



**RHP58/154/01(IJ-07)**

## **NHRC STATEMENT**

**COMMEMORATING THE DAY OF THE AFRICAN CHILD: A Gambia fit for Children.**

**16 JUNE 2021.**

In 1991 the Organisation of African Unity, now the African Union, set aside June 16th as the Day of the African Child to commemorate the 1971 Soweto Student Uprising and encourage Governments and peoples to reflect on the conditions of children in Africa and map out strategies to build an Africa fit for children.

The theme for this year's commemoration is "30 years after the adoption of the Charter: accelerate implementation of Agenda 2040 for an Africa fit for children". It is an urgent call for Governments to accelerate its efforts in the realization of the rights of children stipulated in the African Charter on the Rights and Welfare of the Child, a regional legal instrument which the Gambia ratified since 2000. Agenda 2040 which advocates an 'Africa fit for children' can only be achieved when the rights of children, the most vulnerable members of society, are respected, protected and fulfilled.

While The Gambia has taken enviable strides to improve the welfare of children through the enactment of legislation and development of child-friendly policies, child health and general child wellbeing, many gaps and challenges remain in child protection, child survival and development, and enjoyment of the rights stipulated in the Children's Act 2005 and other ratified regional and international child rights instruments. Infant mortality, maternal mortality and morbidity, lack of education amongst girls, child abuse and sexual exploitation, including rape and sodomy, sexual harassment, child trafficking, harmful social and cultural practices such as, FGM and child marriage, child begging, child labour and physical abuse remain some of the conditions that continue to blight the lives of Gambian children. The laws that protect children against abuse, violence and exploitation, primarily the Children's Act 2005, Women's Act 2010, Tourism Offences Act 2003 and the Trafficking in Persons Act 2007, are not adequately enforced or implemented. The NHRC is confident that the Government and stakeholders can do better and more for our children.

With emphasis on the latter part of the 2021 theme ‘an Africa fit for children’, the NHRC calls on the Government, as the primary duty bearer, as well as, development partners, civil society, parents and all other stakeholders to reflect on what this means for children in The Gambia in the context of child rights protection and fulfilment for the country we want to hand on to our children. On the occasion of the Day of the African Child, and in line with the theme, NHRC strongly encourages the State to implement the following recommendations:

1. Accelerate efforts to combat maternal mortality and morbidity, and infant mortality, and ensure pregnant mothers have access to the best attainable standard of medical care across the country.
2. Improve the quality of education, especially in the rural areas and effectively enforce Section 30 of the 1997 Constitution regarding free, compulsory and available basic education, as well as provide adequate incentives for teachers.
3. Improve the birth registration rate which currently stands at 57.9 percent for children under the age of 5 years (MICS 2018).
4. Fast-track full enforcement and implementation of the laws banning FGM and child marriage as part of the State’s obligation to fulfil the fundamental human rights of children.
5. Prosecute all alleged perpetrators of rape, sexual harassment and sexual abuse in order to end impunity and build confidence in the justice system for victims and their families who may be reluctant to report such cases.
6. Effectively enforce the Trafficking in Persons Act 2007 and adequately enhance the financial and technical capacity of the National Agency Against Trafficking in Persons (NAATIP).
7. Provide adequate support to the Children’s Courts and the various Government Ministries, Departments and Agencies to ensure a more child-sensitive criminal justice system.
8. Accelerate the enactment of the Persons with Disabilities Bill 2020 and ensure its effective enforcement and implementation.

These recommendations, when implemented will contribute significantly to achieving Agenda 2040 which is guided by 10 Aspirations that each Government in Africa should aim to achieve for its children by 2040. A Gambia fit for children is a Gambia where children are protected by law and where the State ensures that communities where they live respect these laws.