

Transitional Justice & Human Rights Project

Start/End Date: May 2017/June 2021

Total Budget: \$5,074,000

Description: This Project supports the Government, National Assembly and CSOs to implement credible transitional justice and human rights mechanisms and processes that promote reconciliation and sustainable peace in The Gambia. In this regard, the Project provides dedicated support to the Truth, Reconciliation and Reparations Commission (TRRC), the National Human Rights Commission (NHRC) and victims of past human rights violations and abuses.

SDGs Impacted: Goal 16 

Outcomes/Key Results to Date:



1. **The project supported the development of a National Strategy Document on Transitional Justice (TJ) along with a Resource Mobilization Plan.**

- The Strategy Document clearly spells out the vision, the values, the objectives as well as the Gambian approach to transitional justice. It also highlights key characteristics of the Gambian Model and the interlinkages between various transitional justice mechanisms. The Strategy has contributed to shape the country's TJ model and inspired decision-makers particularly the Ministry of Justice and the Truth, Reconciliation and Reparations Commission. As a result, the Government has increased its resource mobilization efforts and donated in October 2019 a sum of USD 1 million to the Victims Reparation Trust Fund while the TRRC has opted for a strategy to resource mobilize domestically and from the Gambian Diaspora. The Diaspora engagement that took place August-September 2019 with support from the project

has yielded around USD 1 million from the Gambian Diaspora in the US and some European countries.

2. **Government institutions and the Gambian population with adequate capacities and knowledge and are participating in the implementation of transitional justice processes.**

The Project was instrumental in shaping The Gambia Transitional Justice model by:

- funding nationwide consultations and national dialogues through multi-stakeholder conferences and seminars, experience-sharing workshops and study tours;
- providing expert advice and inputs into the draft Bills establishing the TRRC and the NHRC in Dec. 2017 as well as ongoing advice and input into the work of the TRRC, the NHRC and CSOs.

3. **The TRRC operationalized and effectively fulfils its mandate.**

- Procurement by the project and installation of office furniture and equipment, including exhumation and advanced communication equipment, valued at over US\$430,000
- With funding from the project, deployment for two years of 25 highly skilled national consultants, contributing to a fully functioning institution; Of note, the TRRC is composed of 11 Commissioners while its Executive Secretariat includes a Legal Department and 6 technical units.
- The Project has provided (and continues to provide) swift and specialized technical assistance to TRRC, including:
- Input and advice on internal policies and working documents, including (Interim) Rules of Procedures, Reparations Regulations, Workplans, Code of Conduct etc.
- Intensive training course for Commissioners on managing a truth commission
- Experience-sharing and trainings on gender mainstreaming
- Technical workshops on statement-taking, research and investigations.

4. **As a result of the consistent, broad and catalytic support provided by the Project, the TRRC has achieved international recognition for ground-breaking**

achievements in the history of truth commissions. The level of collaboration between the TRRC and perpetrators many of whom voluntarily came forward to confess atrocities they committed or were involved in, is unheard of in the history of Truth Commissions, as well as the level of public interest generated by the public hearings.



- In one year- 920 statements received, 10 public hearings held, 129 witnesses heard, 31 public confessions to crimes, including serious crimes. The TRRC also heard cases of Sexual and Gender-Based Violence related violations and crimes. Although most people were shocked by the revelation of atrocities in general, there were some segments of society who tried to cast doubt of the SGBV victims' testimonies, derided them and even publicly threatened some of them, and thus deterring many more victims to come forward. To which the TRRC and many actors responded firmly.
- The project supported national ownership of TJ processes and the sense of increased accountability by sponsoring TRRC and CSOs' nationwide community outreach activities, targeting all sections of population, including diaspora with direct target pool of more than 34,629 persons.

5. The Project was instrumental in encouraging the general mobilization and involvement of Gambian civil society organizations, particularly victims' associations, media professions, women and youth groups who now fully participate in transitional justice processes.

The Project has significantly strengthened CSOs capacities to fully participate in transitional justice and human rights processes and mechanisms:

- Provision of grants to 2 victims' associations
- Responsible Party agreements upheld with 6 dynamic CSOs
- 28 media bodies and 44 CSOs trained on transitional justice and reporting on truth commissions (including women and child rights organizations, organizations for persons living with disabilities, victims' associations and youth and children organizations)

- 66 religious and traditional leaders from all regions sensitized on their role in reconciliation initiatives, 27 of whom were women community leaders
- Facilitation of engagement between TRRC and 119 youth leaders, 54 of whom were women, at youth forums

6. Human rights institutional frameworks and the capacity of non-governmental organizations are strengthened

Bearing in mind The Gambian context, where 22 years of dictatorship led to the non-existence of functioning human rights institutional frameworks, the Project has in addition to supporting the establishment of the NHRC:

- Provided and office space and procured essential furniture and equipment for the Commissioners and NHRC's core staff
- Increased NHRC capacities through 2 study tours abroad, facilitating attendance of 3 international treaty review mechanisms and meetings and organized 6 training workshops. The exposure, understanding gained and lessons learnt from these training sessions and meetings, added to the input and advice received from the Project staff enabled the NHRC to:
- Become operational in a very short period of time. The NHRC was able to develop its internal policies and working documents (work plan, complaints Procedure, etc.), as well as written submissions on the Universal Periodic Review of The Gambia in April 2019 and a shadow report on the Convention on the Elimination of All Forms of **Discrimination against Women (CEDAW)**. The Commission has already conducted a series of training sessions
- With support from the Project, the NHRC conducted training for Law Enforcement Officers and 6 community outreach activities that reached 486 persons nationwide.

Other institutions soon to be supported are the National Assembly Standing Committee on Human Rights, as well as the to-be established National Mechanism for Reporting and Follow-Up.

Total Funding Gap: US\$500,000 (to assist the TRRC in the proper investigation of enforced disappearances and other cases, as well as ensure that a proper chain of custody of evidence is maintained for prosecutions, including proper exhumation processes and DNA analysis). *If the TRRC were to conclude its work without being able to investigate thoroughly and bring to closure these cases, the disappointment of victims' families and society at large can potentially ignite further social tensions as they continue to vindicate their rights to know the truth and their right to justice.*

Line Ministry: Ministry of Justice

For more information on how to engage or to share ideas, contact Mariam Njai at: mariam.njai@undp.org / Tel: (+220) 3303180

United Nations Development Programme
One United Nations Plaza, New York, NY 10017
Tel: (212) 906 5000
www.undp.org