the future.

Emmanuel D. Joof
Chairman



Foreword by the Executive Secretary

“ Without strategy, execution is aimless. Without execution, strategy is useless. ”

— Morris Chang

It is my pleasure to present the first 5 Year Strategic Plan for the National Human Rights Commission. This plan is the result of a long and exhaustive consultative process which included individuals from across the country, and representatives of international organisations, state institutions, civil society organisations and the Commission staff and Commissioners.

Our mission requires us to inform the public of their human rights, monitor and investigate alleged violations and provide guidance and make recommendations to assist other public institutions to carry out their functions consistent with the country's human rights obligations. Over the next five years, the Commission will work towards greater public understanding of human rights. While there have been efforts in the past to enhance the dissemination and visibility of human rights information and messaging, the NHRC will endeavour to ensure that the public is able to understand their human rights and obligations, and will further report on any violations that need to be addressed. Our Strategic Plan has thus established public awareness strategies towards enhancing a culture of human rights among members of the public, and this will be a key pillar of our activity.

Since its establishment in late 2019, the Secretariat has grown with the recruitment of highly- trained staff whose technical and professional skills have allowed the Commission to expand its reach. The Secretariat, in close collaboration with the Commissioners, will continue to strengthen the Commission's internal capabilities by enhancing the organisational culture, and by developing and retaining the skills and expertise required to perform its role effectively. We further commit to be an exemplary public service organisation that heeds the cries of the victim, lends an ear to the complainant, that opens negotiation channels to families and wider communities, and that engages the State with the required diplomacy, without compromising the values of the Commission and with the aim of always achieving our Mission.

We will work to become more accessible to members of the public by improving our communication platforms, including our website, providing useful information and facilitating access to all resources that are relevant to our work. We further commit to become a model to other NHRIs across the continent.

The Commission intends to build its headquarters – the national secretariat – within the Greater Banjul Area without losing sight of the fact that our mandate is to give everybody equal and achievable access to our services for hearing complaints and for redress. Therefore, we have a well outlined plan for decentralising these services across the country by ensuring that we have representation in each region, prioritising those regions that have shown greater signs of human rights abuses. The work conducted in these regions and at the national secretariat shall be compiled each year in our annual report for the benefit of the government, the National Assembly, our partners and other key stakeholders.

As NHRC implements this new Strategic Plan, we commit to report on the impact of our activities by measuring progress and evaluating the outcomes of our work. We have already established oversight mechanisms, and we will strengthen them over the next five years. We will conduct a mid-term review of this new Strategic Plan in line with best practice.

We express our profound gratitude to those partners who continue to trust us and share their resources and ideas to further strengthen our resolve to achieve our objectives. The United Nation's Development Programme (UNDP), the Office of the High Commission for Human Rights (OHCHR), the UN Transitional Justice Project Office (UNTJ), the African Union (AU), the Network of African National Human Rights Institutions (NANHRI) and the Global Alliance of National Human Rights Institutions (GANHRI). We appreciate our local partners' efforts to collaborate with us towards a common purpose: The Association of Non-Governmental Organisations (TANGO), the CSO Dialogue Platform, the Gambia Bar Association, the Embassies and High Commissions, and the Government of The Gambia

Dr. Cherno Omar Barry
Executive Secretary

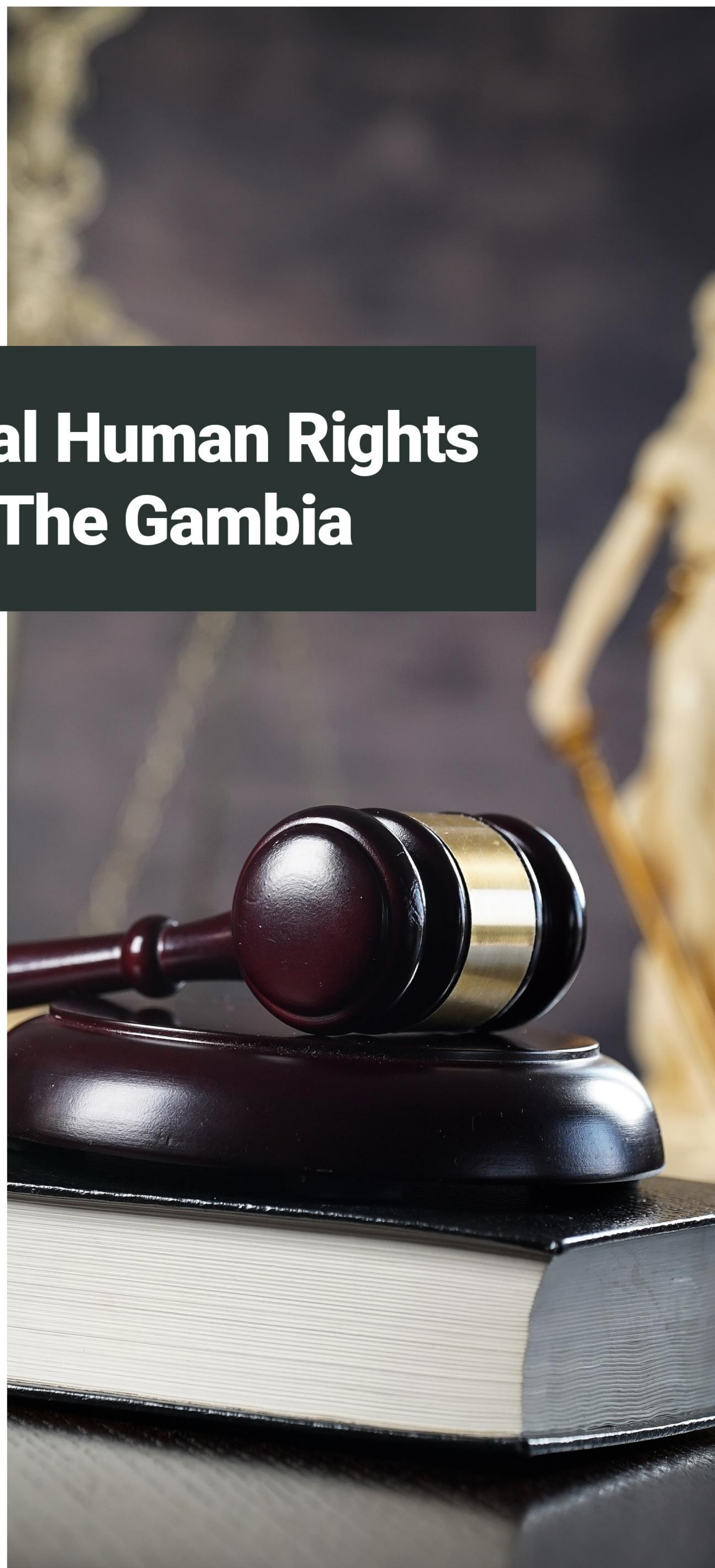
1. The National Human Rights Commission, The Gambia

Mandate

Functions and Powers
of the NHRC

Principles of Governance

Organisation Structure



1. Presentation of The National Human Rights Commission, The Gambia

The National Human Rights Commission is The Gambia's most important Human Rights Institution¹. The Commission is a permanent, independent body whose functions include the promotion and protection of human rights; monitoring, receiving, investigating and considering complaints of human rights violations; recommending appropriate remedial action to the Government; seeking appropriate redress on behalf of victims; increasing public awareness and education programs to promote a culture of human rights in The Gambia and assisting the Government in the formulation of appropriate policies to guarantee human rights.

1.1. Mandate

The NHRC is the lead institution responsible for ensuring that The Gambia meets the Constitution's ambitions regarding the respect for human rights in the country. Chapter IV – « Fundamental Rights and Freedoms » of the 1997 Constitution, highlights the State's concern for ensuring basic human rights to the population. Furthermore, the NHRC will draw its legislative mandate from the draft 2020 Gambian Constitution, upon adoption. In this document, provisions explicitly endowing citizens with fundamental human rights and freedoms, and explicitly guaranteeing civil, political, economic, social and cultural rights have been significantly strengthened. Additionally, the draft constitution explicitly creates an obligation on the State to respect and uphold the rights guaranteed in the Constitution. To do so, it grants the courts authority to hear and adjudicate human rights cases².

Finally, Chapter XII provides for the creation of independent institutions to oversee the respect of these rights. Accordingly, the National Human Rights Commission is a recognized agent for the enforcement of these specific constitutional provisions and as such it will take on a more prominent role in society³.

The NHRC's mandate is consistent with the Paris Principles⁴, which require National Human Rights Institutions to:

- protect human rights, including by receiving, investigating and resolving complaints, mediating conflicts and monitoring activities;
- promote human rights, through education, outreach, the media, publications, training and capacity building, as well as advising and assisting the Government.

The Paris Principles also call for NHRI's to have: (i) a broad mandate, based on universal human rights norms and standards; (ii) autonomy from Government; (iii) independence guaranteed by statute or Constitution (iv) pluralism; (v) adequate resources; and (vi) adequate powers of investigation.

In the current situation, The NHRC is expected to assist other State Institutions to implement The Gambia's National Development Plan (NDP)⁵. One of the main priorities of the NDP is to restore good governance, respect for human rights and the rule of law. In this regard, it provides for establishing and strengthening human rights and democratic institutions and mechanisms.

¹ Act of 2017

² Chapter 6 of draft constitution

³ See chapter 12 of new draft constitution

⁴ adopted in 1993 by the United Nations General Assembly

⁵ NDP is largely aligned with SDG obligations on the part of the Government.

1.2 Functions and Powers of the NHRC

Section 12 of the NHRC Act 2017 ⁶ stipulates the 10 key functions of the National Commission.

These are, to:

Section 12 of the NHRC Act 2017 (Amended 2020) stipulates the functions of the National Commission. These are, to:

- 1 promote and protect human rights in The Gambia:
- 2 monitor, receive, investigate and consider complaints of human rights violations in The Gambia, including violations by private persons and entities;
- 3 communicate its decisions in the form of written reports, to the Government and all relevant institutions to take necessary corrective action;
- 4 recommend appropriate remedial action to the Government and seek appropriate redress on behalf of complainants;
- 5 promote awareness of and respect for human rights through:
 - a. conducting public awareness and education programmes to promote a culture of human rights in The Gambia;
 - b. undertaking studies on all matters concerning human rights,
 - c. publishing in the Gazette, an annual report on the state of human rights protection in The Gambia;
 - d. publishing guidelines, manuals and other materials to explain the obligations of public officials in the protection of human rights, and
 - e. effective cooperation with non-governmental organisations and other public interest bodies engaged in the field of human rights, discrimination, economic and social development, protection of vulnerable groups, universities, faith-based groups, youth advocacy groups and other civil society organisations;
6. organize local and international seminars, workshops and conferences on human rights issues to enlighten the public;
7. liaise and cooperate with local and international human rights organisations to advance the promotion and protection of human rights; participate in international activities concerning the promotion and protection of human rights
8. review existing human rights legislation and make recommendations to the Government concerning the compliance of the existing
9. legislation with the international treaty obligations of The Gambia;
10. Encourage the Government to –
 - a. review draft legislation which may affect human rights,
 - b. ratify or accede to international human rights instruments,
 - c. effectively implement international human rights instruments and other agreements to which The Gambia is a party including through independent commentary of periodic reports to be submitted by The Gambia.

⁶ The NHRC Act was amended in 2020.



Figure 1: Key Functions of NHRC

Additionally, the Commission, under section 13 (2) of the NHRC Act 2017 (Amended 2020), has the powers, rights and privileges vested in the high court at a trial to:

- (a) hear any complainant;
- (b) summon witnesses to testify at hearings;
- (c) examine witnesses on oath, affirmation or otherwise;
- (d) compel the production of documents;
- (e) issue an order or request to examine witnesses abroad; and
- (f) enforce its decisions, including measures to protect the life and safety of an individual.

1.3 Principles of Governance

In fulfilling its mandate, the NHRC will act in accordance with fundamental values and principles of governance as set out in the Constitution and other relevant laws of The Gambia, and shall observe and respect the following 8 governance principles:



Figure 2: 8 Governance Principles

These principles of governance, which are also reflected in this strategic plan, are drawn from international experience and reflect the lessons learned over the past thirty years regarding what makes a NHRI an effective and trusted institution.

- **Independence:** First, a National Human Rights Institution must be independent of the Government in order to work effectively. In The Gambia this independence is enshrined in the National Human Rights Commission Act 2017 which ensures that Government has little or no control over the functioning of the Commission. Additionally, the resource mobilisation plan that is proposed in this document aims to ensure additional financial independence from the Government.
- **Diversity:** International experience reveals that national human rights institutions are more likely to be successful when they have a diverse membership. When Commissioners come from different backgrounds, they may draw on a variety of expertise. More specifically, when members are drawn from civil society or when Commissioners consult regularly with civil society, their relationships can be stronger and their interactions more consistent with individuals or groups who are marginalized or threatened. In The Gambia this principle is embodied in the Commission's membership, which includes individuals with a large breadth of expertise and capable to represent our people in their diversity.
- **Integrity:** The NHRC depends on the trust of the people which gives it moral authority to stand up to human rights abusers. As such it must uphold the highest levels of integrity. This principle is reflected in The Gambia in three ways: The track record of its Commissioners, the number of safeguards that have been put in place to ensure that the Commission and its staff work with the highest levels of integrity and accountability for its work to the public and all other stakeholders.
- **Impartiality:** International experience suggests that cases will be referred to the Commission if it is perceived to be a fair adjudicator in human rights cases. The Gambia's Human Rights Commission is committed to ensure its absolute impartiality and has reflected this commitment in its statutes.
- **Equality:** A key element of the Commission's mandate is to ensure that all people are treated equally under the law, and as members of society. International experience suggests that NHRIs can be fundamental agents of human rights; an essential component for strong national human rights protection systems. The NHRC is committed to advancing this principle and this is embodied in its statute, mandate, process and procedures. The Commissions' activities, namely its monitoring reports will focus on issues of equality and will advocate for this purpose by providing useful advice to the National Assembly and the Government. As will be clear from the Strategic Plan, the Commission considers awareness-raising and human rights education activities, focused on the achievement of equality across the territory, a prominent feature of its work.

- **Confidentiality:** International experience suggests that the capacity of NHRIs to maintain the confidentiality of its proceedings and deliberations will ensure the security of complainants and encourage potential victims to come forward...
...The NHRC takes its commitment to this very seriously. It has adopted processes and procedures during investigations and deliberations of human rights abuse cases and the communication of its decisions which are aimed to ensure that complaints remain confidential. All the materials that complainants and respondents provide to the NHRC, as well as the proceedings at the various stages, remain confidential and are therefore not made public. This also applies to complaints that have been discontinued or found to be inadmissible. Moreover, the complainant can request that their identity not be disclosed to the State. While these rules of confidentiality are binding on the NHRC when dealing with a complaint, they do not preclude the complainant from disclosing the fact that the complaint has been submitted under the complaint procedure of the NHRC. However, a complaint should not be anonymous as this is a cause for rejection.
- **Accountability:** In the context of human rights, accountability is the ability to hold individual human rights violators responsible for their actions. Advocates should also consider their objectives, the types of outcomes that various accountability mechanisms can offer, and the likelihood that those outcomes will happen.
- **Accessibility:** International experience suggests that NHRIs are most effective when they are accessible. Accordingly, the NHRC will establish local representation in various regions of the country. Local offices are beneficial because they increase accessibility to the Commission for marginalized groups and enable it to have greater access to decentralized matters. This is particularly important since ethnic or religious divisions may necessitate different approaches to the work of the NHRC.

1.4 Organisational Structure

By statute, the NHRC comprises 5 Commissioners: a Chairperson, a Vice-chairperson and three other members, serving on a fulltime basis. The Chairperson is appointed for five years whiles the others serve for four years. The Commissioners are eligible for re-appointment for one further term. The Chairperson is mandated to preside over all meetings; be the spokesperson; and, supervise and direct the work of the Commission. Consistent with the Act, the NHRC Secretariat is headed by an Executive Secretary who is responsible to the Commission and oversees the day-to-day running of the Secretariat. The Executive Secretary is assisted by a Deputy Executive Secretary. The Secretariat is structured into directorates aligned to its core mandates of promotion and protection of human rights, complaints and investigations, redress and legal services, research, advocacy and outreach, and corporate services, as depicted in figure 1 below:

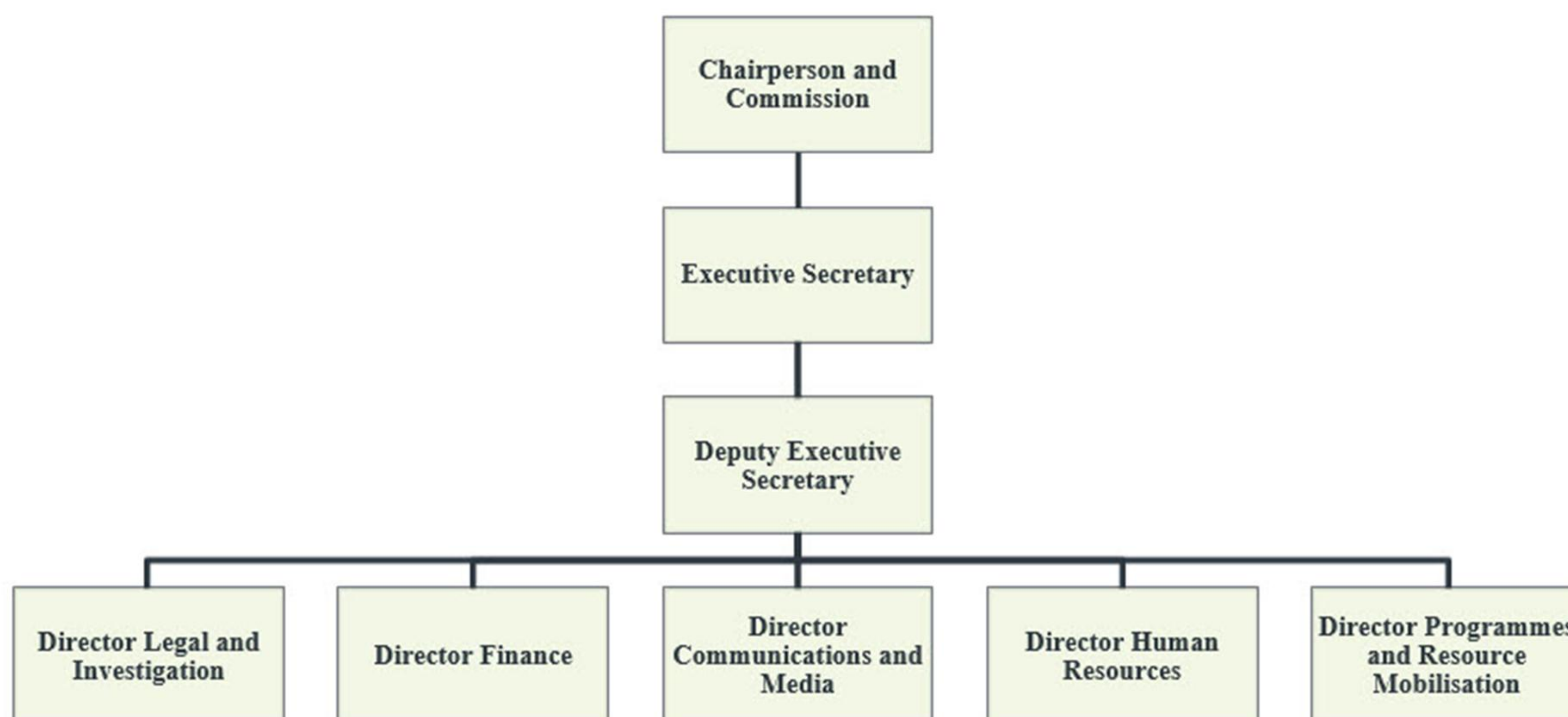


Figure 3: Organisational Structure

1.5 The Strategic Planning Process

The NHRC Strategic Plan 2021-2025 was defined following a comprehensive consultation with the NHRC Commission and staff, and selected stakeholders. The strategic consultation process helped the NHRC to tailor and focus its actions for maximum impact, relevance, and strength.

1.5.1 Research, Analysis and Consultation

The strategic planning process was informed by substantial research analysis and consultation. The secretariat availed itself from advice from an international consultant.

Situational Review

The review has been prepared by the NHRC Secretariat. It considers both the international and subregional human rights landscape, including the actions of other relevant actors; and the internal landscape within the Gambia, including the Secretariat. The Review comprises a draft analysis of the NHRC Strengths, Weaknesses, Opportunities and Threats, later reviewed at the NHRC's Strategic Planning workshop.

External Evaluation

The work was informed by a preliminary external evaluation carried out by the Consultant which enabled it to prepare the workplan for the strategic planning workshop.

The work of the NHRC was affected by the effects of COVID-19 which slowed down the progress towards the final product.

Timeline

The consultation process took place between April and November 2020



Figure 4: Timeline

2. Situational Analysis

International Context

Regional Context

National Context

Institutional Assessment

- SWOT Analysis
- Stakeholder Analysis



The objective of this chapter is to put the 5-year strategic plan in the context of national, regional and international developments with regard to the promotion and the protection of human rights. Additionally, it presents the results of the institutional assessment – both the internal and external environment of the NHRC – as a basis to re-focus the Commission's strategic orientation, in line with its mandate.

2.1. International Context

The world's population is becoming more urban and more middle-class, better educated, better connected and more migratory. States are becoming more fragile as governments, irrespective of their nature, are challenged from within, and where security concerns continue to dominate. Without major technological breakthroughs, the world's population will be confronted by climate change, with less access to the natural resources that sustain human life. These trends have multiple and significant consequences for the protection of human rights.

Urbanization and the continuous incorporation of Information Technology in all aspects of the productive chain, and day-to-day life are becoming prevalent phenomena worldwide.

In 2018, 55% of the world's population lived in urban areas – a proportion that is expected to increase to 68% by 2050. Projections show that **urbanization, combined with the overall growth of the world's population could add another 2.5 billion people to urban areas by 2050, with close to 90% of this increase taking place in Asia and Africa** ⁷.

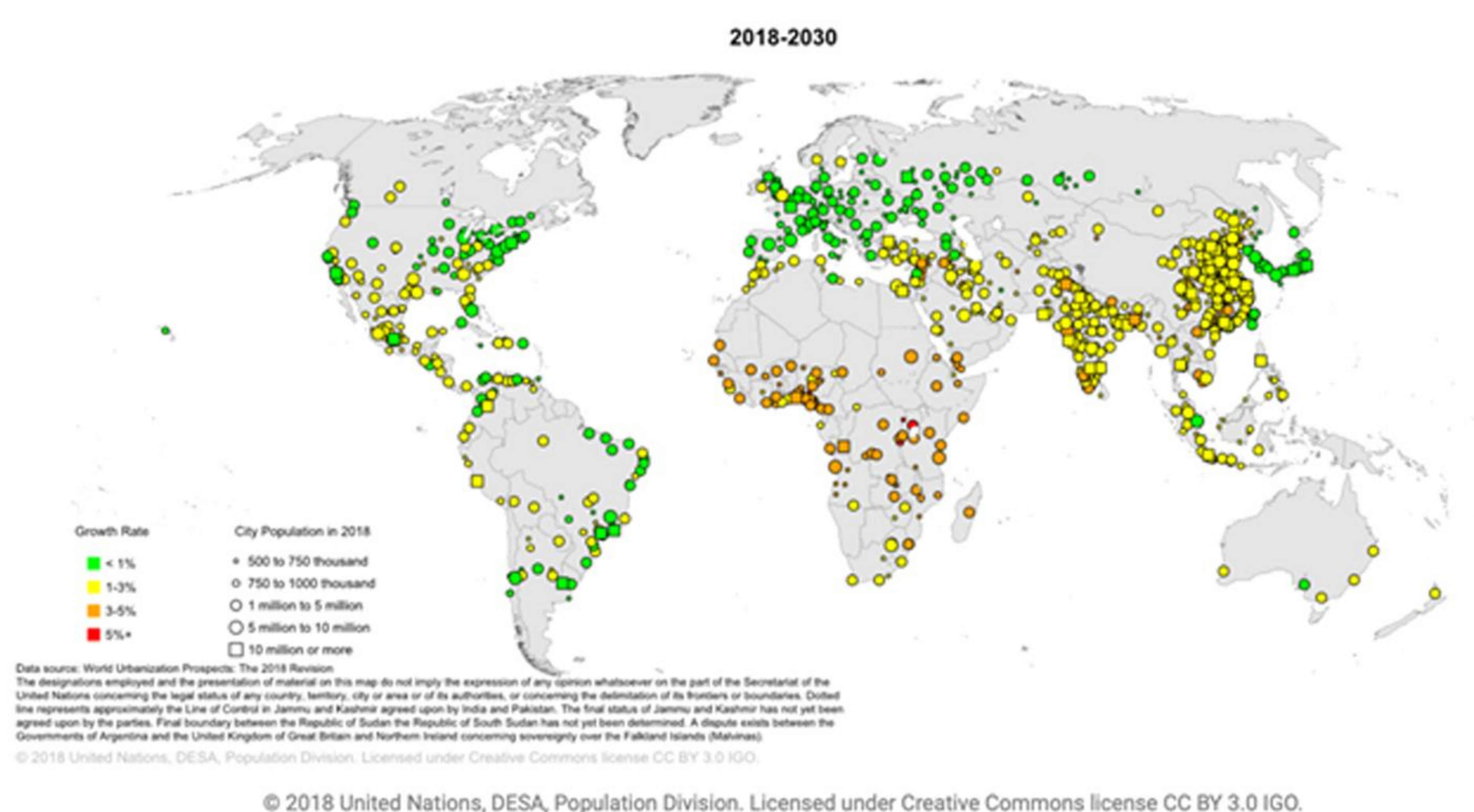


Figure 5: Growth of Urban Agglomerations by Size Class: 2018-2030

Large cities will carry increasing economic and political clout. As cities grow, so too will slums; there will be an estimated two billion slum-dwellers by 2040, double the number today. Living conditions in slums are extremely poor. They frequently lack safe drinking water, sanitation, suitable shelter and basic services. As such, conditions in slums can be said to represent a violation of human rights.

Between 1990 and 2017, the total number of migrants grew from 153 to 258 million people, an increase of over 69% during that period. Migration from the countryside is driving urban growth, but migrants also cross borders. International migrants today account for approximately 3% of the world's population. International mobility is occurring worldwide, with most migrations occurring between developing countries ⁸.

⁷ The 2018 Revision of World Urbanization Prospects produced by the Population Division of the UN Department of Economic and Social Affairs (UN DESA)

⁸ UN: International Migrant Stock, 2017

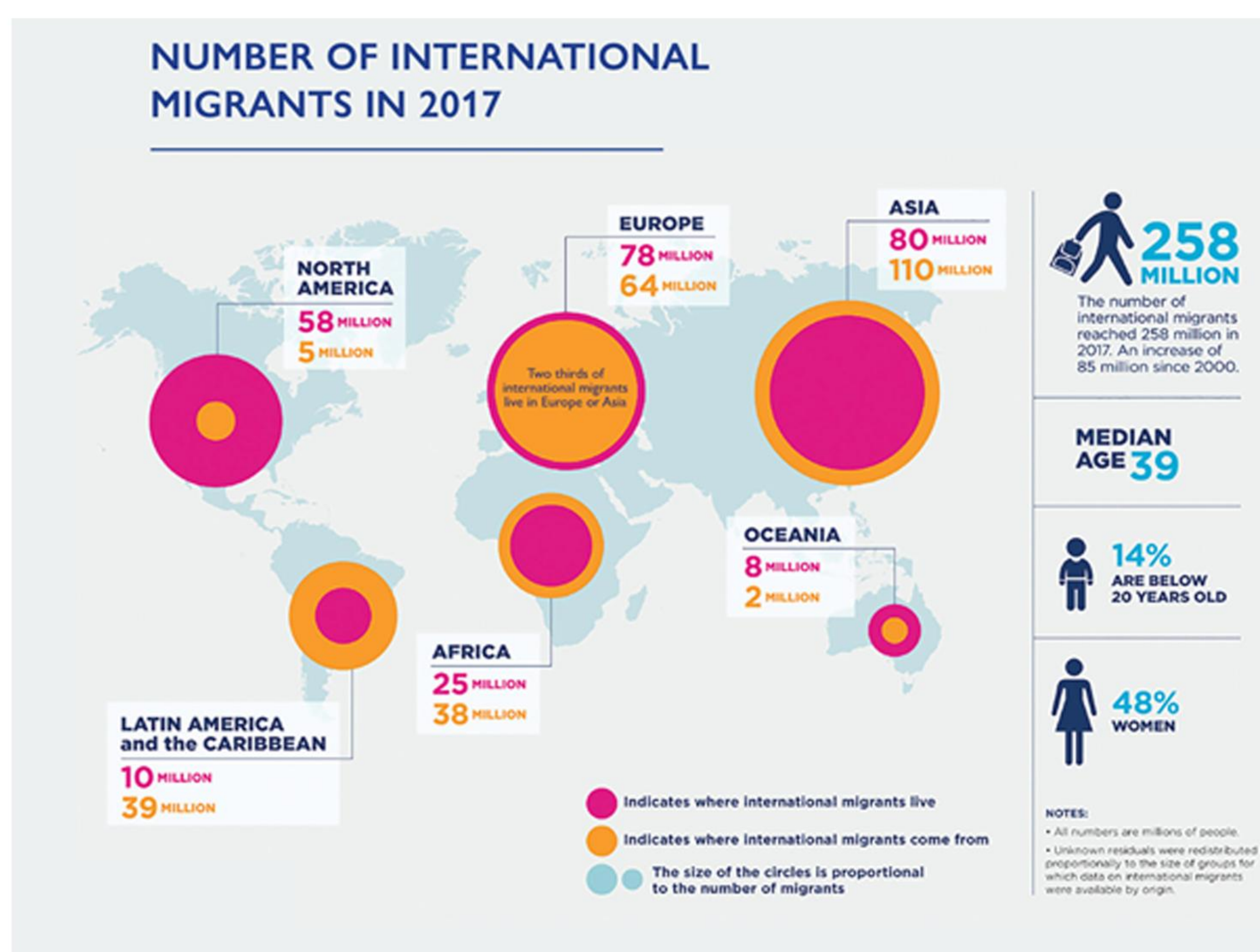


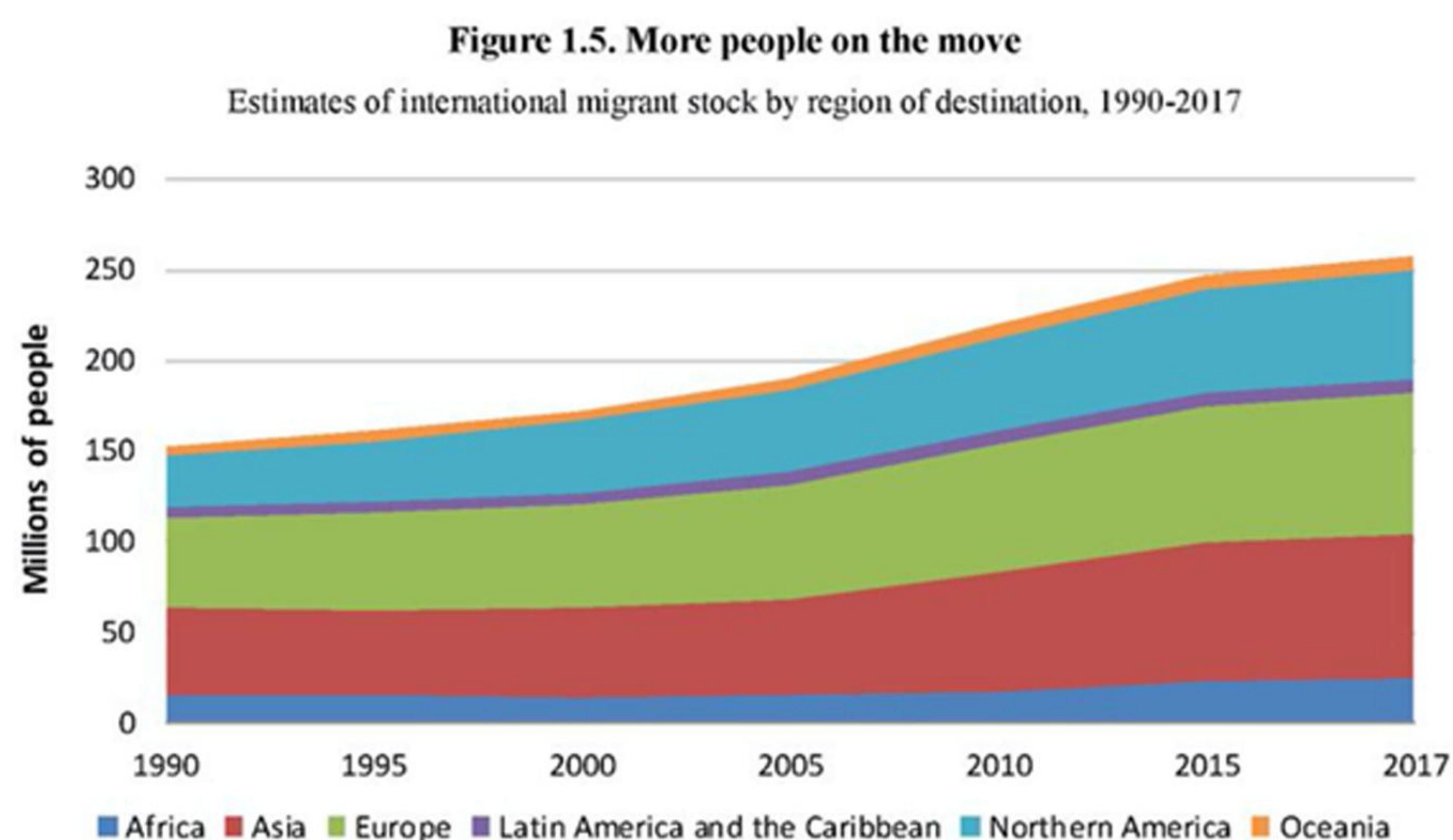
Figure 6: Number of International Migrants in 2017 ⁹

By 2040 double the number of individuals will have migrated from their country of origin or citizenship. Migration has already become a hot political topic in host countries and already there is talk of restricting migrants' rights. In practice **migrants – who tend to be irregular and temporary visitors – are excluded in important ways from the normal, domestic constitutional guarantees, and thus international human rights protections are of crucial importance to these groups** ¹⁰

⁹ Global Migration Indicators, 2018: Insights from the data migration portal, IOM-GMDAC

¹⁰ Human rights abuses associated with temporary and/or irregular migration include, for example: discrimination in employment and access to services (education, health, social security); denial of political rights; arbitrary detention; denial of rights to privacy and family life, and questions of equality before the law, etc.

Figure 7: Estimates of International Migrant Stock by region of destination 1990-2017 ¹¹



Note: Northern America includes Bermuda, Canada, Greenland, Saint Pierre and Miquelon, United States and Mexico.

Source: United Nations (2017), "International migrant stock: The 2017 revision", www.un.org/en/development/desa/population/migration/data/.

With regards to Information Technology, according to the International Telecommunications Union (ITU), Internet users increased from 400 million in 2000 to 3.2 billion in 2015 and to 4.1 billion in 2019.

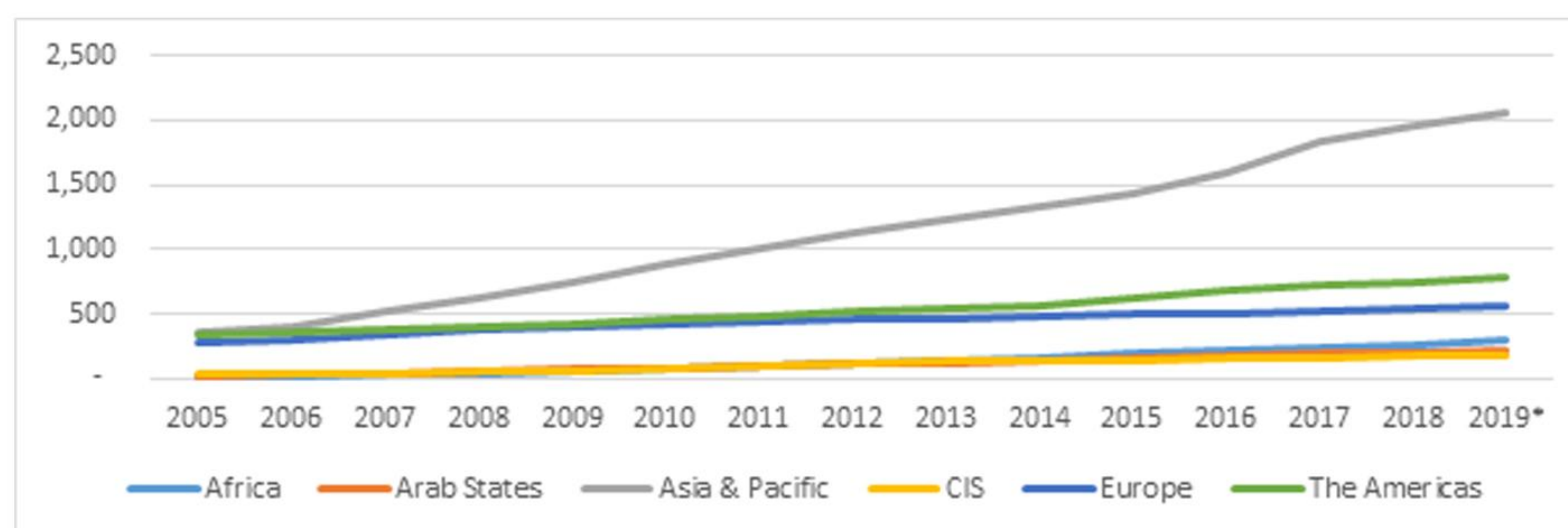


Figure 8: Number of people using the internet worldwide 2005-2019 ¹²

¹¹ Source: UN International Migrant Stock, 2017

¹² Source: ITU

In addition, there are 8.3 billion mobile cellular subscriptions, of which 6.6 are in the developing world and 775 million in LDCs ¹³.

Furthermore, the poor have gained greater accessibility to fixed-broadband subscriptions due to the significant decrease in subscription prices. In Africa alone, these subscriptions rose from 87 million in 2005 to 837 million in 2019, a near ten-fold increase in just fourteen years. As these numbers suggest, in less than two decades, humans have been enriched with greater connectivity than ever before. The COVID-19 crisis has demonstrated how IT has become fundamental in both economic and personal terms. This has had a limited positive effect, as it has permitted societies to continue to function despite the pandemic but has also been negative as issues of privacy and intrusion in individual citizen's personal lives have become more apparent.

The increasing diffusion of ICT will mean both individuals and governments become abler and more adept at manipulating information on the Internet, even as rights to privacy and free expression come under new and increased pressure.

In the social sphere, evidence suggests that education and literacy rates will continue to rise, along with the global average of years of education completed. Increased educational levels impact positively on social and economic outcomes; higher education rates for women, for example, lead to greater labor force participation. Further, a more literate world, and one that is better educated, suggests **more people will be more aware of their rights, and perhaps better equipped to claim and defend them.**

Abject poverty will decrease, although **in Africa extreme poverty levels in sub-Saharan Africa are predicted to remain high to 2050.** According to the world bank, the global extreme poverty rate fell to 9.2 percent in 2017, from 10.1 percent in 2015. In 2018, four out of five people below the international poverty line lived in rural areas. Half of the poor are children. Women represent a majority of the poor in most regions and among some age groups. About 70 percent of the global poor aged 15 and over have no schooling or only some basic education.

More than 40 percent of the global poor live in economies affected by fragility, conflict and violence, and that number is expected to rise to 67 percent in the next decade. Those economies have just 10 percent of the world's population. About 132 million of the global poor live in areas with high flood risk.

But many people who had barely escaped extreme poverty could be forced back into it by the convergence of COVID-19, conflict, and climate change. A "nowcast" (preliminary estimate) for 2020, incorporating the effects of the COVID-19 pandemic, projects that an additional 88 million to 115 million people will be pushed into extreme poverty, bringing the total to between 703 and 729 million. "The new poor" probably will:

- Be more urban than the chronic poor.
- Be more engaged in informal services and manufacturing and less in agriculture.
- Live in congested urban settings and work in the sectors most affected by lockdowns and mobility restrictions¹⁴.

Extreme poverty increases inequality. It manifests itself through weak access to education and health systems for the extremely poor, as well as the prevalence of disease. Corruption adds to the distortions in many developing countries. **Combating inequality is accordingly a matter of human rights.**

From a good governance perspective, it is necessary to hold the State and its agents accountable for their commitments undertaken through Acts and conventions. Ensuring the citizen is able to vote safely and privately, that he/she may live free of fear of persecution by the police, that incarcerated inmates may expect to live in sanitary and human conditions will remain concerns worldwide. The process of urbanization, along with the creation of powerful supra-national organizations is reorganizing traditional governance systems.

¹³ ITU, 2019

¹⁴ Source: The World Bank – <https://www.worldbank.org/en/topic/poverty/overview>

The United Nations more than ever will remain the centre of this system. Its Agenda 2030 has refocused governmental activity around a set of development goals which are squarely rooted in the Universal Declaration of Human Rights.

The SDG targets are closely aligned with human rights standards with most targets explicitly reflecting the content of corresponding human rights.¹⁵ They focus in particular on economic, social and cultural rights concerns with a predictable increase in the urgency of matters of poverty, employment, education, health and climate change, as key factors for citizens to fully enjoy economic, social and cultural rights.

Meanwhile, regions, and regional institutions (like ECOWAS), are becoming more important building blocks in global governance, even as they are tempered by the occasional resurgence of nationalism over the last few months. Corruption, privatization and the slow responsiveness of state institutions exacerbate this phenomenon. Governments will continue to be challenged to modernize and respond to increased demands for political participation, while facing diminished capability to regulate public life and redistribute resources.

In terms of environmental concerns, climate change looks set to continue. As a result, the planet has been warming and severe natural disasters are becoming increasingly frequent

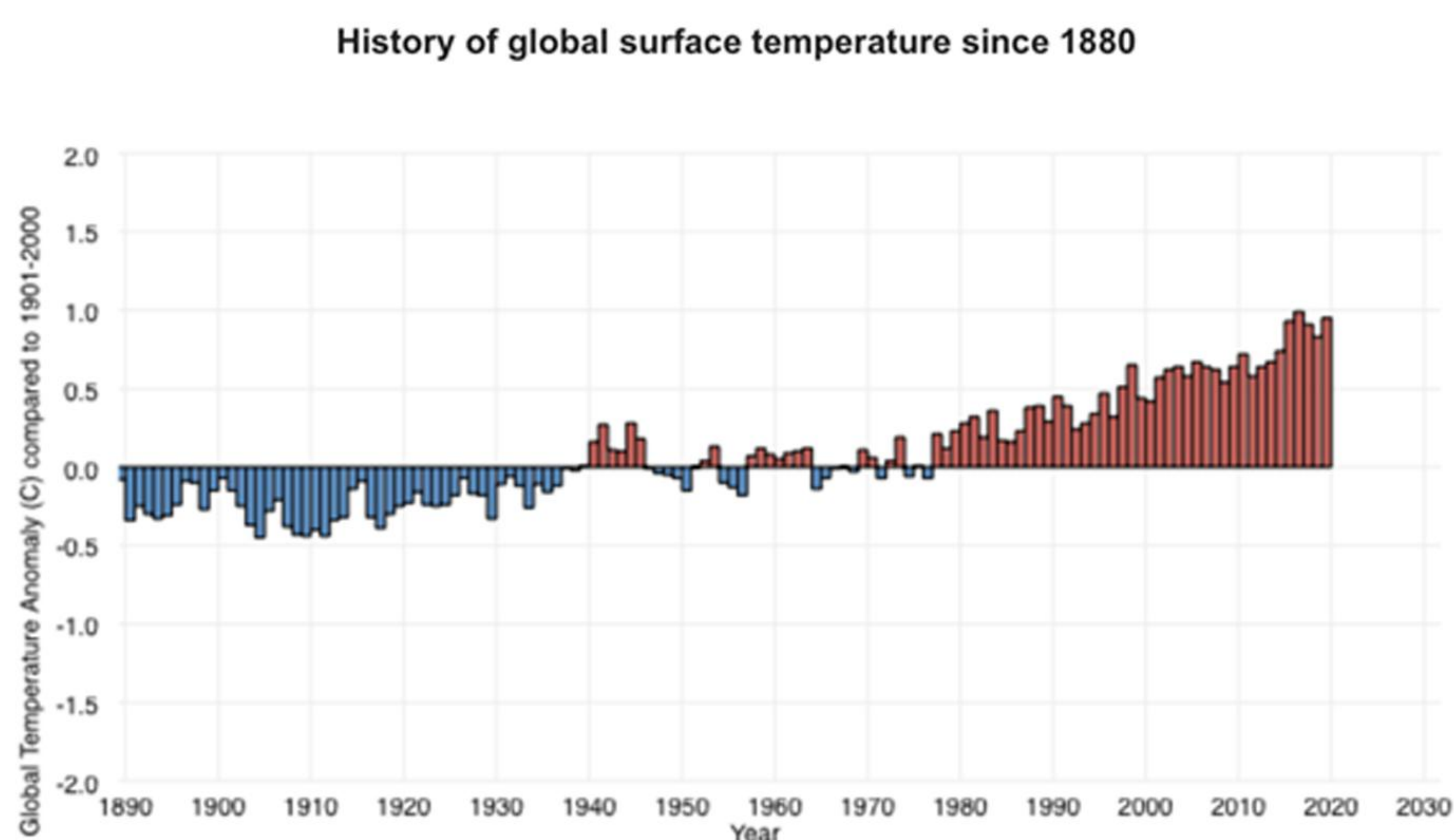


Figure 9:History of Global Surface temperature since 1880 ¹⁶

Food and water pressures will rise. Threats to public safety will increase too and living standards may decline in hard-hit areas due to rising temperatures and severe storms, general environmental degradation and an increase in humanitarian disasters. This raises questions of equitable access to basic resources. Where such resources are essential to support and maintain human life, then it is similarly likely that the debate will implicate rights to water, to land, to food—and to access to advances in technology that mitigate or overcome the effects of depletion. The human rights impact of climate change seem clear enough—forced displacement, and increasing difficulties in access to basic necessities. Consequently, threats to lives and livelihoods are therefore likely to increase.

¹⁵ Standards such as availability, accessibility, affordability and quality of education, health, water and other services related to those rights.

There are targets on access to safe, nutritious and sufficient food for all, universal health coverage, free equitable and quality primary and secondary education, access to safe and affordable water, sanitation, hygiene and housing, and access to “safe, effective, quality and affordable essential medicines and vaccines for all.”- Source: Office of the High Commissioner for Human Rights

¹⁶ Source: US NOAA - <https://www.climate.gov>

Increasing attention to security, and advances in ICT that make surveillance easier, will challenge rights to privacy and basic civil rights like freedom of expression and assembly. There is likely to be a continuing expansion of the situations in which people who pose perceived threats can be killed rather than arrested, as the rules normally applicable in war are increasingly applied whenever state security is threatened.

In terms of the groups most affected by these changes, one can expect that disadvantaged and groups experiencing discrimination will be most at risk in any scenario involving declining resources and conflict. The rights of the elderly will grow in importance. Slum populations, migrants and the displaced will all be at particular risk. Though the number of people living in extreme poverty will decline, significant pockets will remain, even in the new middle-income countries.

2.2. Regional Context

Africa is the home of the world's most intractable conflicts. Insecurity, communal violence and violent crimes remain the norm in many parts of the continent.

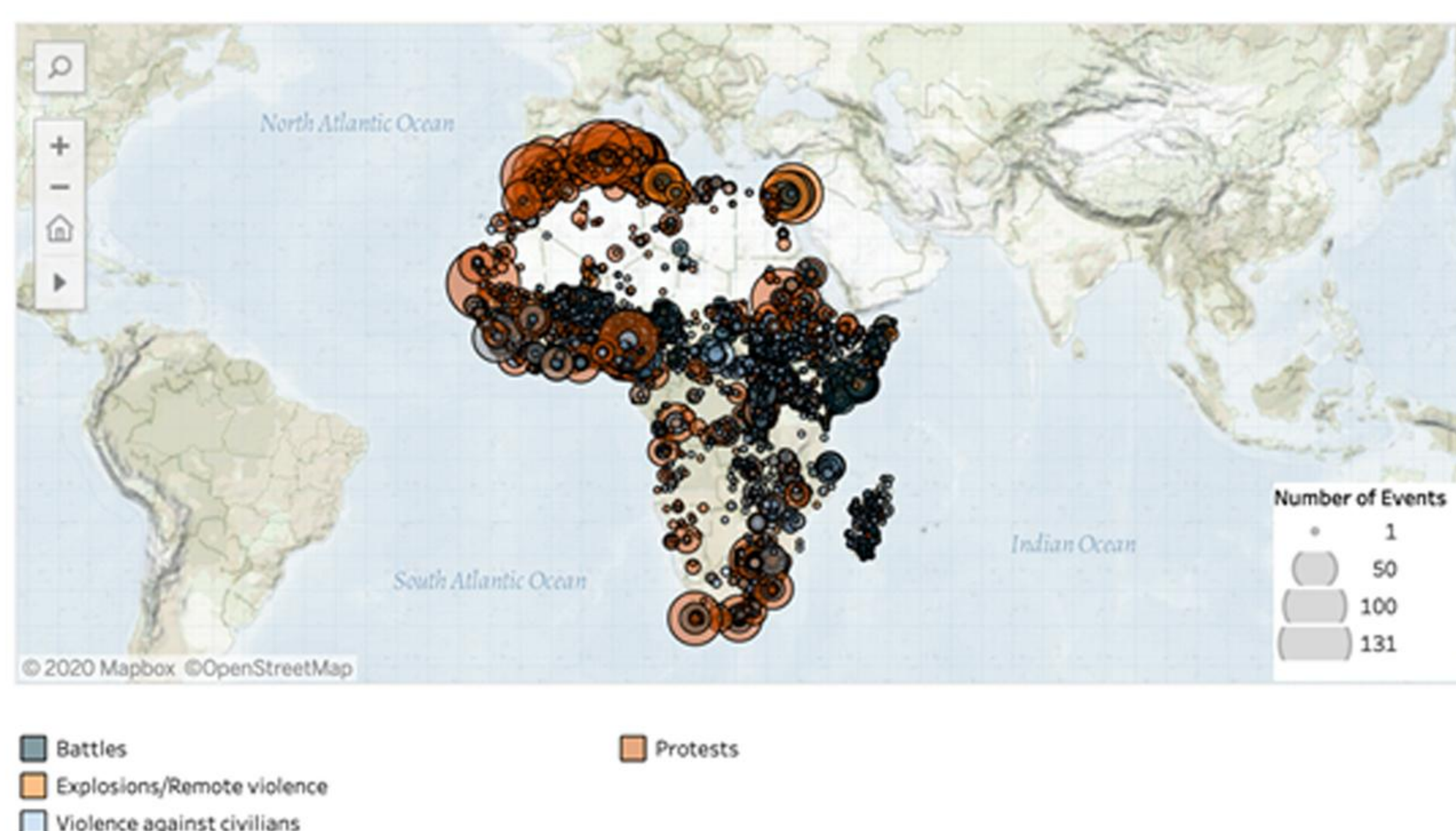
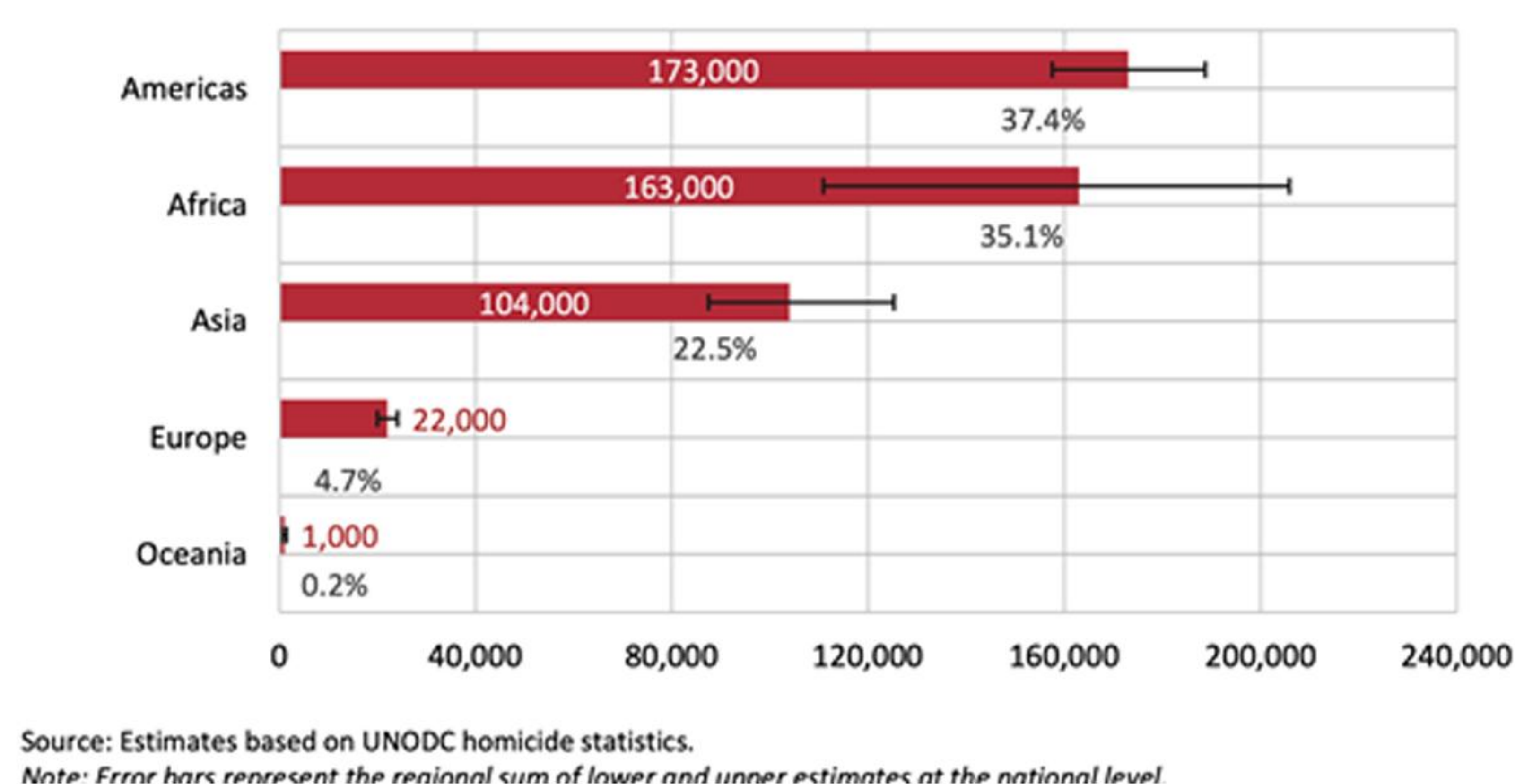


Figure 10: Number of violent incidents in 2019 by type and magnitude ¹⁷

Threats to peace and security in Africa are multifaceted, They include lack of social and economic development, but also public health problems, massive migration, and increasingly ungoverned and ungovernable spaces within which individuals with terrorist affiliations and other opportunistic groups can exploit and threaten human, regional, and international security. While these challenges persist, they also create opportunities within which other criminal entities can thrive. Transnational organized criminal (TNC) groups are emerging that exploit the openings and spaces created by such insecurities to engage in activities detrimental both to human and international security. Such activities include drugs, arms and human trafficking, as well as other activities that feed the creation of financing opportunities for terrorists and other violent groups.

¹⁷ Source: ACLED

Total number of homicide victims, by region, 2017

Figure 11: Total Number of Homicide victims by region, 2017 ¹⁸

These difficulties result not only from the magnitude of these challenges, but also from the lack of capacity of African states and organizations to respond quickly and effectively to them. Perpetrators of violent crimes, especially agents of the State, are seldom forced to pay the consequences for their crimes or other human rights violations, while peaceful demonstration is often met with fierce repression¹⁹.

Despite this fact, ordinary people, activists and human rights defenders remain active, and demand improved respect for human rights, including social and economic development – sometimes even bringing about systemic change. Additionally, while large parts of the continent deal with problems in an ad hoc manner, there are indications that some states, Regional Economic Communities (RECs) and the African Union (AU) are undertaking promising steps to respond.

Recognizing the threats to peace and security in the continent (poverty, weak state institutions, and weak governance), the **African Union's Agenda 2063 "The Africa We Want"** is a seminal document which expresses the ambition of most people across the continent. This document is a 50-year strategic framework for the socio-economic transformation of the African continent.

It reflects many aspects of economic, social and cultural, civil and political rights. At the political level, it focuses on fostering democratic values, culture, and practices, universal principles of human rights, gender equality and justice and the rule of law. It also recognizes that good governance, democracy, social inclusion and respect for human rights, justice and the rule of law are the necessary preconditions for a peaceful continent free from conflict.

To achieve these goals, AU works with member states to develop and implement policies that aim at building strong well governed institutions and enact laws. It has developed various treaties and policies to ensure good governance, the protection of civil liberties and the preservation of the rights of African citizens. AU treaties on the right of persons include the African Charter on the Rights and Welfare of the Child, African Charter on Human and Peoples' Rights, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, African Youth Charter and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.

In this ambiguous environment, NHRIs have a fundamental role to play and work to promote and protect human rights within their respective jurisdictions through handling complaints and conducting investigations, conducting research, advocacy and educational programs. To allow NHRIs across the continent to cooperate, partner, share experiences and benchmark, the Network of African National Human Rights Institutions (NANHRI was formed) - a regional umbrella body that brings together 46 African National Human Rights Institutions. The Network supports National Human Rights Institutions in Africa and facilitates coordination and cooperation among themselves and between them and other key human rights actors at the regional and international level. Similarly, ECOWAS, established in 1975, and originally meant to be a free trade area, has over the years taken more and more of a political role, allowing it to act as an agent in conflict prevention and also, through its own court of Justice to have an important role as a protector of human rights.

¹⁸ Source: ACLED

¹⁹ Amnesty International, Africa 2019

2.3. National Context

The Gambia is one of the poorest countries in Sub-Saharan Africa (SSA), with a per capita gross domestic product (GDP) of just US\$473²⁰ . Poverty remains high at 48 percent, with the Gini Coefficient at 0.356 (2015). According to the World Bank, only five of ten Gambians in the working age population are employed, and about 62 percent of youth have reported being unemployed. The literacy rate for women is low at 40 percent compared with 64 percent for men. Gender Based Violence (GBV), Female Genital Mutilation (FGM), the trafficking of women, girls and, to a lesser extent, boys used as sex workers and domestic servants, continues to be a feature of organized crime in Banjul and other localities. The Gambia has a low level of violent events, but the trend appears to be on the increase over the past several years.

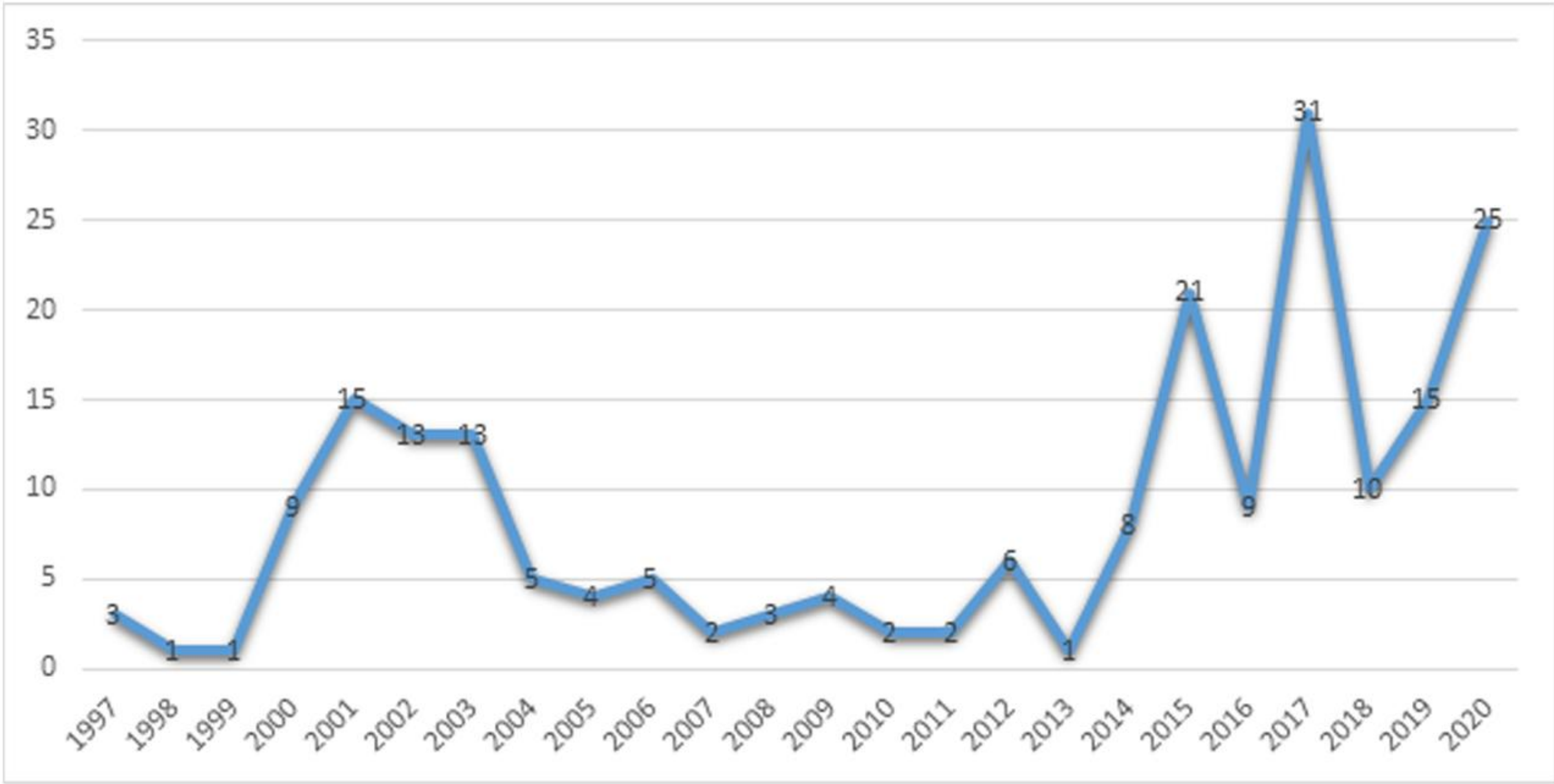


Figure 12: Violent Events, all categories - The Gambia 1997-2020 ²¹

There has been significant movement away from the rural areas to the urban areas. The Gambia is one of the most highly urbanized countries in sub-Saharan Africa with nearly 63% of its population living in urban areas, of which a significant portion lives in Banjul and Serrekunda. According to UNHabitat 27.1% of the urban population lived in slums in 2018 ²².

²⁰ Source: World Bank
²¹ Source ACLED
²² Source: UN Habitat, from Millenium Development Goals database -www.mdgs.un.org

The Gambia: Urbanization from 2009 to 2019

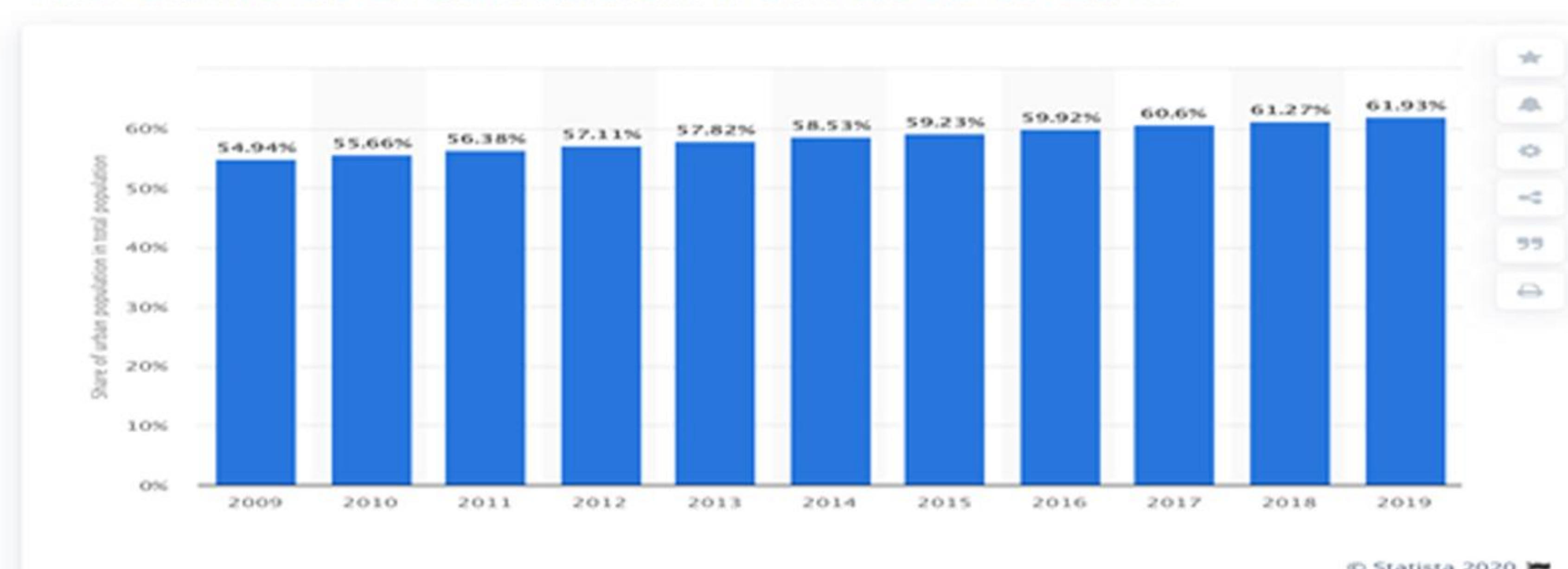


Figure 13: Urbanisation in The Gambia

Additionally, **The Gambia is among the countries most susceptible to the adverse impacts of climate change.** It is extremely vulnerable to rainstorms, droughts, and coastal erosion. The country experienced droughts in 2011, 2014, and 2015, and floods and heavy storms in 2012 and (to a lesser extent) 2016. These natural disasters have had detrimental impacts on output and growth in agriculture. There is considerable environmental degradation both in rural and urban areas which is exacerbated by population growth, non-systematic urban planning, and climate change.

The Gambia underwent its first transfer of power in 22 years in December 2016. The policies and practices of the former regime of President Yahya Jammeh who seized power in a coup in July 1994 isolated the country, weakened the economy, intimidated civil society, and engaged in ethnic politics. In the last years of his rule, fiscal deficits and the national debt skyrocketed, and fragility indicators deteriorated. Authoritarian control undermined the capacity of public institutions, while embezzlement and patronage under the previous administration eroded the public's trust. Since the change in leadership, the new government has taken steps to reverse the negative legacy of former president Yahya Jammeh on matters of human rights. The government has released political prisoners, ended the repression of Gambian journalists and activists, and has taken steps to strengthen the judiciary and reform the security services. **The new government also established a Truth, Reconciliation and Reparations Commission (TRRC)** to document human rights abuses committed during Jammeh's 22 years in power.

The TRRC as an independent institution was mandated to conduct research and investigations into human rights violations committed under the presidency of Yahya Jammeh and prevent a repetition of the violations and abuses suffered under the past regime. **The TRRC has promoted national reconciliation and healing**, by assisting victims and their relatives. The Commission began sitting on 7 January 2019, and since then it has conducted over 100 sittings at which a number of former soldiers and past and present commissioned officers of the Gambia National Army have testified to multiple instances of human rights abuses by the Jammeh government, including killings, torture, arbitrary detention, sexual violence, and forced disappearances. Witnesses included members of the "Junglers" hit squad who admitted to committing gross human rights abuses

The country is party to multiple international conventions regarding human rights. Among them:

- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment²³
- International Covenant on Civil and Political Rights²⁴
- Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty²⁵
- Convention on the Elimination of All Forms of Discrimination against Women²⁶
- International Convention on the Elimination of All Forms of Racial Discrimination²⁷
- International Covenant on Economic, Social and Cultural Rights²⁸
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families²⁹
- Convention on the Rights of the Child³⁰
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict³¹
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography³²
- Convention on the Rights of Persons with Disabilities and its Optional Protocol ³⁶

²³ Oct 1985 ratified 28 Sep 2018

²⁴ Mar 1979 (a)

²⁵ Sep 2017 28 Sep 2018

²⁶ Jul 1980 16 Apr 1993

²⁷ 29 Dec 1978 (a)

²⁸ 29 Dec 1978 (a)

²⁹ 20 Sep 2017 28 Sep 2018

³⁰ 05 Feb 1990 08 Aug 1990

³⁶ Acceded to this convention on 6 July 2015

While major progress was made over the past two years, human rights violations still occur. Human rights abuses comprise four categories:

Abuses from the security services. These include:

- *Harsh and potentially life-threatening prison conditions;* lack of accountability in cases involving violence against girls and women, including rape and widespread female genital mutilation/cutting (FGM/C); trafficking in persons, although the law was not enforced. The current Government took steps to investigate, prosecute, or otherwise hold accountable some officials who committed abuses. Nevertheless, impunity and a lack of consistent enforcement continue to occur.
- *Disappearance:* Families of individuals detained during the Jammeh regime are continuing to demand information on their missing relatives. In The government officially requested international forensics assistance to locate and identify the remains of the victims of enforced disappearances.
- *Prison and Detention Centre conditions:* Gross overcrowding is a problem, particularly in the remand wing of the state central prison – Mile 2 Prison in Banjul – where detainees where are held pending trial. Although food quality and access to potable water, sanitation, ventilation, lighting, and medical care have reportedly improved since 2017, conditions inside remained inadequate. There were credible reports of teenagers as young as age 15 were held with adults in pre-trial detention facilities.³⁷

Abuses in terms of access to justice and the receipt of fair treatment under the law. These include:

- *Arrest Procedures and Treatment of Detainees:* the law requires authorities to obtain a warrant before arresting a person, but police officers in the past often arrested individuals without a warrant. Military Decrees enacted prior to the adoption of the Constitution in 1997 gave the National Intelligence Agency and the Minister of Interior broad powers to detain individuals indefinitely without charge “in the interest of national security.” Although these Decrees became inconsistent with the Constitution, they were not legally challenged. The Barrow Government claims it no longer enforced the decrees. Periods of detention generally ranged from two to 72 hours, the legal limit after which authorities are required by law to take a detainee before a competent court of law or release the person; however, there were numerous instances of detentions exceeding the 72-hour limit. There was a functioning bail system that generally required at least two sureties in addition to cash deposit. Officials in some cases did not allow detainees prompt access to a lawyer or family members, although officials generally allowed convicted prisoners to meet privately with an attorney. The Judiciary provided lawyers at public expense only to indigent persons charged with capital crimes such as murder, for which a conviction includes the death penalty, and to children in conflict with the law.
- *Pre-trial Detention:* backlogs and inefficiency in the justice system resulted in lengthy pre-trial detentions. Many inmates in the remand wing of Mile 2 Prison awaited trial, in some instances for several years. According to the Gambia Prison Services, approximately one half of the prison population was in pre-trial detention.
- *Trial Procedures:* officials did not always properly inform defendants of the charges against them. The law provides for a trial without undue delay; however, a case backlog hampered the right to a timely trial.

³⁷ Gambia: Key human rights concerns highlighted in a meeting with President Barrow - 2 May 2019

Cultural Issues

- Rape and Domestic Violence against women: while the law criminalizes rape—without reference to gender—and domestic violence; police generally considered it a domestic issue and falling outside its jurisdiction. Rape and domestic violence are widespread problems that often go unreported due to victims' fear of reprisal, unequal power relationships, stigma, discrimination, and pressure from family and friends not to report abuses.
- Female Genital Mutilation/Cutting (FGM/C) is a deeply rooted practice in society which is seldom reported, either because individuals do not agree with the law or because they are uncomfortable reporting family or community members engaged in the practice to authorities. According to NGOs, 76 percent of girls and women between ages 15 and 49 have been subjected to FGM/C. NGOs, including the Gambia Committee on Traditional Practices Affecting the Health of Women and Children, Wassu Gambia Kafo, Safe Hands for Girls, and Think Young Women, are at the forefront of combating FGM/C in the country.
- Sexual harassment is prevalent but not commonly reported due to discrimination, social stigma, and an unwillingness to challenge the offenders, due to unequal power relationships and fear of reprisal.

In order to regain the confidence of the public, the Government considered it to be fundamental in restoring good governance to emphatically express their respect for human rights and the rule of law. This was strongly evidenced by the National Development Plan which focuses in pillar 1 on “Restoring good governance, rebuilding, and restoring public confidence in key institutions, upholding human rights and strengthening access to justice”, in the context of transitional justice and marks them as urgent priorities in the National Development Plan. The Government aims to enhance and improve human rights, access to justice and good governance for all. The National Human Rights Commission features prominently as one of the vehicles necessary to achieve this goal. Drafting and passing a new Constitution was one of the key actions.

The Draft 2020 Constitution

Changing the Constitution so as to rebuild the foundation of good governance and democracy was at the heart of the opposition coalition's platform. The formal constitutional review process started in June 2018 with the appointment of an 11-member Commission. The work was completed just under two years later. On 30 March 2020, the Commission submitted the “Final Draft Constitution and Report” to President Barrow. In line with requirements in the 1997 Constitution, the bill was twice published in the Government Gazette, and then introduced in the national assembly on 14 September 2020.

There is general consensus in the Gambia that a new Constitution was required because the previous president had undertaken multiple amendments to the Constitution, which contributed to making it inadequate for a modern democracy. During the 2016 presidential elections campaign, the opposition coalition had proposed amendments, which they said were necessary to ensure democratic governance and better protection of human rights.

The new constitution proposed the following salient features:

- The President is limited to two five-year terms.
- The 50+1 as opposed to a simple majority electoral system for the presidency
- The abrogation of the clause which granted the President the right to unilaterally remove Commissioners from the Electoral Commission
- Removal of the age limits on the President and the Vice President
- Enshrining a culture of respect towards human rights, making the National Human Rights Commission a constitutional body.

The new Constitution was rejected by the National Assembly, despite having overwhelming support from the public.

2.4. Institutional Assessment

The NHRC’s institutional assessment was a result of a thorough process of consultations – desk reviews, interviews, SWOT workshops - with the Commissioners and the Secretariat, and key stakeholders and actors including government ministries and departments. Therefore, the results presented in this section is the outcome of a very participatory and inclusive process of strategic thinking and analysis.

The NHRC 2017 Act (Amended) guarantees the independence of the Commission and provides a broad mandate in line with the Paris Principles. Human resources are the most crucial asset of any organisation. For the successful implementation of its strategic plan, the NHRC will leverage on its strong oversight and management structures, in addition to the existence of highly skilled staff and Commissioners expertise on of human rights and international law.

Notwithstanding the afore-mentioned strengths and opportunities related to governance, the NHRC is faced with challenges which include, its non-regional presence and the lack of visibility countrywide, the Covid-19 pandemic and the shift in national priorities and the resultant effect on adequate resource mobilisation and funding.

2.4.1. SWOT Analysis

The NHRC’s internal organisation and the external environment (political, economic, socio-cultural, technological, environmental and legal) were reviewed during a series of SWOT ³³ analysis workshops. As presented in table 1 below (summary of factors and the responses), the NHRC will build on its strengths, seize opportunities and strive to mitigate the consequences of weaknesses and threats.

Table 1: SWOT analysis

Feature	NHRC’s strategic response: We will build on our strengths, exploit opportunities and endeavour to mitigate the consequences of threats and weaknesses
1. STRENGTHS	
1.1 NHRC 2017 Act: Guaranteed and broad mandate in line with the Paris Principles.	1.1.1 Independence of the commission enables it to oversee the work of the executive, civil society and all stakeholders. Building on this, the commission will take advantage of its statute and build its reputation as an unbiased independent body The independence of the NHRC means that it is outside of the traditional institutional framework, making it easy to ignore. The key is to establish protocols and direct relationship with the National Assembly and the Executive.
1.2 Strong cooperation with partners (UN Agencies) and other Human Rights Institutions.	1.2.1 This cooperation provides opportunities to receive financial and technical support. Moreover, it establishes opportunities for experience sharing with other similar institutions worldwide
1.3 Existence of highly skilled Staff and Commissioners with good understanding of Human Rights and International Law	1.3.1 The presence of a high level of capacity enables the Commission to begin to work quickly and decisively under the leadership of experienced commissioners. In addition to their broad understanding of the subject matter and experience, they bring to the commission a wealth of contacts which can be exploited.
1.4 Existence of formal procedures, work plans, and website for transparency and visibility in line with the Paris principles.	1.4.1 Clarity in mission and mandates within the institution, allow for more transparent and efficient work process and enables the NHRC to begin its work efficiently and promptly. Furthermore, it allows for clearer accountability and easier monitoring and evaluation.

³³ Strengths, Weaknesses, Opportunities and Threats

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1.5 Existence of qualified financial personnel and an efficient Financial Management and Procurement system.	1.5.1 In order to be credible, a governance-related institution must ensure the efficient and transparent use of resources and avoid practices which may be considered illegal and/or corrupt. The presence of qualified personnel and adequate systems reduce these threats. Financial and procurement transactions of the Commission will be made public on the website and also available in print on demand.
1.6 NHRC participates in national, regional and international Human Rights events including collaborating with international human rights mechanisms (UPR etc.).	1.6.1 The principal asset of the commission will be, moving forward the awareness and acceptance on the part of the public. Commission will prioritize its presence on platforms in which Gambians and its diaspora are present. Development of phone apps will also be considered.
	1.6.2 This process will raise the profile of the commission and strengthen its credibility vis à vis the Gambian people. Strengthening the links with other bodies through participating in national, regional and international fora is crucial for the NHRC, and will be sustained.
1.7 Effective and efficient response to treatment of cases.	1.7.1 Establish service standards in terms of treatment of complaints. Guarantee privacy and protection to those filing reports. Develop due process guidelines for the respondents.
1.8 Existence of an enabling legislation which mandates the Commission to mobilize other resources.	1.8.1 Use non-traditional revenue generation platforms such as crowdsourcing. Provide advice and guidance for the stakeholders as a means to generate revenue.
1.9 <u>Extensive in-house knowledge of The government machinery and donor mechanisms to mobilize resources.</u>	1.9.1 Strengthen within the commission's organizational structure, the Resource Mobilisation unit, whose sole purpose is to foster cooperative relationships (partnerships) and generate revenue on its own merits.
2. WEAKNESSES	
2.1 <u>Lack of clarity of the NHRC 2017 Act.</u>	2.1.1 Develop enabling regulations clarifying areas where the law is ambiguous.
2.2 <u>Centralised operations</u> with little or no regional presence.	2.2.1 Work with communication and outreach unit to develop alternative ways to carry out activities. (ZOOM room for interviews etc.)
2.3 <u>Non-accreditation of the NHRC.</u>	2.3.1 Develop an accreditation check-list which focuses on addressing the necessary actions to obtain certification. Assign responsibilities and resources, hold individuals accountable for its application by publishing results on website.
2.4 Ineffective coordination and collaboration with relevant government departments and ministries.	2.4.1 Establish Memorandums of Understanding with different institutions which clarify cooperation arrangements and expectations and identify results.
2.5 <u>The NHRC inadequately equipped</u> (office equipment, vehicles, database, generator, CITS material and internet connection).	2.5.1 Undertake an annual asset inventory and include the cost of replacing old assets and acquiring new assets in the annual budget.
2.6 Unstandardized training curriculum on Human Rights Education.	2.6.1 Review existing curriculum and develop modules/tailor-made courses which respond to individual requirements of the informal and formal education system.
2.7 <u>Non-utilisation of the Courts to seek redress</u> for complainants of Human Rights violations.	2.7.1 Focus on alternative conflict resolution which can be usefully adapted to address HR crimes.
2.8 Lack of a standardised referral mechanism between the NHRC and key Institutions (Ombudsman, NALA, GBA, Labour Department, ADRS, FLAG, Department of Social Welfare, etc.).	2.8.1 Establish cooperation agreements (MoUs) with the network of key institutions dealing with HR and Governance.
2.8 Heavily dependent on Donor support.	2.8.1 Develop a comprehensive resource mobilisation plan which includes reliance of non traditional revenue generation platforms. Publish financial statements to avoid perception of fraud.

3. OPPORTUNITIES

3.1 **Draft 2020 Constitution** – an opportunity to grant NHRC constitutional status.

3.1.1 Develop a case which can be used to justify that option. This should also include an identification and justification of costs and benefits.

3.2 Existence of the **National Assembly Standing Committee on Human Rights and Constitutional Matters.**

3.2.1 Establish direct links with the National Assembly, including by developing periodic briefs highlighting the Commission's priorities.

3.3 **Transitional Justice Process and scope for monitoring the implementation of the TRRC recommendations**

3.3.1 **Establish a monitoring framework** that is consistent with TRCC recommendations

3.4 **The priority number 1 of the National Development Plan (2018-2021)** is on good governance and Human Rights – opportunity for political will and resource allocation.

3.4.1 Align the NHRC's Strategic Plan with broad objectives of the NDP. Focus on developing and demonstrating that improved HR will benefit overall development. Working with academia, develop suitable body of knowledge to support this perspective and justify the allocation of additional resources.

3.5 **Potential technical support from partners** such as AU, GANHRI, NANHRI, UNDP, OHCHR and other NHRIs, etc.

3.5.1 **Formalize cooperation agreements to benefit** acquisition of knowledge, technology and financial resources

3.6 The existence of the Civil Society dialogue platform.

Establish cooperation, define the areas of responsibility as well as a boundaries

3.7 The existence of other statutory institutions handling Human Rights complaints.

4. THREATS

4.1 Non passage of the draft 2020 Constitution.

4.1.1 Develop a proclamation (non-binding statement of intention) which addresses the points raised by the constitution regarding the Commission

4.2 COVID-19 and how it impacts (in the short to medium term) the way the NHRC relates with partners.

4.2.1 Establish means of communication that do not include face to face contacts (physical) contacts

4.3 Lack of witness protection facilities and the risk of attacks or retaliation from persons involved in cases being investigated

4.3.1 Develop a comprehensive security policy for both the Commission (Commissioners and Staff) and witnesses

4.4 Relatively high staff attrition due to conditions (expiry of terms of service, resignation).

4.4.1 Develop a succession plan for the Secretariat

4.5 **Culture of resistance to Human Rights.**

4.5.1 Develop capacity development strategy with equal space between outreach and the creation of civil awareness

4.6 Loss of independence due to balancing between advising government while scrutinizing it.

4.6.1 Establish a firewall between the TA/Advice area and the core mandate of the Commission

4.7 Government may raise public interest defence to curtail full and transparent disclosure of information/data

4.7.1 Identify alternative and complementary information channels (whistle-blowers, etc)

4.8 **Low implementation rate of critical programs and activities identified in the strategic plan,** due to inadequate financial resources

4.8.1 Plan from the best and the worst. Establish a low case, a base case and a high case so as to ensure that expectations are realistic. Develop a priority development risk identifying three or four priorities in the event of resource shortage.

4.9 **The Covid-19 pandemic** and the shifting priorities (in the short to medium term), of government and other partners to funding public health initiatives.

4.9.1 COVID 19 is a health emergency which the Commission needs to monitor. The government and international donors will make available additional resources to combat the pandemic and the NHRC must ensure that such funds are not used to the benefit of some or to the detriment of others. **Observing government response to pandemic and ensuring its appropriate allocation, raising awareness that human rights include equitable access to public resources.**

2.4.2. Stakeholder Analysis

In line with the principle of enhancing ownership of this strategic plan, a stakeholder analysis was conducted through online questionnaires and their subsequent analysis during the SWOT workshops. A stakeholder analysis is a process of identifying the institutions (government ministries, development partners, CSOs, NGOs, etc.) who have a stake or an “interest” in the activities of an organisation or institution, qualitatively analysing those interests with a view to incorporating them in its stakeholder management framework. During the implementation of this strategy, it is also expected that key stakeholders will be engaged to facilitate the meeting of their obligations as presented in table 2 below.

Table 2: Stakeholder Analysis

CATEGORY	NAME	NHRC’S EXPECTATIONS FROM THE STAKEHOLDER	STAKEHOLDER’S EXPECTATION FROM THE NHRC
1. MINISTRIES, DEPARTMENTS AND AGENCIES (MDAS)	1.1 Ministry of Justice	<ul style="list-style-type: none">• Ratification and domestication of treaties• Lead in the implementation of recommendations of the UPR, treaty bodies and special procedures• To fulfil human rights reporting obligations• Support and representation, when necessary in cabinet	<ul style="list-style-type: none">• Provide a report on the status of human rights in The Gambia• Participation in the preparation of State Periodic Reports• Issue advisory Notes• Hold government Institutions accountable• Be a bridge between NGOS, CSOs and the State
	1.2 Ministry of Finance and Economic Affairs	<ul style="list-style-type: none">• Support, including capacity building, in the budget preparation and management process• Timely and adequate allocation of resources	<ul style="list-style-type: none">• A realistic programme-based budget submission• Timely submission of quarterly cash plans and increased absorptive capacity of budgetary allocations• Timely financial audits, certified accounts and their publication
	1.3 Ministry of Higher Education, Research, Science & Technology	<ul style="list-style-type: none">• Support and guidance in developing and delivering standardized training curriculum on Human Rights for tertiary and higher education	<ul style="list-style-type: none">• Partnership in advocacy and support to education on human rights issues
	1.4 Ministry of the Interior	<ul style="list-style-type: none">• To ensure that law enforcement officers (immigration, prisons, police, NDLEAG, etc.) follow due process and respect for human rights in the exercise of their duties• To support and partner with the NHRC in the preparation and adoption of a standardised Human Rights Training Curriculum for law enforcement officers	<ul style="list-style-type: none">• Support in the adaptation of best practice guidelines and capacity building• Cooperation and collaboration in policy formulation and implementation in the ongoing security sector reform process• Inspect and audit of the police, prisons and other detention facilities
	1.5 Ministry of Women, Children and Social Welfare	<ul style="list-style-type: none">• Collection of relevant data and statistics, and the referral of cases when necessary• Support in the adoption of relevant policies and programmes on human rights• Timely submission of periodic State report and implementation of recommendations (CEDAW and the Maputo Protocol)	<ul style="list-style-type: none">• Partner and collaborate with the NHRC in promoting human rights• Refer and update them on matters or complaints relevant to their sector• Provide human rights capacity building initiatives
	1.6 National Youth Council	<ul style="list-style-type: none">• Partnership and collaboration in outreach activities	<ul style="list-style-type: none">• Partner and collaborate with youth groups and create platforms for youth engagement on critical human rights issues• Support the council’s advocacy efforts in the protection of human rights defenders
	1.7 National Security Adviser	<ul style="list-style-type: none">• Referral of abuses for investigation by the NHRC• Complete and implement the recommendations of the Security Sector Reform• Work with the NHRC in ensuring that the new security policies will be underpinned by human rights principles and standards	<ul style="list-style-type: none">• Collaborate and partner in the reorientation of security forces• Partner with the NHRC to develop human rights training curriculum for the Armed Forces

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	1.8 Ministry of Defence	<ul style="list-style-type: none"> • Respect human rights in dealing with the civilian population • Operate in line with their mandate • Security officers must be trained on Human Rights and Humanitarian Law 	<ul style="list-style-type: none"> • Collaborate and partner with the NHRC in creating a culture of HR in the armed forces. • Partner with the NHRC to develop human rights training curriculum for the Armed Forces
	1.9 Office of the Ombudsman	<ul style="list-style-type: none"> • Referral of cases of Human Rights violations • Partnership and collaboration with regards to outreach activities of the Commission • Undertake other joint and more strategic interventions 	<ul style="list-style-type: none"> • Partnership and collaboration with regards to outreach activities of the Commission
	1.10 Ministry of Basic and Secondary Education	<ul style="list-style-type: none"> • Support and guidance in developing and delivering standardized training curriculum on Human Rights for basic and secondary education 	<ul style="list-style-type: none"> • Partnership in advocacy and support to education on human rights issues
2. THE LEGISLATURE	2.1 The Gambia National Assembly, Standing Committee on Human Rights & Constitutional Matters	<ul style="list-style-type: none"> • To ensure that human rights are streamlined in legislation (enactment of HR friendly laws) • To champion and support the work of the NHRC (including the allocation of resources) • To facilitate regular consultations with the Commission • Holding the executive accountable to address issues raised by the commission 	<ul style="list-style-type: none"> • Regular updates on NHRC activities • Submission of reports (annual report, state of human rights in The Gambia and annual activity and audited financial statements to PAC-PEC etc) • Organising capacity building initiatives • Provide support for legislative and policy reforms
3. THE JUDICIARY	3.1 The Courts	<ul style="list-style-type: none"> • Prompt and fair dispensation of cases • Application of Human Rights precedents to cases (enhancing HR jurisprudence) • Support the work of the Commission 	<ul style="list-style-type: none"> • To provide refresher training programmes for the judiciary on the application of international Human rights laws • To act as amicus curia (friend of the courts) on human rights issues
4. DEVELOPMENT PARTNERS	4.1 UNDP 4.2 OHCHR 4.3 UNICEF 4.4 UN Peace Building Fund 4.5 UNFPA 4.6 EU Delegation 4.7 African Union 4.8 ECOWAS 4.9 IOM	<ul style="list-style-type: none"> • Technical and financial support • Provide guidance for legislative and policy reforms 	<ul style="list-style-type: none"> • Regular updates (via the annual reports and other briefs) on the activities of the NHRC • Sound fiduciary management system with adequate social accountability frameworks • Transparency, through the timely publication of certified financial statements and other reports
5. CIVIL SOCIETY ORGANISATIONS (CSOS)	5.1 Gambian Centre for Victims of Human Rights Violations 5.2 Gambian Federation of the Disabled 5.3 Child Protection Alliance (CPA) 5.4 Gambian Bar Association 5.5 Gambia Press Union 5.6 Gambia Teachers Union 5.7 Gambia Labour Union 5.8 Civil Society Dialogue Platform	<ul style="list-style-type: none"> • Advocacy and referral of cases • Partnership and collaboration 	<ul style="list-style-type: none"> • Regular information on NHRC's activities • Fair evaluation of referrals and recommendations for redressing human rights violations • Capacity building support on HR matters
6. NON-GOVERNMENTAL ORGANISATIONS (NGOS)	6.1 African Centre for Democracy & Human Rights Studies 6.2 Institute for Human Rights & Development in Africa 6.3 TANGO 6.4 Network of National Human Rights Institution (NANHRI) 6.5 Global Alliance of National Human Rights Institutions (GANHRI) 6.6 Amnesty International, Senegal 6.7 Article 19, Senegal 6.8 African Commission on Human & Peoples' Rights 6.9 Beakanyang	<ul style="list-style-type: none"> • Advocacy and referral of cases • Partnership and collaboration 	<ul style="list-style-type: none"> • Regular information on NHRC's activities • Fair evaluation of referrals and recommendations for redressing human rights violations • Capacity building support on HR matters

6. NON-GOVERNMENTAL ORGANISATIONS (NGOS)	6.1 African Centre for Democracy & Human Rights Studies 6.2 Institute for Human Rights & Development in Africa 6.3 TANGO 6.4 Network of National Human Rights Institution (NANHRI) 6.5 Global Alliance of National Human Rights Institutions (GANHRI) 6.6 Amnesty International, Senegal 6.7 Article 19, Senegal 6.8 African Commission on Human & Peoples' Rights 6.9 Beakanyang	<ul style="list-style-type: none"> • Advocacy and referral of cases • Technical assistance and networking • Undertake joint initiatives • Public Private Partnership (The GCCI) • Partnership in designing initiatives for Corporate Social Responsibility (CSR) in HR activities (GCCI) 	<ul style="list-style-type: none"> • Regular information on NHRC's activities • Fair evaluation of referrals and prosecution • Participation in its activities and networks • Mentorship • Sharing of best regional and international practices
			<ul style="list-style-type: none"> • Regular information on NHRC's activities • Participation in its activities and networks
7 PRIVATE SECTOR	7.1 The Gambia Chamber of Commerce and Industry		
8 NHRC COMMISSIONERS AND STAFF	8.1 Commissioners	<ul style="list-style-type: none"> • Leadership, guidance and profile 	<ul style="list-style-type: none"> • Determined pursuit of objectives of the NHRC • Adequate security and protection • Acceptable remunerations and welfare schemes • Conducive working environment and tools
	8.2 Staff	<ul style="list-style-type: none"> • Thorough and transparent investigations and provision of technical assistance • Adherence to NHRC's service standards, rules and regulations • Meeting performance targets and delivering quality work 	
9 THE GENERAL PUBLIC	<ul style="list-style-type: none"> • Promote and protect the human rights and freedoms of fellow citizens and other members of the public 		<ul style="list-style-type: none"> • Provide HR education and sensitisation • Support in providing appropriate redress where HRs are violated
10 OTHER STRATEGIC PARTNERS	10.1 Other NHRIs	<ul style="list-style-type: none"> • Networking, visibility • Sharing of information during study visits and other benchmarking exercises 	<ul style="list-style-type: none"> • Regular information on NHRC's activities • Participation in its activities and networks
11 OTHER PARTNERS	11.1 Gambia Football Federation 11.2 Children National Assembly of The Gambia	<ul style="list-style-type: none"> • Advocacy and referral of cases 	<ul style="list-style-type: none"> • Regular information on NHRC's activities • Fair assessment of referrals and recommendations for prosecution

3. Our Priorities

Introduction

Theory of Change

Corporate Statements

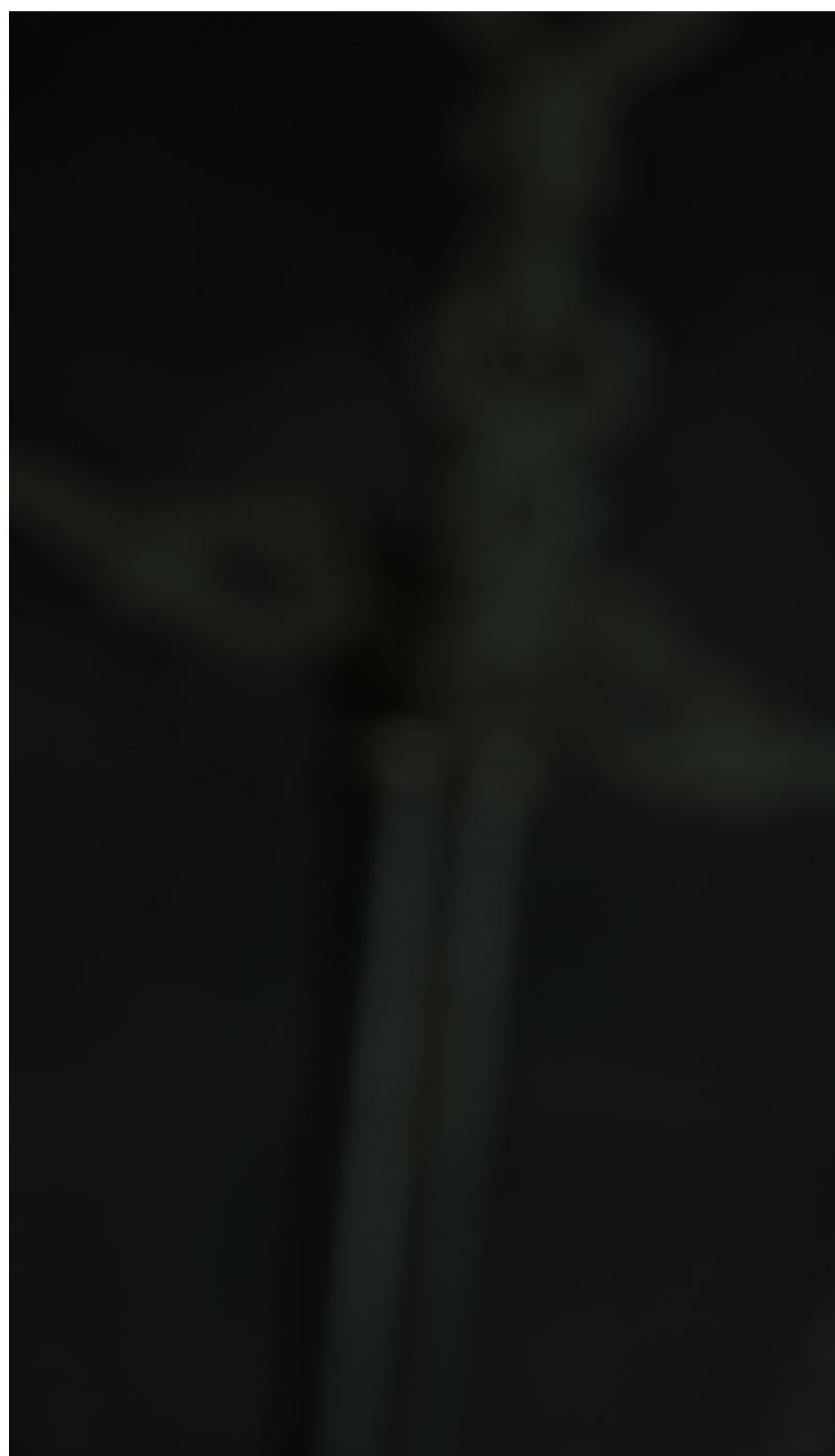
Strategic Objectives,
Strategies and Outcomes





3.1 Introduction

The human rights situational analysis and context – international, regional and national - and the organisational review of the NHRC, form the basis for establishing the theory of change in pursuance of our strategic orientation. This chapter clarifies our mission and vision as well as our strategic objectives and the expected outcomes. In addition, and against the backdrop of the stakeholder analysis, the chapter also identifies key partners targeted during implementation.



3.2. Theory of Change

An effective theory of change helps to guide the development of evidence-based strategies, informs monitoring and provides a framework for evaluation. NHRC's theory of change is anchored on our vision of "A Gambia where everyone enjoys fundamental human rights and freedoms". It presents how change will happen, and how interventions can shape that change.

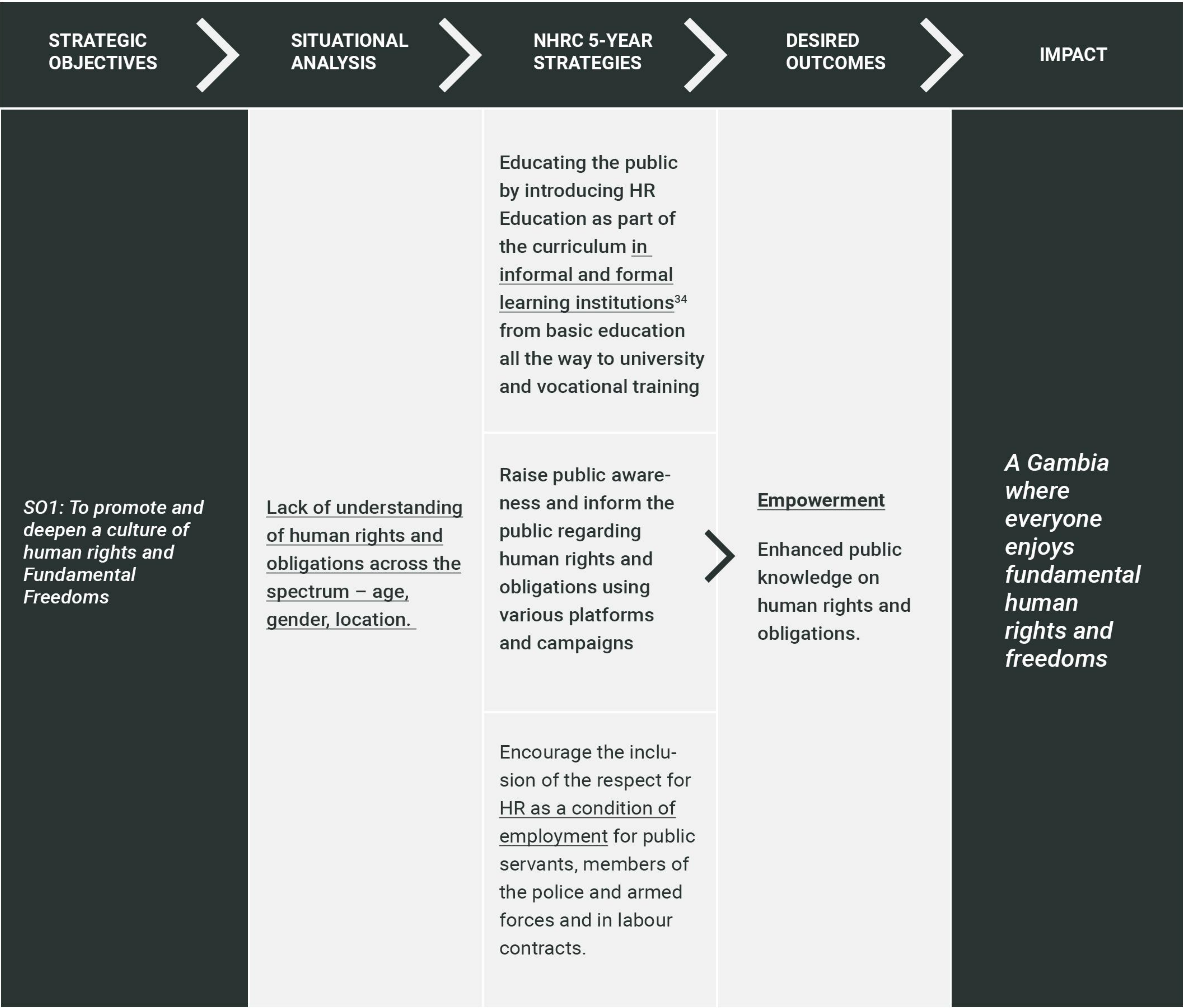
Figure 14 below, describes what results will be achieved and how one level of results – outcomes, leads to another level of results – ultimate impact.

Our strategic objectives are key to building the theory of change as they provide a broad direction for how change will happen, and directly influence the types of activities and other interventions needed to achieve results. Our choice of strategies is based on:

1. Our core values and guiding principles,
2. The local context and related challenges and
3. Considerations for effectiveness, efficiency and sustainability.



Figure 14: NHRC’s Theory of Change

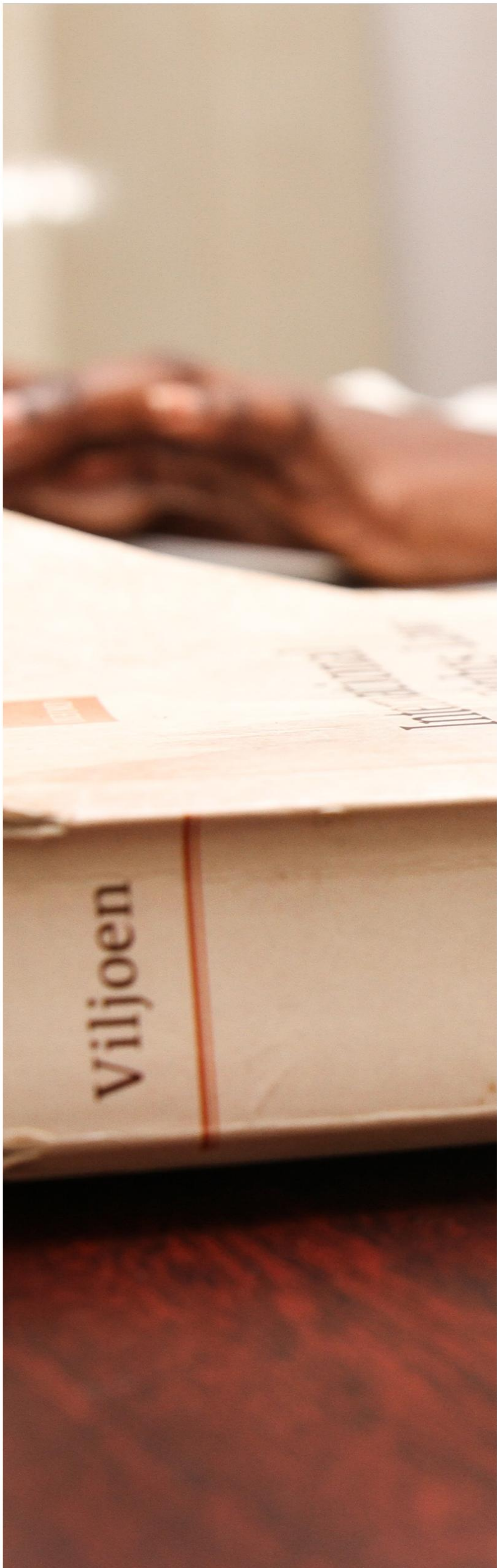


³⁴ Basic all the way to Tertiary and Higher Education

STRATEGIC OBJECTIVES	SITUATIONAL ANALYSIS	NHRC 5-YEAR STRATEGIES	DESIRED OUTCOMES	IMPACT
<i>S02: To enable people whose rights have been violated to have access to appropriate redress</i>	<i><u>Systems dysfunction and high number of cases of HR violations mainly inherited from 22 years of undemocratic rule.</u></i>	Systematically <u>identify channels</u> with which HR violations occur, <u>inquire into violations</u> of HR by the State or negligence of such a violation by private persons and entities, <u>enforce HRs</u> and reduce systemic violations by seeking accountability in the justice system.	<u>Appropriate redress</u> Improved confidence and effectiveness of the justice system.	<i>A Gambia where everyone enjoys fundamental human rights and freedoms</i>
<i>S03: To ensure improved compliance from the State on matters of human rights and access to justice</i>	<i><u>Human rights principles and standards not institutionalized in key security institutions and organs</u></i>	Assist in ensuring equitable access to justice, ensure that the conditions of inmates in prisons and other detention centres meet the requirements of international standards, support the security sector training schools to incorporate and promote human rights norms and standards in their curricula,	<u>Protection of HRs</u> Enhanced understanding of duty to protect human rights.	<i>A Gambia where everyone enjoys fundamental human rights and freedoms</i>
<i>S04: To develop NHRC's capacity to be a credible, trustworthy and knowledgeable "agent" to advance human rights and equality</i>	<i><u>Centralised operations with little or no regional presence, and the Non-accreditation of the NHRC.</u></i>	Revise rules and procedures to <u>expedite the complaints handling process</u> , <u>strengthen internal organization</u> and decentralize services, institute a <u>results-oriented performance management culture</u> at the NHRC to guarantee the effective and efficient implementation of its strategic plan.	<u>Efficiency and effectiveness</u> A more efficient, responsive and accessible NHRC	<i>A Gambia where everyone enjoys fundamental human rights and freedoms</i>

STRATEGIC OBJECTIVES	SITUATIONAL ANALYSIS	NHRC 5-YEAR STRATEGIES	DESIRED OUTCOMES	IMPACT
S05: Enforce Human Rights within the Justice System	<u>Non-utilisation of the Courts to seek redress</u> for complainants of Human Rights violations, lack of a standardised referral mechanism between the NHRC and key Institutions.	Leveraging government-led initiatives related to the justice system to make sure that systemic violations are identified, acknowledged and addressed, using our public inquiry functions strategically to highlight the experience of people that have come into contact with systemic human rights violation, ensure non-discriminatory and lawful practices in policing, HR competence identified as an essential requirement and measure of competence for people who work throughout the justice system.	<u>Accountability</u> Strong and transparent human rights accountability within the justice system, which ensures that human rights obligations are put into practice	<i>A Gambia where everyone enjoys fundamental human rights and freedoms</i>
S06: Advance Human Rights by Addressing Poverty	<i>Economic, social and cultural rights not adequately recognised and factored in economic development planning..</i>	Recognition of the link between civil and political rights and economic, social and cultural rights, explicit protection from discrimination for people who experience poverty and hunger, ensure that proposed strategies to address poverty are responsive to human rights.	<u>Articulation and pro-poor policies</u> A clearer link between human rights and development	<i>A Gambia where everyone enjoys fundamental human rights and freedoms</i>

3.3. Corporate Statements



3.3.1 MISSION

To promote and protect the fundamental human rights and freedoms of everyone through law, policy, education and partnership.

3.3.2 VISION

A Gambia where everyone enjoys fundamental human rights and freedoms.

3.4. Strategic Objectives, Strategies, Outcomes and Key Stakeholders

For the next five years (2021-2025), we will pursue six (6) strategic objectives with a view to realising the ultimate goal of achieving human rights and freedoms for all. In pursuance of this strategic goal we will therefore deploy a number of cross-cutting and complementary strategies. The strategic objectives are as presented in table 3 below.

Table 3: NHRC’s strategic objectives

Strategic Objective N°	Description
1	To promote and deepen a culture of human rights and fundamental freedoms
2	To enable people whose rights have been violated to have access to appropriate redress
3	To ensure improved compliance from the State on matters of human rights and access to Justice
4	To develop NHRC’s capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality
5	To enforce human rights within the justice system
6	To advance human rights by addressing poverty



3.4.1 Strategic objective 1: to promote and deepen a culture of human rights and fundamental freedoms

The full realization of human rights and fundamental freedoms cannot be achieved solely through the enactment of laws and the mechanisms to implement the laws. The respect of human rights requires an understanding from all stakeholders of what human rights are and why they matter, and the incorporation of these principles into our national consciousness. This, like any other civic behaviour must be promoted, nurtured and protected. **Consistent with the Paris Principles, the NHRC's mandate includes the promotion of human rights, through education, outreach, the media, publications, training and capacity building, as well as advising and assisting the Government on matters of human rights.**

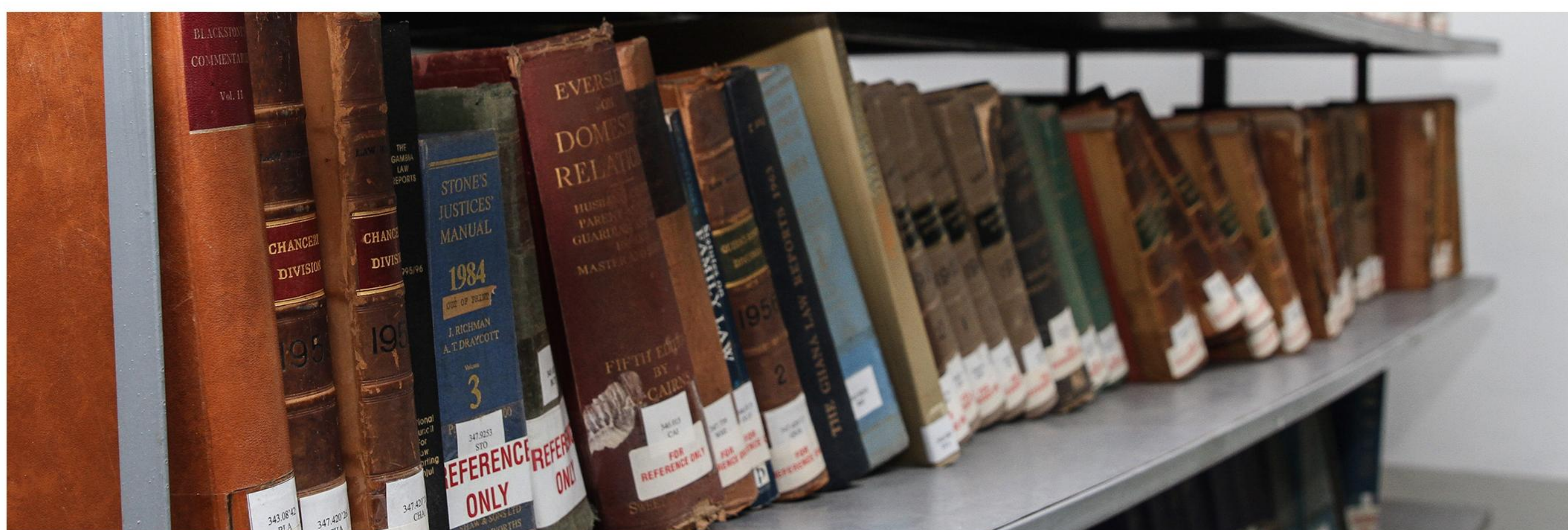
The creation of a human rights culture implies that the citizens are aware and understand that they have fundamental, inalienable rights to which they are entitled just by the fact that they are human; that there are obligations on the State to respect, protect and fulfil such rights and the mechanisms which are available to enforce those rights are inclusive and functioning.

In the same vein, all members of society should understand that they, as rights holders or claimants, have a responsibility to uphold such principles and to act accordingly and that failure to do so would make them liable under international and domestic human right laws.

Accordingly, the promotion of human rights starting from the earliest age is of fundamental importance. International experience shows that focusing civic education on children not only helps them develop or nurture a spirit of respect for human rights but also makes them promote the behaviour within their families, impacting the adults as well. Moreover, since respect for human rights is the concern of all, awareness and advocacy for human rights must be exhaustive, using whatever platform is necessary to consistently convey information about human rights.

Education and advocacy for human rights and fundamental freedoms are pillars to a robust democratic society.

The NHRC will continue to play a lead role in promoting human rights awareness in The Gambia, recognised as an urgent need. In the Gambia, human rights continue to be perceived as foreign imposition on our culture and religion instead of key instrument to a more open and inclusive society. Human rights, once understood, should not be perceived to contradict our cultural values, standards and practices, some of which are impediments to the work of human rights institutions. Below are some of the main strategies that the NHRC will undertake to achieve this strategic objective.



3.4.1.1 STRATEGIES

1. Integrate human rights principles and standards in informal and formal learning institutions (Basic all the way to Tertiary and Higher Education).

To implement this strategy, the NHRC will develop strategic partnerships with the basic, tertiary and higher learning institutions in The Gambia. The objective is to enhance institutional capacities through reviewing and developing regulations and curricula; producing educational materials and increasing the capacity and awareness on human rights and fostering a democratic school culture. Similarly, the informal school system (including Daaras and Madrassas), will also be targeted at the levels of religious and community leaders, in a bid to secure their buy-in. To support initiatives under this strategy, the NHRC intends to establish a dedicated unit responsible for human rights research, education and professional training.

2. Engage in human rights accountability, audit and advocacy platforms and campaigns.

Under this strategy, the NHRC will permanently engage the National Assembly (Standing Committee on Human Rights and Constitutional Matters) and other key stakeholders to enhance oversight of the legislature and the human rights accountabilities of duty bearers. Implementation of the UPR recommendations and Concluding Observations from UN and AU treaty bodies will also be monitored. The operationalization of the outreach strategy will enhance the capacity of the Communication Department in coordinating the outreach and advocacy activities. Given its strategic importance in the consolidation of The Gambia's democratisation process, the 2021 general elections (presidential, parliamentary and local government) will form the bulk of the activities included in this strategy. The NHRC will develop proposals and seek support to (i) organize training on human rights, democracy and the rule of law (with focus on the Human Rights-Based approach in elections process) for various actors (ii) engage with various actors including the IEC, political parties, CSOs, media, etc. to commit to upholding human rights and promote violent free elections and (iii) monitor the process as well as post-election activities to ensure that it is free of rights violations.

3. Encourage the inclusion of the respect for human rights as a condition of employment for public servants, members of the police and armed forces and in labour contracts.

The NHRC will provide support to both the public and private sectors to review conditions of employment and labour contracts, so that appropriate modifications can be made to ensure compliance with universal standards and respect for human rights.

4. Inform the population about their Human Rights and Obligations.

In operationalising our outreach strategy, business relations and Memoranda of Understanding (MoUs) will be developed with key stakeholders to intensify the NHRC's outreach to the general public. In this regard, the NHRC will conduct a comprehensive national capacity needs assessment, develop a capacity building plan for raising awareness and promoting human rights in The Gambia and develop the capacity of all relevant stakeholders. Religious leaders and CSOs will also be trained on harmful traditional practices, the rights of women and children and other human rights emerging areas.

3.4.1.2 OUTCOMES

Successful implementation of the above-mentioned strategies, will lead to the following expected results:

1. Human rights are a regular part of the education curriculum,
2. Human rights competence is identified as an essential requirement and measure of competence for education professionals,
3. Children, youth, caregivers and educators feel empowered and able to stand up for human rights without fear of reprisal,
4. Professionals who take part in The Gambia's education system show greater understanding of human rights and responsibilities and
5. Discrimination is unacceptable.

3.4.1.3 KEY PARTNERS

To implement the strategies under this pillar, the NHRC will partner and collaborate with (i) the standing committee on human rights and constitutional matters of the national assembly (ii) the informal and formal education sector institutions – basic, secondary, tertiary and higher education (iii) the media and (iv) NGOs working in human rights promotion and education.

Table 4: Strategic objective, strategies and outcomes

Strategic objective 1: To promote and deepen a culture of human rights and fundamental freedoms	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect that:
<ol style="list-style-type: none"> 1. Integrate human rights principles and standards in informal and formal learning institutions 2. Engage in human rights accountability, audit and advocacy platforms and campaigns 3. Encourage the inclusion of the respect for Human Rights as a condition of employment for public servants, members of the police and armed forces and in labour contracts. 4. Inform the population about their Human Rights and Obligations. 	<ol style="list-style-type: none"> 1. Human rights will be a regular part of youth education, including in the curriculum 2. Human rights competence will be identified as an essential requirement and measure of competence for education professionals 3. Children, youth, caregivers and educators will feel empowered and able to stand up for human rights without fear of reprisal 4. Professionals who take part in The Gambia's education system will show greater understanding of human rights and responsibilities 5. Discrimination will be unacceptable

3.4.2 Strategic objective 2: to enable people whose rights have been violated to have access to appropriate redress

Ensuring access to justice and redress, particularly for youth, women, and other marginalized groups is critical to achieving full enforcement and monitoring of laws addressing violence and harassment. If individuals do not perceive they are able to access justice, then they become victims.

Our human rights situational analysis revealed that rape and domestic violence were widespread problems that often went unreported due to victims' fear of reprisal, unequal power relationships, stigma, discrimination, and pressure from family and friends not to report abuses. Furthermore, FGM/C is a deeply rooted practice in society which is seldom reported, either because individuals do not agree with the law or because they are uncomfortable reporting family or community members engaged in the practice. According to NGOs, 76 percent of girls and women between ages 15 and 49 have been subjected to FGM/C.

Systems for reporting and making complaints should be effective, transparent and trusted. Similarly, sex tourism is, unfortunately, a far too common occurrence in The Gambia. Many young people are forced into prostitution either against their will or as a result of poverty. Exiting from this vicious cycle is difficult, and those who are brave enough to do so, must be assisted by the authorities and their plight taken seriously.

In the EU Fundamental Rights Agency (FRA) survey, most women who reported sexual harassment kept the incident to themselves, only 4 per cent reported it to the police, and only 4 per cent talked to an employer or manager about it (FRA, 2014). In a survey from the UK, 79 per cent of the women who said they were victims of sexual harassment did not report it to their employer (Trades Union Congress and Everyday Sexism, 2016).

If complaints are not handled properly, confidentiality breached, no independent investigation carried out, or the outcome not considered to be fair or appropriate, victims will lose trust in the system and may not report future cases which will only embolden those who abuse their power to continue to perpetrate human rights violations. An inclusive, democratic Gambia requires institutions that will protect the weak against the abuses perpetrated by the strong. The NHRC aims to be one of such institutions.

Through its activity, it will provide a fair and impartial complaint investigation and conciliation service, encouraging systemic change that will prevent discrimination and breaches of human rights. In order to sufficiently address these challenges, the NHRC will deploy the following main strategies:

3.4.2.1 STRATEGIES

1. Systematically identify avenues and channels with which human rights violations occur in The Gambia

Under this strategy, and to ensure that the system is effective, transparent and trusted, NHRC will review the framework for receipt and investigation of alleged human rights abuses and benchmark in line with international best practices. Alleged human rights violations will be systematically investigated and policy recommendations proffered to Government, National Assembly and private entities on how to better combat human rights abuses.

2. Proactively and reactively inquire into violations of Human rights by the State or negligence of such a violation by private persons and entities

To identify system dysfunctions, periodic human rights audits will be conducted in selected institutions, including police, armed forces, prison services, social protection agencies and other public sector agencies. The NHRC will provide support to monitor the implementation of the recommendations of the human rights audits.

2. 3. Enforce human rights and reduce systemic violations by seeking accountability in the justice system

To enhance accountability in the justice system, the NHRC will support a comprehensive audit of the system, including courts, prisons, etc., with particular emphasis on the processes - from investigation to adjudication to imprisonment.

3.4.2.2 OUTCOMES

The above interventions will assist the NHRC in achieving the following results:

- 1. A clearer and more precise mapping of challenges and dysfunctions in The Gambian Society,
- 2. An accountable government and private entities on matters of human rights and
- 3. An improved confidence and effectiveness of the justice system

3.4.2.3 KEY PARTNERS

We will work closely with the judiciary to conduct the systems audits and would rely on the political goodwill of the Executive and the National Assembly for the implementation of the recommendations and action plan. For technical and financial support, we will strengthen our partnership and cooperation with the traditional UN agencies (OHCHR, UNFPA, UNPBF, UNDP, UNICEF, UNWOMEN) and our regional network - NANHRI and GANHRI.

Table 5: Strategic objective, strategies and outcomes

Strategic objective 2: To enable people whose rights have been violated to have access to appropriate redress	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect:
1. Systematically identify avenues and channels with which human rights violations occur in The Gambia	1. A clearer and more precise mapping of challenges and dysfunctions in The Gambian Society,
2. Proactively and reactively inquire into violations of Human rights by the State or negligence of such a violation by private persons and entities	2. An accountable government and private entities on matters of human rights and
3. Enforce human rights and reduce systemic violations by seeking accountability in the justice system	3. An improved confidence and effectiveness of the justice system.

3.4.3 Strategic objective 3: to ensure improved compliance from the state on matters of human rights and access to justice

Four years after its first democratic transition, The Gambia continues to face many challenges, including rebuilding national institutions which were eroded during the Yahya Jammeh regime. After coming to power in 1994 through a coup against then president Dawda Jawara, Jammeh established a repressive regime using the police, the intelligence services and the courts to enforce its rule of terror.

Much has been achieved since the transition began. Deep Structural reforms have begun in the security services, the courts and the prisons but much remains to be done to ensure that all Gambian institutions regain the trust of its people. Consistently with its mandate, NHRC will focus on ensuring accountable public institutions.

3.4.3.1 STRATEGIES

1. Assist in ensuring equitable access to justice

Access to justice is a basic principle of the rule of law. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable. The right of equal access to justice for all, including members of vulnerable groups is fundamental to the reconstruction of a rule-based society. Delivery of justice should be impartial and non-discriminatory and the independence of the judiciary, together with its impartiality and integrity, are essential prerequisites for upholding the rule of law and ensuring that there is no discrimination in the administration of justice. NHRC will contribute to this effort by providing advice in the development and reform of national policies and frameworks enhancing access to justice, supporting the capacity building of State and non-state actors who provide legal aid services in civil, criminal and family matters and strengthening capacities of rights holders, particularly the poor and marginalized groups.

2. Ensure that the conditions of inmates in prisons and other detention centres meet the requirements of international standards;

Updated Information regarding the status of prisons in The Gambia is relatively scarce. Available reports, coming mainly from foreign observers, note that despite improvements over the past few years Prison conditions were harsh and potentially life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care ³⁵. There is "credible evidence that teenagers as young as 15 years old are being held with adults without trial. Arbitrary arrests and detention still occur ³⁶." Of special concern is Central State Prison (Mile 2) where gross overcrowding was a problem, particularly in the remand wing of the prison in Banjul, where detainees were held pending trial. Food quality and access to potable water, sanitation, ventilation, lighting, and medical care were inadequate.

The conditions of prisons and the fair and adequate treatment of prisoners is recognized as a matter of human rights according to the basic principles for the treatment of prisoners ³⁷. As such NHRC will focus on improving the situation of prisons in the Gambia as a priority area, both to erase the legacy of Yahya Jammeh's rule and in order to improve the situation of inmates in The Gambia.

Similarly, the security service played an important repressive role under the previous regime. This negative leadership on the part of the highest authority of the state was compounded by the absence of formal training on human rights. NHRC will focus on strengthening the training curriculum for security forces on matter of its role and responsibilities to respect and protect human rights

³⁵ Country Reports on Human Rights Practices for 2018, United States Department of State • Bureau of Democracy, Human Rights and Labor

³⁶ Gambia: Key human rights concerns highlighted in a meeting with President Barrow

Amnesty International -2 May 2019, 18:20 UTC

³⁷ GA resolution 45/111 of 14 December 1990

3.4.3.2 OUTCOMES

- 1. More credible and equitable legal and judicial system
- 2. Improved conditions of prisons and detention centres, consistent with the international standards committed to by the Government of The Gambia.
- 3. A generation of security officers with the understanding of their duty to protect human rights.

3.4.3.3 KEY PARTNERS

We will work closely with the Ministry of Interior and the prisons, the police and the leadership of security forces to conduct the audits and review and strengthen training curriculum. We would rely on the political goodwill of the Executive and the National Assembly for the implementation of the recommendations and action plan. For technical and financial support, we will strengthen our partnership and cooperation with the European Union, UN agencies (UNDP, UNOPS, etc.), ECOWAS and our regional network - NANHRI and GANHRI.

Table 6: Strategic objective, strategies and outcomes

Strategic objective 3: To Ensure Improved Compliance from The State on Matters of Human Rights and Access to Justice	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect:
1. Assist in ensuring equitable access to justice	1. More credible and equitable legal and judicial system
2. Ensure that the conditions of inmates in prisons and other detention centres meet the requirements of international standards;	2. Conditions for prisons and detention centres, consistent with the international standards committed to by the Government of The Gambia.
3. Support the security sector training schools to incorporate and promote human rights norms and standards in their curricula.	3. A generation of security officers with the understanding of their duty to protect human rights.

3.4.4 Strategic objective 4: to develop NHRC’s capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality

To mainstream a culture of respect for human rights, the NHRC must become a vital part of the country-level human rights protection system. By raising awareness, providing advice, monitoring and holding authorities to account, it has a central role in navigating the great human rights challenges of our day – tackling both persistent concerns like discrimination and inequality, and novel issues such as the rights implications of artificial intelligence and of the COVID-19 pandemic. NHRC must promote and protect rights nationally, but also ensure links to regional and international human rights protection mechanisms. Strengthening NHRC by developing its capacity is of paramount importance to achieve the ambitious results it has set for itself in this strategy.

3.4.4.1 STRATEGIES

Revise rules and procedures to expedite the complaints handling process:

Accessibility is a key element for the success of NHRC in carrying out its function, since it increases the Commission's credibility as a trustworthy institution. Accessibility has numerous dimensions, but none more important than having clear, logical and transparent rules and procedures to lodge a complaint, and reviewing them with expediency and fairness.

To this end, the Commission intends to expeditiously and vigorously review its rules and procedures and benchmark them with the best practices worldwide. The objective of this review is to eliminate redundant steps and ensure the most efficient handling of complaints.

Strengthen internal organization and the creation of regional offices

Another dimension of accessibility is the physical vicinity of the institution. This presupposes a wide presence in the field. Accordingly, and within its financial capability, the Commission will seek to develop a number of satellite offices within the territory of The Gambia. Additionally, the Commission will work to strengthen its internal organization to clarify mandates and areas of responsibility of each of its department and offices to allow maximum efficiency and transparency in its operations.

Institute a results-oriented performance management culture at the NHRC to guarantee the effective and efficient implementation of its strategic plan.

Effective strategic planning and talent management are essential, but those systems cannot stand on their own, unless NHRC cultivates a work environment that supports and sustains a culture of superior performance that drives success both now and in the future. The performance management system provides a framework for setting objectives, documenting performance standards, and assessing employee results and therefore will enable NHRC management to maintain strong control of its targets and objectives. NHRC is determined over the life of this plan to build a strong performance management culture.

3.4.4.2 OUTCOMES

- 1. A clearer, transparent and accessible complaint process
- 2. A more efficient, responsive and accessible NHRC

3.4.4.3 KEY PARTNERS

For technical and financial support, NHRC will strengthen its partnership and cooperation with the European Union, UN agencies and especially UNDP and our regional network - NANHRI and GANHRI.

Table 7: Strategic objective, strategies and outcomes

Strategic objective 4 : To develop NHRC’s capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect:
1. Revise rules and procedures to expedite the complaints handling process	1. A clearer, transparent and accessible complaint process
2. Strengthen internal organization and the creation of regional offices	2. A more efficient, responsive and accessible NHRC
3. Strengthen internal organization and the creation of regional offices	

3.4.5 Strategic objective 5: enforce human rights within the justice system

The NHRC has the general authority to protect human rights and the specific authority to investigate or monitor any situation of violation of human rights, as well as to consider any questions falling within its competence. It may, in addition, consider “complaints and petitions concerning individual situations”, investigate and make recommendations or decisions on them or refer them to the proper authority for prosecution or adjudication. Additionally, the NHRC can assist the justice system identify and address instances of human rights violation within the Justice system.

3.4.5.1 STRATEGIES

- 5.1 Leveraging government-led initiatives related to the justice system to make sure that systemic violations are identified, acknowledged and addressed. NHRC has the capacity to assist the Judiciary in carrying out its functions on matters of human rights and it intends to do so during the period of strategy.
- 5.2 Using our public inquiry functions strategically to highlight the experience of people (victims and or witnesses) that have come into contact with systemic human rights violation. NHRC intends to use its investigative powers to bring awareness to the situation of systemic abuse of human rights.
- 5.3 Ensure non-discriminatory and lawful practices in policing. NHRC will assist the process of reform by providing the police leadership with assistance in identifying and addressing police practices which would infringe the population’s human rights and provide advice and guidance into how to eradicate such practices.

3.4.5.2 OUTCOMES

- 5.1.1 Strong and transparent human rights accountability systems within the justice system, which ensure that human rights obligations are put into practice.
- 5.1.2 Increased public awareness regarding the plight of people at risk of systemic human rights violations
- 5.3.1 A more credible police force who meets the expectations for equal protection under the law.

3.4.5.3 KEY PARTNERS

We will work closely with the judiciary and the police to conduct the process audits and would rely on the political goodwill of the Executive and the National Assembly for the implementation of the recommendations and action plan. For technical and financial support, we will strengthen our partnership and cooperation with the EU and traditional UN agencies (OHCHR, UNDP, UNOPS) and our regional network - NANHRI and GANHRI.

Table 8: Strategic objective, strategies and outcomes

Strategic objective 5: To enforce human rights within the justice system	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect:
1. Leverage government-led initiatives related to the justice system to make sure that systemic violations are identified, acknowledged and addressed	1. Strong and transparent human rights accountability systems within the justice system
2. Use our public inquiry functions strategically to highlight the experience of people (victims and or witnesses) that have come into contact with systemic human rights violation.	2. Increased public awareness regarding the plight of people at risk of systemic human rights violations
3. Ensure non-discriminatory and lawful practices in policing	3. A more credible police force who meets the expectations for equal protection under the law

3.4.6 Strategic objective 6: to advance human rights by addressing poverty

"Wherever we lift one soul from a life of poverty, we are defending human rights. And whenever we fail in this mission, we are failing human rights."

Kofi Annan former United Nations Secretary-General

Poverty erodes economic and social rights – in particular - the right to health, housing, food and education. Recognition of the connection between civil and political rights and economic, social and cultural rights is reshaping government’s approach to the next cycle of poverty reduction initiatives – linking policies, plans and resource allocation through the successor to the National Development Plan (2018-2021). In addition to access to resources, the human rights dimension to addressing poverty, will also focus on the capabilities, choices, security and power necessary for the enjoyment of a minimum standard of living and other fundamental economic and social rights.

The NHRC will engage the Government through the Ministry of Finance and Economic Affairs and other economic and social sectors, during the design, implementation and evaluation of policies, strategies and programmes within a human rights framework

3.4.6.1 STRATEGIES

- 1. Recognition of the connection between civil and political rights and economic, social and cultural rights
- 2. Explicit protection from discrimination for people who experience poverty and hunger
- 3. Ensure that proposed strategies to address poverty are responsive to human rights

3.4.6.2 OUTCOMES

- 1. Public awareness: bringing to light the reality of people who experience poverty and marginalization and fostering public conversation that explores the link between poverty and systemic discrimination.
- 2. A clearer link between human rights and development
- 3. Recognition of the need to progress as an equitable society.

3.4.6.3 KEY PARTNERS

We will work closely with the Ministry of Finance and Economic Affairs, and other sectors working to reduce inequality and generate prosperity. For technical and financial support, we will strengthen our partnership and cooperation with The World Bank, EU, UNDP) and our regional network - NANHRI and GANHRI.

Table 9: Strategic objective, strategies and outcomes

Strategic objective 6: to advance human rights by addressing poverty	
Strategies : During the 5-year period, the NHRC will	Outcomes: After 5 years, we expect:
1. Support the recognition of the connection between civil and political rights and economic, social and cultural rights	1. Public awareness: bringing to light the reality of people who experience poverty and marginalization and fostering public conversation that explores the link between poverty and systemic discrimination.
2. Ensure the explicit protection from discrimination for people who experience poverty and hunger	2. A clearer link between human rights and development
3. Ensure that proposed strategies to address poverty are responsive to human rights	3. Recognition of the need to progress as an equitable society.

4. Implementation Plan

Introduction

Theory of Change

Corporate Statements

Strategic Objectives,
Strategies and Outcomes



We present the Commission’s five-year strategic plan which will be operationalized through annual rolling budgets, consistently with the Programme-Based Budgeting (PBB) Framework recently adopted by the Government of The Gambia.

The plan describes strategic objectives, program areas, and activities. Figure 15 describes the logic of the document.

Each strategic objective will form a “program area” anchored by the key activities the NHRC intends to implement over the next five years. Forecasts are also made on the funding required to implement these activities thereby contributing towards the NHRC fully achieving its mandate and realising its vision. This chapter therefore, presents realistic estimates of the outputs and the associated costs of these programs and activities. The implementation plan also identifies the time frame for undertaking each of the activities over the five-year period. Each year’s plan will form the basis for the development of the NHRC’s Annual Work Plan and Budgets (AWPB).

What follows below, is the five-year (2021-2025) implementation plan matrix presented by: strategic objective, strategies, activities and outputs.

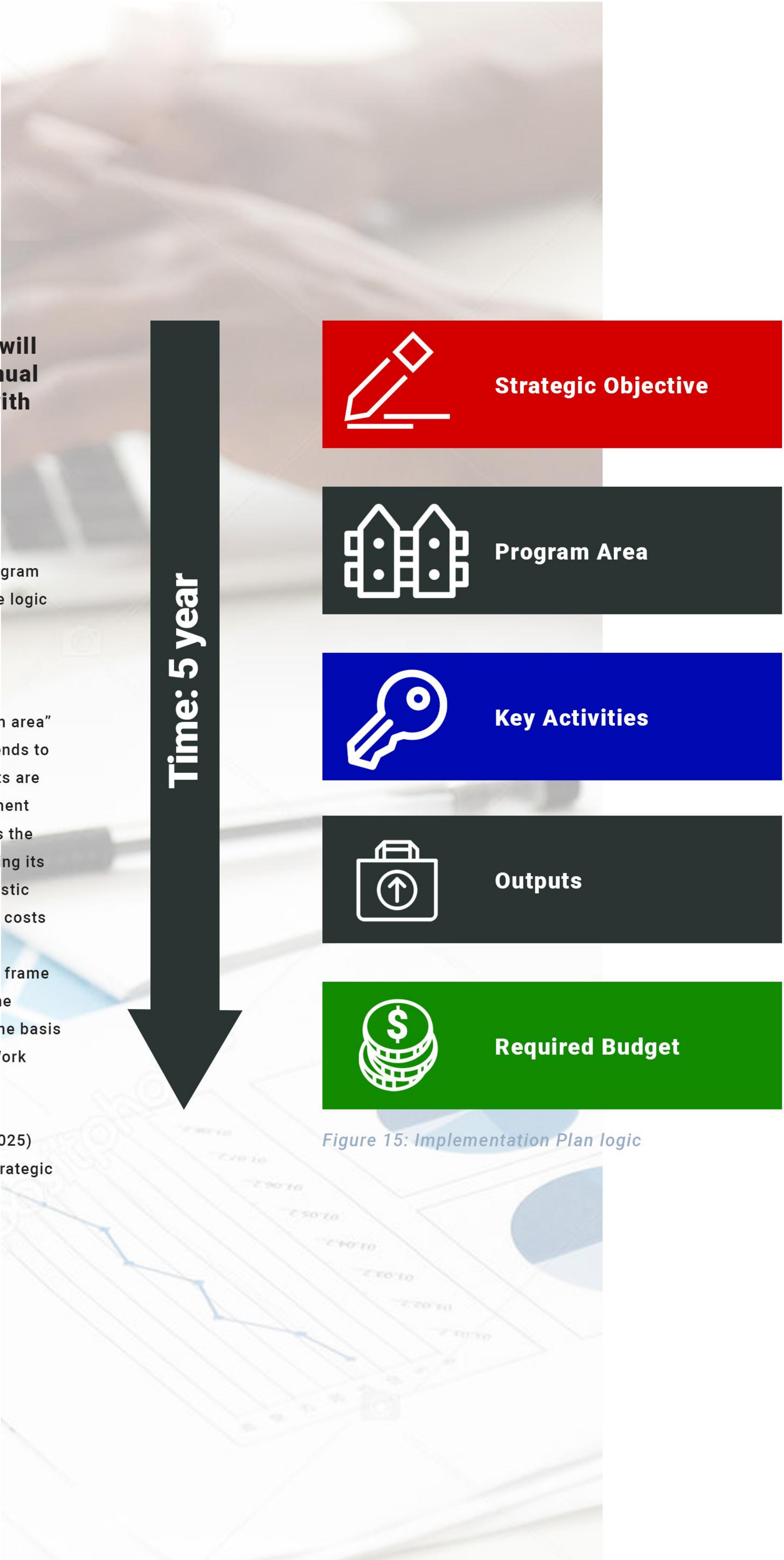


Figure 15: Implementation Plan logic

Table 10: Strategic Objective 1

2021-2025 Strategic Plan - Implementation Plan & Budget									
STRATEGIC OBJECTIVE 1 - To Promote and strengthen a culture of human rights and fundamental freedoms									
Strategies	Key Activities	Output Indicators	Annual Targets					Implementation Responsibility	Budget Estimate (GMD'000)
			2021	2022	2023	2024	2025		
1.1 Integrate human rights principles and standards in informal and formal learning systems	1.1.1 Review Curriculum of basic, secondary, higher education and vocational training to evaluate current state of the curriculum and the entry points for human rights education in the curriculum. Submit recommendations to appropriate ministry and subsequently to cabinet for approval	Number of curricula reviewed	2	0	2	0	2	Director of Programmes and Resource Mobilisation	2,500
	1.1.2 Roll out modules to Basic cycle schools	Number of curricular rolled out to primary schools	0	1	0	0	0	Director of Programmes and Resource Mobilisation	5,000
	1.1.3 Roll out modules to senior secondary schools	Number of curricular rolled out secondary schools	0	1	0	0	0	Director of Programmes and Resource Mobilisation	5,000
	1.1.4 Roll out modules to tertiary and higher education institutions	Number of curricular rolled out tertiary and higher education schools	0	0	0	2	0	Director of Programmes and Resource Mobilisation	5,000
	1.1.5 Conduct impact evaluation for HRs in education	Impact evaluation conducted for HRs in education					1	Director of Programmes and Resource Mobilisation	2,500
	1.1.6 Develop training programs focused on religious leaders	Number of training programs developed for religious leaders			1			Director of Programmes and Resource Mobilisation	2,500
	1.1.7 Develop training program focused on local chiefs in local language	Number of training programs developed for community leaders (Alkalolus and Sefolus)			1			Director of Programmes and Resource Mobilisation	2,500
	1.1.8 Roll out modules in selected madrasas and other religious institutions	Number of modules rolled out in madrasas and other religious institutions	0	0	0	0	0	Director of Programmes and Resource Mobilisation	-
	1.1.9 Develop communication campaign regarding the objectives of the activity	Number of communication campaigns developed	1					Director Communications and Media	1500
	1.1.10 Roll out communication campaign	Number of communication campaign rolled out		1	1	1	1	Director Communications and Media	2000
1.2 Engage in human rights accountability, audit and advocacy platforms and campaigns	1.2.1 Conduct consultative meetings/fora with the National Assembly (standing Committee) & other relevant stakeholders	Number of consultative meetings/ fora organised	2	2	2	2	2	Chairperson	2,000
	1.2.2 Operationalise the outreach strategy to enhance the capacity of the communication department in coordinating the NHRC's outreach and advocacy activities	Annual action plan developed for outreach activities	1	1	1	1	1	Director Communications and Media	5,000
	1.2.3 Establish MoUs with key Institutions (Ombudsman, NALA, GBA, Labour Department, ADRS, FLAG, Department of Social Welfare, other CSOs etc.) for better coordination and management of referral	Number of MoUs signed for coordination and referral of cases	4	4	4	4	4	Director of Programmes and Resource Mobilisation	500
	1.2.4 Provide training for established institutions on human rights monitoring, reporting and advocacy	Number of institutions trained on human rights monitoring, reporting and advocacy	10	10	10	10	10	Director of Programmes and Resource Mobilisation	10,000
	1.2.5 Develop and submit proposal to partners to support the NHRC in monitoring the 2021 general elections	Numbers of proposals submitted to partners for support in monitoring the 2021 elections	1					Director of Programmes and Resource Mobilisation	2,000
	1.2.6 Organize training on Human Rights, Democracy and the Rule of Law (with focus on the HR Based approach in elections process) for various actors in the 2021 elections	Number of actors trained on HR-based approach in election monitoring	60	30				Director of Programmes and Resource Mobilisation	2,000
	1.2.7 Engage with various actors including the IEC, political parties, CSOs, media, etc. to commit to upholding human rights and promote violent free elections	Number of consultations/promotional campaigns for violent free elections	30	30				Director of Programmes and Resource Mobilisation	4,000
	1.2.8 Deploy NHRC teams to monitor and report on voter registration, campaign, and pooling as well as post-election activities IRO general elections (presidential, parliamentary and local government)	Number of NHRC teams deployed for election monitoring	22	22				Director of Programmes and Resource Mobilisation	4,000
	1.2.9 Conduct working sessions with the National Assembly & MOJ to discuss timely ratification, amendments and reforms to be compliant with international treaties	Number of working sessions with the NA and the MoJ IRO international HR treaties	1	1	1	1	1	Chairperson	2,000

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	1.2.11 Monitoring and write reports on the implementation of the UPR recommendations and other concluding observations	Number of monitoring reports submitted	2	2	2	2	2	Director Legal and Investigations	200
1.3 Encourage the inclusion of respect for human rights as a condition of employment for public servants, members of the police and armed forces and in labour contracts	1.3.1 Review conditions of employment and labour contracts and suggest modifications to ensure respect for human rights	Number of reviews conducted	2	2	2	2	2	Director of Programmes and Resource Mobilisation	2,500
	1.3.2 Discussion with civil society and representatives of public employees	Number of discussion fora organised	1	1	1	1	1	Director of Programmes and Resource Mobilisation	1,000
	1.3.3 Conduct human rights induction training for public service employees	Number of human rights induction training provided	1	1	1	1	1	Director of Programmes and Resource Mobilisation	2,500
1.4 Inform the population about their human rights and obligations	1.4.1 Develop business relations and sign MOU with relevant stakeholders (e.g. partner with National Council for Civic Education, traditional communicators, etc.) to intensify outreach activities	Number of MoUs signed for outreach activities						Director Communications and Media	1,000
	1.4.2 Establish a specialised Directorate for Human Rights education and training	HR training and education directorate established						Executive Secretary	0
	1.4.3 Establish a resource and documentation centre	Resource and documentation centre established and equipped			1			Executive Secretary	10,000
	1.4.4 Conduct a comprehensive national capacity needs assessment & develop a capacity building plan for raising awareness and promoting human rights in The Gambia	Capacity building plan developed	1					Director of Programmes and Resource Mobilisation	15,000
	1.4.5 Build the capacity of all relevant stakeholders on Human Rights	Number of stakeholders trained on human rights	1	1	1	1	1	Director of Programmes and Resource Mobilisation	
	1.4.6 Conduct sensitization campaigns, radio/TV programs, booklets, posters, leaflets, policy briefs, newsletters, bill-boards, as well as translate materials in vernaculars (see activity 1.2.2)	Number of sensitisation campaigns conducted						Director of Programmes and Resource Mobilisation	7500
	1.4.7 Conduct training for religious leaders and CSOs on harmful traditional practices, rights of women and children, etc.	Number of trainings on harmful traditional practices, rights of women and children conducted for religious leaders	6	6	6	6	6	Director of Programmes and Resource Mobilisation	7500
									109,200

Table 11: Strategic Objective 2

2021-2025 Strategic Plan - Implementation Plan & Budget									
STRATEGIC OBJECTIVE 2 - To enable people whose rights have been violated to have access to appropriate redress									
Strategies	Main Activities	Output Indicators	Annual Targets					Implementation Responsibility	Indicative Cost (GMD'000)
			2021	2022	2023	2024	2025		
2.1 Systematically identify avenues and channels with which human rights violations occur in The Gambia	2.1.1 Review the framework for receipt and investigation of alleged human rights abuses and benchmark with international best practices	The framework reviewed	1		1		1	Director Legal and Investigations	1,000
	2.1.2 Investigate alleged human rights violations	Number of complaints investigated	85	100	150	200	300	Director Legal and Investigations	10,000
	2.1.3 Make policy recommendations to Government, National Assembly, LGA and private entities on how to better combat human rights abuses	Number of policy briefs	4	3	2	2	2	Director Legal and Investigations	1,500
	2.1.4 Conduct periodic Human Rights audits in selected institutions, including police, armed forces, prison services, social protection agencies and other public sector agencies	Number of HR audits conducted	1	1	1	1	1	Director Legal and Investigations	15,000
	2.1.5 Draw up action plan and monitor the implementation of the recommendations of the human rights audits.	Number of recommendations implemented	N/A	N/A	N/A	N/A	N/A	Director Legal and Investigations	1,000
	2.1.6 Report findings to Cabinet, Parliament and publish for public consumption	Number of recommendations "published"						Director Legal and Investigations	1,500
2.2 Enforce human rights and reduce systemic violations by seeking accountability in the justice system	2.2.1 Conduct a comprehensive audit of justice system, including courts, prisons, etc. Focus on process from investigation to adjudication to imprisonment	Number of audits	1	0	0	0	1	Director Legal and Investigations	8,000
	2.2.2 Draw up action plan and monitor the implementation of the recommendations of the audits.	Number of recommendations implemented	N/A	N/A	N/A	N/A	N/A	Director Legal and Investigations	1,000
	2.2.3 Report findings to Cabinet, Parliament publish for citizen consumption	Number of findings "published"							1,500
									40,500

Table 12: Strategic Objective

2021-2025 Strategic Plan - Implementation Plan & Budget									
STRATEGIC OBJECTIVE 3 - To ensure improved compliance from the State on matters of human rights and access to justice									
Strategies	Main Activities	Output Indicators	Annual Targets					Implementation Responsibility	Indicative Cost (GMD'000)
			2021	2022	2023	2024	2025		
3.1 Assist in ensuring equitable access to justice	3.1.1 Review modalities (laws, policies, guidelines, etc.) for the provision of legal aid services	Modalities reviewed	1	0	0	0	1	Director Legal and Investigations	2,500
	3.1.2 Engage the Judiciary to provide adequate and speedy trial for detainees	Number of consultations with the judiciary	2	2	2	2	2	Director Legal and Investigations	5,000
	3.1.3 Organize legal aid clinics on human rights laws	Number of legal aid clinics organised	1	1	1	1	1	Director Legal and Investigations	5,000
	3.1.4 Engage the Gambia Bar Association and Human Rights CSOs to advocate for speedy access to Justice.	Number of consultations with the GBA & CSOs	1	1	1	1	1	Director Legal and Investigations	1,000
3.2 Ensure that the conditions of inmates in prisons and other detention centres meet the requirements of international standards	3.2.1 Conduct monitoring visits to establish the conditions in prisons and detention facilities across the country and make recommendations	Number of monitoring visits	1	1	1	1	1	Director Legal and Investigations	3,000
	3.2.2 Assist in the implementation of the recommendations (including the provision of technical assistance) and monitor progress	number of recommendations implemented	1	1	1	1	1	Director Legal and Investigations	3,000
	3.2.3 Benchmark with other countries in the sub region and worldwide	Number of benchmarking reports	1	0	0	1	0	Director Legal and Investigations	500
3.3 Support the security sector training schools to incorporate and promote human rights norms and standards in their curricula.	3.3.1 Review the curricula and assist in the development of training modules on Human Rights for security sector training schools	Number of curricula developed	1	0	0	1	0	Director Legal and Investigations	5,000
	3.3.2 Develop in-service training modules focused on security services	Number of in-service training modules developed	1	0	0	1	0	Director Legal and Investigations	2,000
	3.3.3 Monitor progress and report to the Security Chiefs, Cabinet and Parliament	Number of monitoring reports submitted	0	0	1	1	1	Director Legal and Investigations	1,000
									24,000

Table 13: Strategic Objective 4

2021-2025 Strategic Plan - Implementation Plan & Budget									
STRATEGIC OBJECTIVE 4 - To develop NHRC's capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality									
Strategies	Key Activities	Output Indicators	Annual Targets					Implementation Responsibility	Indicative Cost (GMD'000)
			2021	2022	2023	2024	2025		
4.1 Revise rules and procedures to expedite the complaints handling process	4.1.1 Develop a computerized (digital) case management system.	A digital case management system developed	1	0	0	0	1	Director Legal and Investigations	1,000
	4.1.2 Establish service standards	Service standards established	1	0	0	0	1	Director Legal and Investigations	1,000
4.2 Strengthen the NHRC Commission & Secretariat's operation and enhance access to services	4.2.1 Develop the annual report and submit with recommendations to the National Assembly, and share it with Cabinet and the public	Annual report published	1	1	1	1	1	Executive Secretary	1,000
		Annual report gazetted	1	1	1	1	1	Chairperson	
	4.2.2 Submit request (in compliance with the Paris Principles) for accreditation and defend the submission in Geneva	Accreditation request submitted	1	0	0	0	1	Chairperson	1,000
	4.2.3 Conduct study visits to benchmark with sister NHRIs	Number of study tour reports	1	1	1	1	1	Chairperson	2,500
	4.2.4 Construct and equip regional offices including rent for HQ	Number of regional offices constructed and equipped	2	0	2	0	2	Executive Secretary	35,000
	4.2.5 Digitalise access to the services of the Commission	Digital infrastructure developed	1	0	0	0	1	Executive Secretary	2,500
	4.2.6 Sign MOUs with other independent HR organisations (NGOs, CSOs, etc) to decentralise NHRC's core services	Number of MOUs signed for representation in the regions	2	2	2	2	2	Director Legal and Investigations	1,000
	4.2.7 Develop & update a succession plan for the Secretariat	Succession plan developed and updated	1	0	1	0	1	HR Directorate	1,000
	4.2.8 Procure office equipment and vehicles for the proper functioning of the NHRC	Office equipment & vehicles provided for the Commission & Secretariat	N/A	N/A	N/A	N/A	N/A	Finance Director	15,000
	4.2.9 Commissioners and Staff salaries and allowances (including gratuity for Commissioners)	Salaries and Allowances paid	N/A	N/A	N/A	N/A	N/A	Finance Director	14,000
4.3 Institute a results-oriented performance management culture at the NHRC to guarantee the effective and efficient implementation of its strategic plan	4.3.1 Implement a performance management system (staff appraisals, etc) at the NHRC	Performance Management System (PMS) implemented	1	1	1	1	1	HR Directorate	5,000
	4.3.2 Support the Directorates to develop or revise Annual Work Plans consistent with the Strategic Plan	Annual Work Plans developed and updated	1	1	1	1	1	Executive Secretary	3,750
	4.3.3 Develop an M&E system, tools and capacities for the effective monitoring of the Strategic Plan activities	M&E system developed and functional	1	1	1	1	1	Executive Secretary	5,000
	4.3.4 Develop a Business Continuity Plan (BCP) to address unforeseen emergencies	BCP developed	1	0	0	0	1	Executive Secretary	1,000
	4.3.5 Prepare monthly, quarterly and annual monitoring reports (technical and financial)	Monitoring reports published	4	4	4	4	4	Executive Secretary	2,000
	4.3.6 Carry out annual external audits	External audit report published	1	1	1	1	1	Executive Secretary	5,000
4.4 Enhance resource mobilisation through the effective implementation of the resource mobilisation plan	4.4.1 Organise a donors' roundtable for the financing of the NHRC Strategic Plan (2021-2025)	Donor roundtable organised	1	0	1	0	1	Chairperson	2,500
	4.4.2 Develop and submit concept notes and proposals to support the implementation of the NHRC priority programs and activities highlighted in the (2021-2025) Strategic Plan	Concept notes & proposals developed	10	0	5	0	5	Executive Secretary	1,250
	4.4.3 Conduct bilateral talks with key national and international stakeholders	Bilateral talks conducted	15	10	5	3	10	Chairperson	2,500
	4.4.4 Pursue alternative sources of finances	Number of alternative sources of funding secured	5	10	15	15	15	Chairperson	1,000
	4.4.5 Outreach to Diaspora	Number Diaspora forums organised	1	1	1	1	1	Chairperson	2,500

4.5 Motivate staff through capacity building and other welfare schemes	4.5.1 Develop a comprehensive security policy for the protection of Commissioners, Staff and witnesses	Security policy developed	1	0	0	0	1	Chairperson	2,500
	4.5.2 Implement a medical insurance scheme (for Commissioners and Staff) Fire and Burglary & Vehcles	Medical insurance scheme in place	1	1	1	1	1	HR Directorate	10,000
	4.5.3 Conduct training needs assessment for both the Commission and the Secretariat	Annual training needs assessment conducted	1	1	1	1	1	HR Directorate	1,000
	4.5.4 Conduct training (leadership & change management, RBM, resource mobilisation, project management, strategic communication, monitoring and evaluation, legal, & other technical areas) for Commissioners and Staff	Number of Commissioners and Staff trained	15	20	25	30	35	HR Directorate	10,000
									130,000

Table 14: Strategic Objective 5

2021-2025 Strategic Plan - Implementation Plan & Budget									
Strategic Objective 5 - Enforce human rights within the justice system									
Strategies	Key Activities	Output Indicators	Annual Targets					Implementation Responsibility	Indicative Cost (GMD'000)
			2021	2022	2023	2024	2025		
5.1 Leveraging government-led initiatives related to the justice system to make sure that systemic violations are identified, acknowledged and addressed.	5.1.1 Conduct review of the 2017 (Amended) NHRC Act (with a view to addressing identified gaps)	The NHRC Act reviewed	1	0	0	0	1	Director Legal and Investigations	1,000
	5.1.2 Develop a system and tools that would track the progress in the implementation of the TRRC recommendations	A tracking system developed for the TRRC recommendations	1	0	0	1	0		2,000
	5.1.3 Engage with the relevant institutions on the implementation of the TRRC recommendations	Number of consultations conducted	4	4	4	4	4	Director Legal and Investigations	1,000
	5.1.4 Submit periodic updates to the National Assembly on the implementation of the TRRC recommendations	Number of updates	4	4	4	4	4	Director Legal and Investigations	1,000
5.2 Using our public inquiry functions strategically to highlight the experience of people (victims and or witnesses) that have come into contact with systemic human rights violation.	5.2.1 Identify serious cases of systemic human rights violations (police, prison, gender based violence etc) and enforce recommendations	Number of public inquiries conducted	1	1	1	1	1	Director Legal and Investigations	1,250
	5.2.2 Study long-term impact of HR abuses on individuals and communities & make recommendations	Number of studies	0	1	1	1	1	Director Legal and Investigations	4,000
5.3 Ensure non-discriminatory and lawful practices in policing	5.3.1 Conduct an audit of the police force and their policing practices and training & identify shortcomings (reference to SO2, activity 2.2.2)		1	0	1	0	1	Director Legal and Investigations	1,000
	5.3.2 Assist the police in developing an action plan & mitigating measures	Action plan developed	1	1	0	0	1	Director Legal and Investigations	1,000
	5.3.3 Assess implementation and report to Government and the NA		0	1	1	1	1		800
									13,050

Table 15: Strategic Objective 6

2021-2025 Strategic Plan - Implementation Plan & Budget									
Strategic Objective 6 - Advance human rights by addressing poverty									
Strategies	Key Activities	Output Indicators	Annual Targets					Implementation Responsibility	Budget Estimate (GMD'000)
			2021	2022	2023	2024	2025		
6.1 Recognition of the linkages between civil and political rights and economic, social and cultural rights	6.1.1 Conduct public consultations and fora to sensitize on GOTG's commitments for a National Action Plan (NAP) on the United Nations Guiding Principles (UNGPs) on Business and Human Rights (BHRs)	Number of public consultations and fora conducted	2	1	1	1	1	Director, Programmes and Resource Mobilisation	2,000
	6.1.2 Develop and submit concept notes and proposals for support towards developing the National Action Plan (NAP) for the implementation of the United Nations Guiding Principles (UNGPs) on Business and Human Rights (BHRs)	Number of concept notes and proposals submitted and accepted	5	10	12	15	17	Director, Programmes and Resource Mobilisation	2,500
	6.1.3 Develop a NAP for the period 2022-2025	NAP 2022-2025 developed	0	1	0	0	1	Director, Programmes and Resource Mobilisation	5,000
	6.1.4 Roll out implementation plan for MDAs (Ministries, Departments and Agencies)	Number of MDAs implementing the plans	0	2	3	3	2	Director, Programmes and Resource Mobilisation	4,000
6.2 Explicit protection from discrimination for people who experience poverty and hunger	6.2.1 Develop a framework for the prior review of policies and programs focused on alleviating poverty and have it submitted for approval by Government	Framework approved	1				1	Director, Programmes and Resource Mobilisation	2,000
	6.2.2 Provide training for NHRC staff to carry out Ex-Ante HR review of policies and program	Number of training sessions on the framework	1	1	1	1	1	Director, Programmes and Resource Mobilisation	2,000
	6.2.3 Carry out Ex-Ante Review of policy and programs	Number of reviews carried out			1	1	1	Director, Programmes and Resource Mobilisation	2,500
	6.2.4 Monitor results and prepare a yearly report on the HR dimension of pro-poor policies and programs	Number of reports published			1	1	1	Director, Programmes and Resource Mobilisation	1,500
	6.2.5 Develop a framework for Human Rights policy review at the LGA level	framework developed for LGAs					1	Director, Programmes and Resource Mobilisation	1,500
6.3 Ensure that proposed strategies to address poverty are responsive to human rights	6.3.1 Conduct training on Human Rights-Based Budgeting (HRBB) for Government and the National Assembly	Number of trainings conducted	1	1	1	1	1	Director, Programmes and Resource Mobilisation	2,500
	6.3.2 Engage with the National Assembly and follow-up on the review of the draft budget to ensure it reflects a HRBB approach	Number of reports submitted to the National Assembly	1	1	1	1	1	Chairperson	1,000
	6.3.3 Carry out Value for Money (Ex-Poste) review	VFM report published					1	Director, Programmes and Resource Mobilisation	1,500
									28,000

5. Resource Mobilisation Plan



5.1. Goal

The goal of the National Human Rights Commission’s resource mobilization plan for 2021-2025 is to ensure the availability of adequate, predictable and flexible funding to deliver our strategic plan’s desired outcomes. The plan focuses on ensuring a diversified and coherent resource-base for the longer term which enables the Commission to carry out their activities with efficiency and independence from undue influence.

5.1.1 Financial Projections

Our target is to raise GMD 396 million (equivalent to US\$7.9 million) over the next five years to implement our strategic plan. The table below shows the 5-year annual projections for each strategic objective (program and activities).

Table 16: Financial Projections

Strategic objective		Indicative budget ‘000	
N°	Name	GMD	US\$
1	To Promote and strengthen a culture of human rights and fundamental freedoms	109,200	2,184
2	To enable people whose rights have been violated to have access to appropriate redress	40,500	790
3	To ensure improved compliance from the State on matters of human rights and access to justice	24,000	480
4	To develop NHRC’s capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality	130,000	2,200
5	To enforce human rights within the justice system	13 050	261
6	To advance human rights by addressing poverty	28,000	520
Total		344,750	6,895
15% contingency (inflation, etc.)		51,172	1,034
Grand Total		396,462	7,929

5.1.2 Current Sources of Revenue

International experience suggests that in mobilizing resources the Commission should focus not just on ensuring that an appropriate level of funding is obtained, but that this funding comes from diverse sources, in order to guarantee that the Commission can carry out its activities independently.

Consistent with its statute, the NHRC may receive funding from multiple sources. The current revenue make-up is as follows:

- **National budget:** The Gambia Government contributes to the NHRC’S budget. These contributions amounted to GMD 36m in the year 2020. It is expected that this funding will grow by 15% annually over a period of five years.
- **Development Partners:** The Statute of the Commission allows for Development Partners contributions to the NHRC through programs and activities either directly managed by the Commission, or alternatively with components of programs developed in other sectors. In 2020, Development partners have contributed GMD8.3m to directly to the Budget of the Commission.

The plan is aimed at mobilising resources that contribute to the core mandate of The National Human Rights Commission.

5.1.3 Objective of the resource mobilization plan

The plan will look at innovative ways of attracting new types of partners and investments in fostering Human Rights in The Gambia. It will adopt innovative methods to leverage funds in a transparent and constructive way, by adopting ethical fund-raising practices. To do so, the Commission will leverage multiple assets and platforms, including using social media and influencers to raise financial, political and popular support for the NHRC and its mission.

5.2. Current Situation

The Commission is aiming to receive funding from multiple partners. While it is difficult to predict the actual makeup, it is seeking to get a healthy balance of funding. Figure 5.2 illustrates the desired makeup of the funding

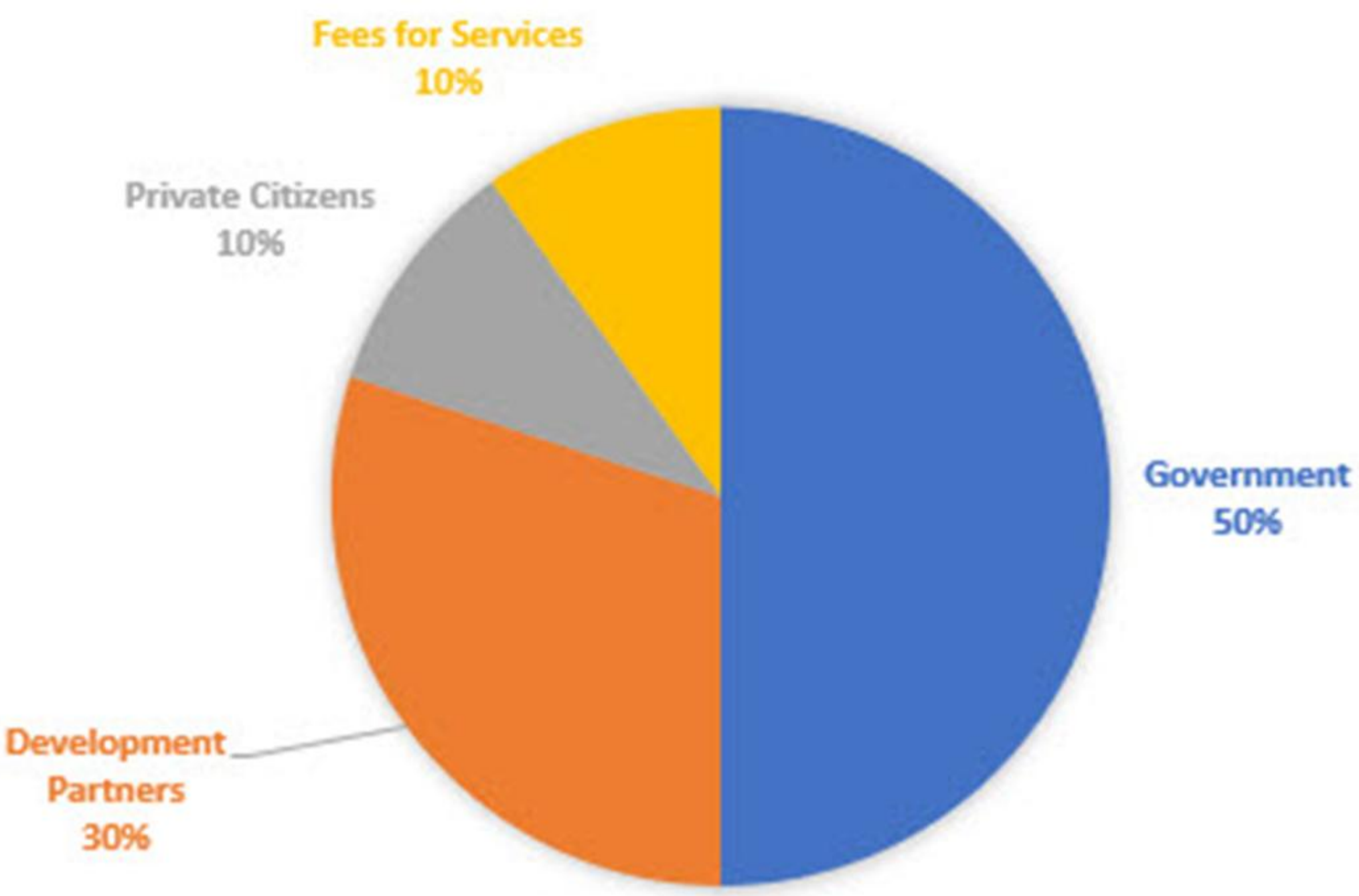
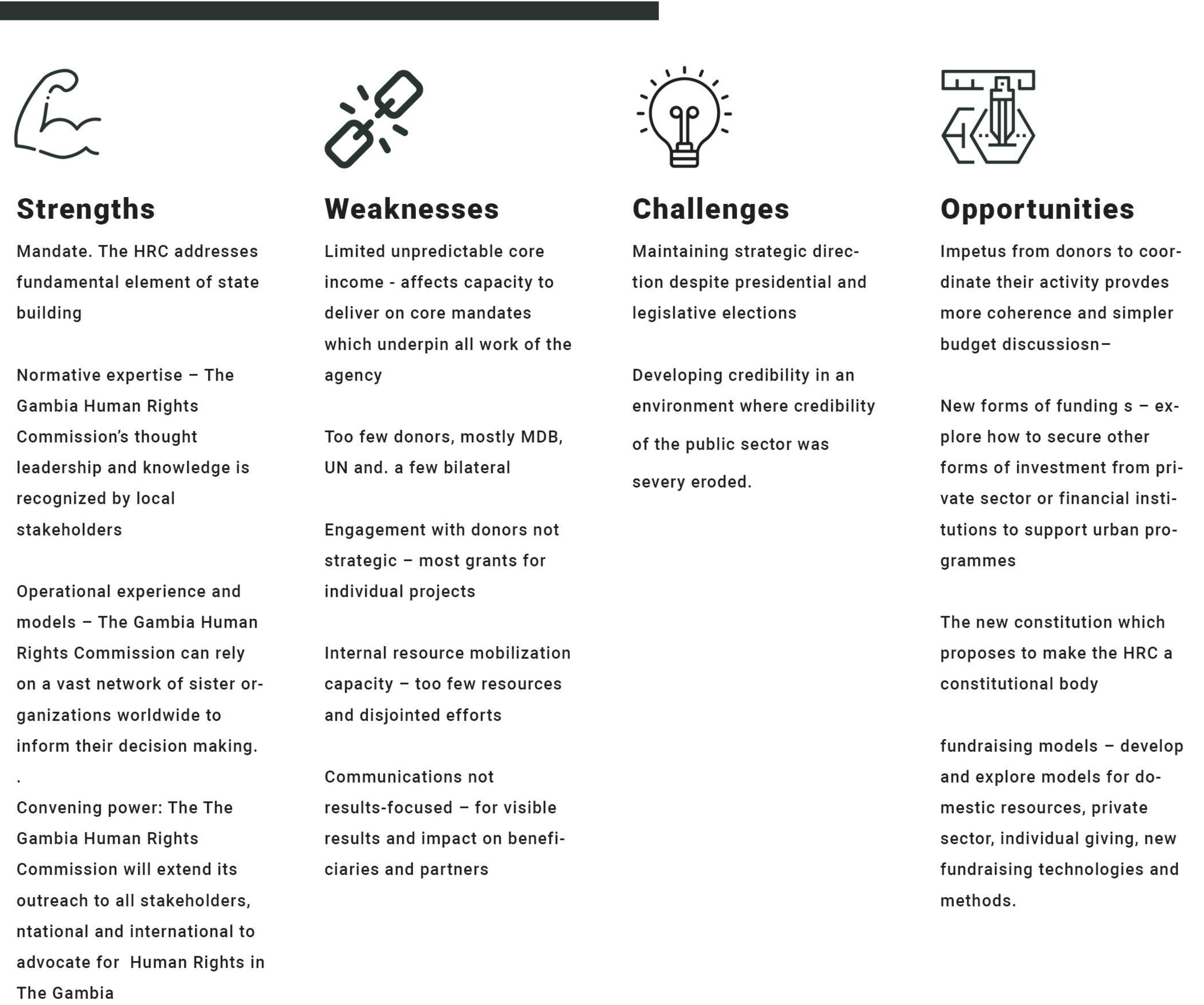


Figure 16: Figure 2: Desired Allocation of Funds

To retain existing donors and gain new partnerships, The NHRC will focus on demonstrating value for money through more efficient processes, greater accountability and increased transparency by providing timely reports on the use of funds with evidence of outcomes and impact. Its revenues and expenses will be audited by an external auditor and its findings will be published in the Commission’s Annual reports. This is also in line with the Public Financial Management reforms undertaken by The Gambia Government.

The plan is informed by significant background work. Over the past months, the NHRC team has worked to identify key elements of this Plan. This process culminated into a series of stakeholder workshops which enabled the NHRC to produce its first ever strategic plan.

During the strategic retreat, the NHRC leadership carried out a careful assessment of strengths, weaknesses, challenges and opportunities, the result of which are described in figure 5.1



5.2.1 Potential Sources of Funding

Table 17 below provides a list of partners with demonstrable potential interest in the work of the NHRC.

Table 17: Potential Sources of Funding

Source	Strategic Interest	Existing Programs
INTERNAL		
1. Government of The Gambia	<ul style="list-style-type: none"> Increasing credibility and legitimacy in the aftermath of the Jammeh regime. Strengthening justice system. Reducing inequality in access to basic services including justice 	
2. Private Sector	<ul style="list-style-type: none"> Strengthening the capacity of the justice system, reducing the burden of HR cases on courts Improving business environment 	
3. Private Citizen	<ul style="list-style-type: none"> Improved access to Justice Governance 	
4. Diaspora	<ul style="list-style-type: none"> Addressing past injustices Paving the way for return Improving business environment 	
DEVELOPMENT PARTNERS		
5. Global Alliance for National Human Rights Institutions (GANHRI); Network of African National Human Rights Institutions (NANHRI)	<ul style="list-style-type: none"> Improved network coverage Enriching international network and HR reach 	
6. Bilateral partners contributing to democracy, justice, security peace and development	<ul style="list-style-type: none"> Democratic Governance Stabilization Reduced outward migration Pave the way for return migration 	
7. UN Peacebuilding Fund	<ul style="list-style-type: none"> Strengthened peace and Security 	
8. UNDP	<ul style="list-style-type: none"> Improved development Outcomes Meeting SDG targets Improved democratic governance 	
9. European Union	<ul style="list-style-type: none"> Justice Reform Security Sector and Police Reforms 	
10. The World Bank	Governance reforms	
11. The Islamic Development Bank	Governance reform	
12. The African Union	Governance reforms	
13. Philanthropic Organizations	Governance reforms	

Based on the resource requirements of the strategic plan 2021-2025, The National Human Rights Commission needs to raise 60% more income in the next five years than its current allocation.

5.3. Main Strategic Actions

This section proposes key strategic actions to secure adequate and predictable funding to implement the strategic plan.

5.3.1 Structured Funding Dialogues

The National Human Rights Commission proposes to include structured funding dialogues to keep partners informed of performance in securing funds to implement the strategic plan. A major aim of the dialogues is to increase the level and improve the predictability and timeliness of funding. The dialogues will discuss the status of income and expenditure (targets versus actuals) to implement the strategic plan and the results delivered under each strategic objective. Funding dialogues will be held with individual partners.

5.3.2 The Identification of dedicated resource Mobilization Focal Points.

Resource mobilization is the responsibility of all Commissioners and Staff of the NHRC. The Commission will therefore invest in training and tools to be better equipped in carrying out resource mobilization responsibilities. Improved management of relations with development partners is also emphasized, including through better communication of results and impact, giving partners due recognition for their inputs, and the use of the latest and most effective communication channels to reach the target audience. To enable development partners to report back to their stakeholders, measures are needed to improve compliance with reporting obligations so that the NHRC consistently provides quality and timely reports on the use of resources and on outcomes delivered. This will enhance transparency, accountability, coordination and donor retention.

Individuals in the Programs and Resource Mobilization Directorate need to be identified to follow the actions that are expected from individual partners as well as ensuring ongoing dialogue. Improving the knowledge of the partner can lead to improved influence in the budget allocation process. Dedicated individuals are also needed to engage with non-traditional donors such as the private sector, philanthropic organizations, the diaspora, or using innovative revenue generating platforms to generate initiatives for individual voluntary donations on the part of the public at large.

5.3.3 Joint delivery

The NHRC is a horizontal organization which operates across virtually all sectors. The plan calls for the NHRC to carry out its functions based on principles of cooperation and subsidiarity, which means that implementation of certain activities would fall under the jurisdiction of other agencies. NHRC and implementing agencies will work together to minimize the financial requirements of the Commission and strengthen the efficiency of the existing systems.

5.3.4 Fees for service

While the NHRC is not expected to charge for services to the public, it should explore the possibility of charging (like a think tank) for research, education, training and advisory services carried out on behalf of stakeholders.

5.3.5 Crowd Sourcing and small donor program

Additional involvement of individual contributors will be developed using available platforms and outreach events. The contributions of individual donors will be capped, to ensure that any one individual can only contribute a very limited amount. All individual donations will be made public as well as the list of benefactors.

5.3.6 Communicating Impact

The National Human Rights Commission will need to effectively communicate the results and impact of its work. To respond to this, the new strategic plan has developed a results framework to ensure that all activities are focused on delivering the outcomes of the plan. These results will be systematically communicated to partners and the wider public through stories and testimonials from partners and end beneficiaries. The stories will show that the NHRC is contributing to improved governance in The Gambia, will give visibility to donors and partners who have financed the NHRC activities, and show transparent and efficient use of resources for accountability.

5.4. Detailed Implementation Plan

Table 18: Implementation Plan

Activity	Target Partners	Responsibility	Deadline ³⁸
1. Organise a donors roundtable to share the strategic plan (programme and activities) with all development partners – invite government (MOJ, MOFA, MOFEA) and National Assembly	All development partners present in The Gambia and Senegal	Chairperson Director, PRM	Jan 2021
2. Prepare report on the donors conference and develop an annual action plan	N/A	Director, PRM	
3. Organise follow-up one to one (bilateral) consultations with development partners	All potential partners who have expressed strong interest in NHRC’s activities	Chairperson Director, PRM	31/03/2021
4. Policy on Revenue-Generating Activities , to provide overall direction and guidance to NHRC in the pursuit of revenue-generating activities. The policy also outlines NHRC objectives, principles, governance and main activities, as well as the financial requirements and responsibilities of the Secretariat.	GANHRI UNDP UN Peacebuilding Fund	Director, PRM	31/03/2021
5. Development of RM operational guidelines , tools and templates consistent with best practice			
6. Quarterly update of mapping of donors in The Gambia and in the sub-region and development of a small donor platform	NHRC operating budget - GOTG		
7. Develop concept notes (business case) and proposals for key activities identified in the strategic plan			
8. Development of FM system		Executive Secretary	
9. Develop in-service training for staff of Commission on use of different platforms			
10. Organise quarterly donor roundtables/consultations In The Gambia, in Senegal, and during regional meetings/conferences	All donors captured in the database	Chairperson PRM Director	Once every quarter
11. Participation in stakeholders meetings – attend World Bank, IsDB and AfDB Annual General Meetings – Accompany the Minister of Finance and Economic Affairs	All donors captured in the database	Chairperson PRM Director	Attend each AGM
12. Quarterly RM report – prepare quarterly update on RM and present during donor roundtables		PRM Director	Every quarter
13. Organise Annual Diaspora Conference (focused on resource mobilisation) on Human Rights situational analysis (present annual report) and report on funding HR in The Gambia		Chairperson PRM Director	December each year
14. Access to the National Assembly – Quarterly consultation with the National Assembly (Standing Committee Human Rights and Constitutional Matters) – present quarterly RM monitoring report			Once every quarter

6. Implementation Arrangements



Background

The National Human Rights Commission works to eliminate discrimination and intolerance, to strengthen inter-group relationships, and foster greater understanding, inclusion, and justice for those who live, work, study, worship, travel, and play in the Republic of The Gambia. In doing so, the Commission is guided by the principles embodied in the United Nations Universal Declaration of Human Rights.

Since its inception, the Commission has taken an active role in promoting dialogue about human rights and in shaping public policies and government practices concerning human rights. As a result of this strategic planning process, the Commission has defined its strategy, focus, and direction over the next five years, building on a foundation of participation to capitalize on the Commission's strengths, opportunities, and aspirations.

Implementation Pillars

As we have seen in preceding chapters, our strategy is organized around four primary pillars:

- *Discovery Pillar* — The process of discovery is composed of the collective efforts to identify and assess human rights issues in The Gambia. Discovery uses the tools of formal assessment: aggregating and synthesizing existing data, monitoring the community landscape, and convening communities to gather information about human rights issues. The NHRC, in partnership with the community and other government institutions, will prioritize and act on the findings of this discovery strategy to strengthen human rights in The Gambia.
- *Visibility Pillar* — Visibility focuses on coordinating efforts and activities that promote and communicate an understanding of human rights issues in The Gambia and the role, activities, and accomplishments of the NHRC. Visibility is a coordinated and systematic approach to using principles of marketing, communications, social media, and public relations with the goal of promoting human rights and the Human Rights Commission Visibility also includes using personal and organizational networks and partnership development to leverage the collective voice for human rights in The Gambia.
- *Education Pillar* — Education includes all Human Rights Commission activities that create deeper understanding of human rights issues in The Gambia and that endeavour to effect change in community and public institutional norms. Education is a proactive and priority-driven approach to building and changing the knowledge, attitudes, programs, and policies of the community related to specific human rights issues.
- *Advocacy Pillar* — Advocacy as a strategic focus for the NHRC has the clear purpose of creating systems change. Advocacy represents collective actions to identify political and policy solutions to address human rights issues. Advocacy, whether initiated from within the Commission or driven by the community, will become increasingly more important as a measure of the effectiveness and strength of the Commission.

Implementation Principles

The Commission is an institution of the State. While it takes the lead in providing strategic direction to the nation on matters of human rights, it is not the only actor. Human rights is everyone's right and everyone's obligation. Accordingly, the NHRC will work to implement its objectives in line with the key principles of:

- **Accountability:** The Human Rights Commission has a commitment to acting with a high degree of accountability and transparency. The NHRC will be accountable for achieving the results it sets out in this strategy, and will work with the community, other stakeholders in the public and private sector and ensure that all take on responsibilities they are capable of carrying out and deliver what is expected by our people. To this end, the Commission will provide: (1) routine communications to the community; (2) semi annual public briefings targetting community leaders, media, elected officials; and (3) annual reports to the National Assembly.

- **Complementarity:** The commission will seek to complement the work of the executive as opposed to competing against it. Accordingly, the NHRC will work to clearly delineate spheres of responsibility in the institutional space it shares with other stakeholders.
- **Subsidiarity:** In areas where the NHRC is sharing responsibilities with other stakeholders, whether public or private, it will be take over where the function of the others has ended.

Implementation Arrangements

As a result of the above principles, the NHRC's implementation philosophy can be described as suggested in Figure 17 below:

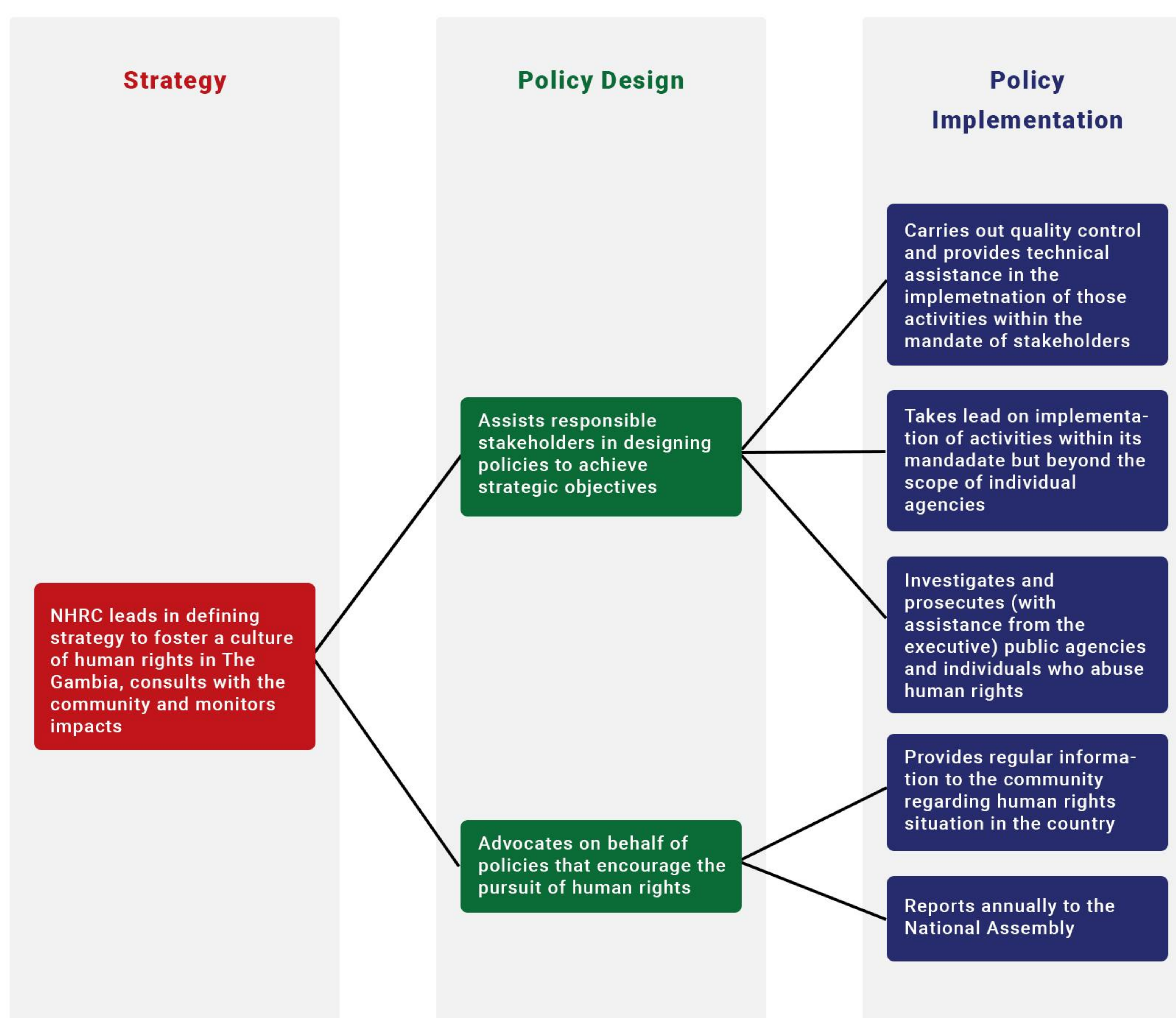


Figure 18: Implementation Philosophy

Optimal Organizational Structure for Implementation

As part of this strategic planning process, the NHRC examined best practices of other NHRIs in search of organizational and practice improvements. International experience suggests that the effectiveness of the Commission is based on its ability to respond rapidly to emergent events and to create a flexible structure that adapts to a rapidly changing environment. To strengthen its capacity to respond to the challenges that lie ahead, the NHRC is proposing to create a Monitoring and Evaluation Unit under the Programs and Resource Mobilization Directorate and Directorate of Research to focus on fostering research on human rights in The Gambia and the sub-region. Accordingly, the organizational structure would be as follows:

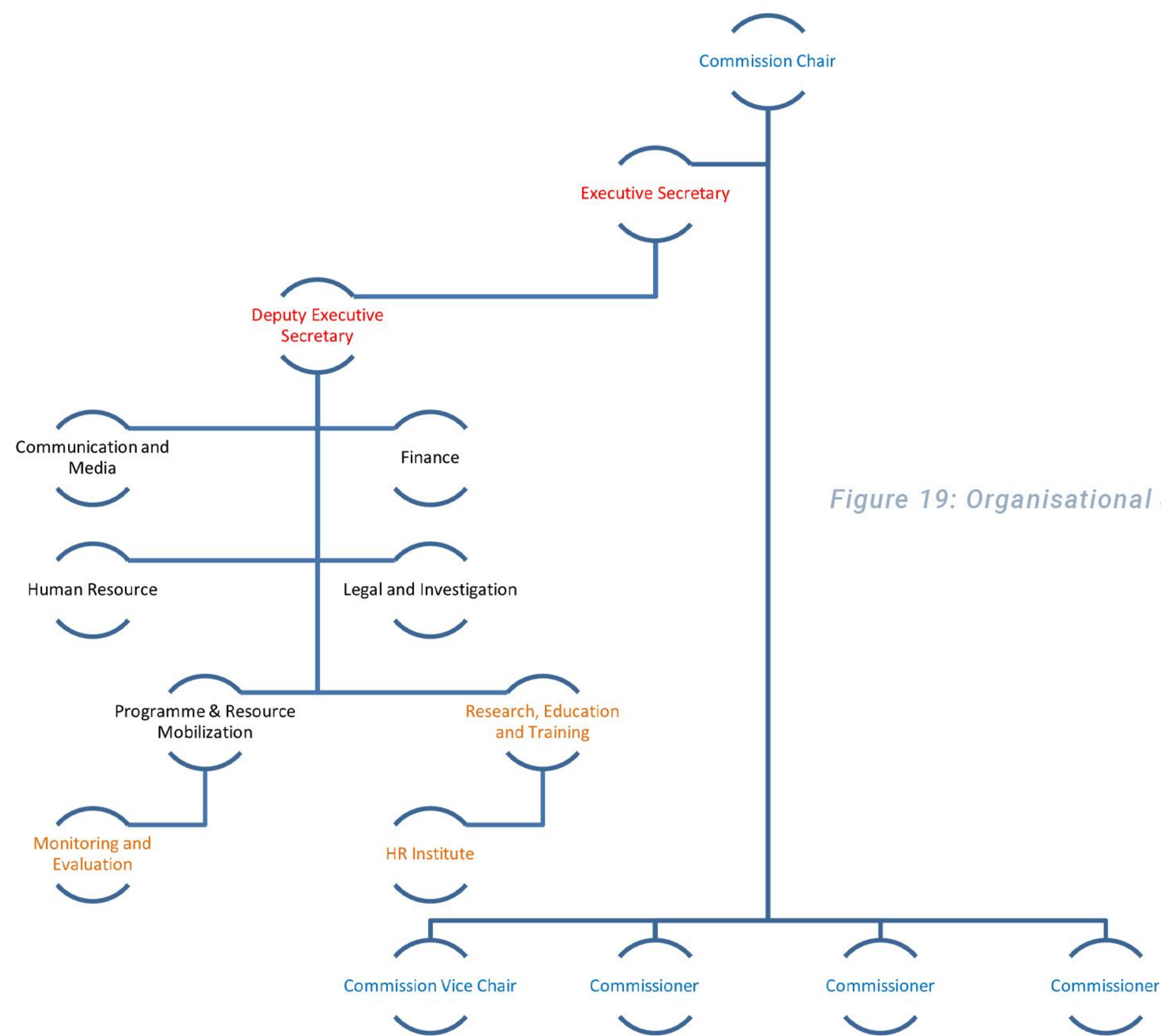


Figure 19: Organisational Structure for Implementation

To operationalise the strategic plan, the NHRC would follow the framework described in Figure 20 below

Figure 20: Framework to Operationalise the Plan



The matrix below identifies the main actions we will take across the NHRC to ensure the strategic plan is integrated into our work.

Table 19: Main Actions for Plan Integration

Action	Outcome	Responsibility
The strategic plan includes a 5 year implementation plan to guide the NHRC's activities	<ul style="list-style-type: none"> Detailed activities and work plans are available at the beginning of each year. The works plans identify priorities, activities and targets for the year. All activities are directly linked to the strategies, outcomes and indicators in the Strategic Plan. 	All Directorates coordinated by the ES and validated by the Commission
Work plans are developed to advance our strategic objectives and outcomes	<ul style="list-style-type: none"> Activities are agreed by the Commission on an annual basis following a planning and review process that identifies the activities that best advance the objectives of our Strategic Plan. Each directorate draws on their monitoring and evaluation to identify how the coming year's activities can deliver the main outcomes identified in the strategic plan. 	All staff, led by Directors and the ES
Performance management scheme integrates the strategic plan	<ul style="list-style-type: none"> All staff have a performance agreement and targets that indicate their role in carrying out activities. These activities are aligned with the strategic objectives and outcomes 	Commissioners ES, Directors All staff are responsible for meeting performance targets
Monitoring and evaluation framework ensures evaluations are congruent with the strategic plan	<ul style="list-style-type: none"> All activities incorporate a monitoring and evaluation component designed to assess impact against our strategic objectives. The NHRC documents progress towards achieving its strategic objectives. 	ES, M&E unit All staff have responsibility for conducting relevant monitoring and evaluation activities
Learning and development framework supports capacity of staff to implement the strategic plan	<ul style="list-style-type: none"> Learning and development framework identifies staff capacity building needed to achieve strategic objectives. Framework includes opportunities to learn from internal and external expertise. Staff participate in training and feedback reflects strong professional and personal value. 	Commissioners and ES All staff to participate in delivery of and attendance in learning opportunities

7. Monitoring and Evaluation

7.1. Results Measurement Framework (RMF)

The table 20 below (7.1), presents the RMF. Under section 7.2, we describe the monitoring and evaluation arrangement for the 5-year strategic plan.

Table x: NHRC Results Measurement Framework for the 5-year Strategic Plan		
STRATEGIC OBJECTIVE	OUTCOMES	INDICATORS
SO1: To Promote and Deepen a Culture of Human Rights and Fundamental Freedoms among the Public	Human rights are a regular part of youth education, including in the curriculum	100% of basic, secondary, tertiary and higher education (all xx grades) include Human Rights as part of their curriculum.
	Human rights competence is identified as an essential requirement and measure of competence for education professionals	Recruitment (teachers, lecturers, etc) includes evaluation on knowledge of Human Rights and responsibilities for their protection
		Continuing education modules (CPD) developed for teachers in the school system
	Children, youth, caregivers and educators feel empowered and able to stand up for human rights without fear of reprisal	Standing up for human rights part of contractual requirements for people in those professions (included in code of ethics) Protections included in contractual agreements and modes of complaints and redress in case of harm
	Professionals who take part in The Gambia’s education system show greater understanding of human rights and responsibilities	Understanding of Human Rights and responsibilities included as an element of teacher performance evaluation
	Discrimination is unacceptable	Respect of Human Rights and Obligations as a condition of employment for all civil servants and part of the “civil service exam” for new entrants
	Develop advocacy platforms and campaigns	10 Advocacy platforms relevant to the situation in The Gambia established using various media
	Enhanced Public Knowledge of Human Rights and Obligations	(%) Increased positive coverage of human rights issues in mainstream media and on the web.
Strategic Objective 2: To enable people whose rights have been violated to have access to appropriate redress	A clearer and more precise mapping of challenges and dysfunctions in the Gambian Society	Yearly HR assessment is conducted in conjunction with civil society and submitted to Parliament ahead of budget discussions
	A clearer map of institutions responsible for the protection of human rights	Mapping of Institutions is completed and specific HR terms of reference developed for each of the institutions
	An accountable government and institutions on matters of human rights	At least ONE accountability audit prepared yearly and findings published
	Confidence in institutions as a result of a more systematic respect of human rights.	Public Satisfaction survey show marked improvement in appreciation of the justice system by population and stakeholders
Strategic Objective 3: To ensure improved compliance of the State on matters of Human Rights and Access to Justice	The Government of The Gambia is compliant with its international obligations on matters of protection of Human Rights	75% compliant by 2025
		% of NHRC recommendations are reflected in Parliament (including through committee inquiry reports), court judgments and in public debate.
	More credible and equitable legal and judicial institutions	Increase in the number of cases heard and adjudicated.
		Reduced cost of litigation
		Reduced time of legal proceeding

Strategic Objective 4: To develop NHRC’s capacity to be a credible, trustworthy and knowledgeable “agent” to advance human rights and equality	Complaints process is expedited	NHRC complaint service achieves results relating to timeliness, effectiveness and service user satisfaction.
		Complaint process is expedited by 10% every year
	Commission's internal organization is strengthened	Organizational structure consistent with good international practice is approved
		100% of technical positions filled through competitive process
		(%) NHRC Commissioners and staff feel valued and are supported with professional development and job satisfaction.
		NHRC secures and maintains accreditation as an ‘A status’ NHR, in accordance with the Paris Principles relating to the Status of national human rights institutions (UN Res: 48/134).
	Commission is present across the country	At least three regional offices are opened
		Adaptations for remote accessibility to commission have been defined and implemented in all Local Government Authorities
Strategic Objective 5: Enforce Human Rights within the Justice System	More humane conditions of imprisonment across the territory	Occupancy rate is reduced by 12% yearly.
		GMD/inmate is budgeted and spent increases by 10% yearly
	Increased prosecution of HR violations by the state and individuals on the part of the Commission	Number of cases treated increases by 15% per year
		Time of review and investigation reduced by 10% per year
		Referral of cases by the Commission to Ministry of Justice is increased and acted upon 100% of the time
	A more credible police force who meets expectations for equal protection under the law	Number of complaints regarding human rights violations by police reduced by 5% every year
		Number of prosecutions for HR violations overturned on the basis of procedural flaws is decreased by 5% per year
	Human Rights competence is identified as an essential requirement and measure for people who work in the justice system	HR Competence an element of bar examination as well as training and employment contracts for all who work in the justice system
Strategic Objective 6: To advance Human Rights by Addressing poverty	Increased awareness of the reality of people who live in poverty and marginalization	At least two public awareness campaigns and publications regarding the topic
	Ensure that proposed strategies to address poverty are responsive to human rights	Develop an HR toolkit for the drafting and implementation of poverty-related policies

7.2. M&E Arrangements

A structured and coherent monitoring and evaluation framework, combined with a robust 5 year implementation plan and strong monitoring capacities, are critical for the efficient and effective monitoring of the results expected in the NHRC 2021-2025 Strategic Plan. The NHRC intends to implement a results-based management culture. It is committed to strengthening the Monitoring and Evaluation system by creating a dedicated unit under the programmes and results mobilization directorate.

The results-based performance measurement framework (PMF) is the logic model that describes the NHRC's strategic objectives, key activities, expected results of those activities, as well as the underlying assumptions used to justify its actions. The proposed framework builds on the conclusions of the SWOT workshops as well as on the discussions during the development of the 2021-2025 Strategic Plan. The following key performance indicators (KPIs) have been identified:

In terms of outcomes, by 2025:

- 100% of basic, secondary, tertiary and higher education (all xx grades) include Human Rights as part of their curriculum.
- 10 Advocacy platforms relevant to the situation in The Gambia established using various media
- (%) Increased positive coverage of human rights issues in mainstream media and on the web.
- Public Satisfaction survey show marked improvement in appreciation of the justice system by population and stakeholders
- Complaint process is expedited by 10% every year
- % of NHRC recommendations are reflected in Parliament (including through committee inquiry reports), court judgments and in public debate.
- (%) NHRC Commissioners and staff feel valued and are supported with professional development and job satisfaction.
- NHRC secures and maintains accreditation as an 'A status' NHR, in accordance with the Paris Principles relating to the Status of national human rights institutions (UN Res: 48/134).
- Prisons occupancy rate is reduced by 12% yearly.
- Number of prosecutions for HR violations overturned on the basis of procedural flaws is decreased by 10%
- At least two public awareness campaigns and publications regarding HRBAP

In terms of outputs:

- Number of training/education curricula reviewed
- Number of curricular rolled out to schools (Basic, Secondary, Tertiary, Higher)
- Number of training modules rolled out in madrasas and other religious institutions
- Annual action plan developed for outreach activities
- Number of institutions trained on human rights monitoring, reporting and advocacy
- Number of stakeholders trained on human rights
- Number of Human Rights audits conducted
- Number of legal aid clinics organised
- Number of in-service training modules developed

In addition to the above KPIs, other indicators (outputs and outcomes) were defined for the full coverage of NHRC activities. To achieve these results, the HRC, through the coordination of the M&E unit, will need to :

- Collect data during the implementation of activities.
- Create a database, to be centrally managed and permanently updated.
- Analyse the performance of the NHRC (benchmarking) against other NHRIs and other regional centres of excellence.
- Strengthen the leadership of the NHRC (Commissioners and Staff) and the M&E unit on results-based impact analysis.

The M&E framework will inform stakeholders through the NHRC's website and other platforms. **Quarterly activity reports and an annual performance reports** will be shared with key stakeholders – Government, National Assembly, Development Partners, NGOs and CSOs working in human rights in The Gambia, etc. Timely and regular financial monitoring report, is one of the priority management tools identified within the context of good governance and institutional strengthening. The NHRC management will continue to work with the relevant directorates/units to produce timely, accurate and informative financial and technical monitoring reports.

Evaluation is an objective and systematic appreciation of an ongoing or finished project, program, policy or strategy in terms of its design, implementation and results. The NHRC will conduct evaluations to analyze the relevance of the 5-year strategic plan and its contribution to overall, efficiency, effectiveness, impact and sustainability of the human rights interventions in The Gambia. The evaluations must provide credible and useful information making it possible to integrate lessons learned from experience into the decision-making process of beneficiaries and donors. The NHRC strategic plan will be evaluated based on the theory of change.

A midterm review of the Strategic Plan will be undertaken in mid-2023 to jointly review achievements over the first three years against expected outcomes. It will facilitate review of strategies and outcomes (KPIs) for evidence-based policy and decision-making. **A final evaluation will be conducted in early 2025** to feed into the next cycle of strategic planning.

NHRC 2021-2025

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