

## ADVANCE QUESTIONS TO GAMBIA- ADD.1

### ARGENTINA

- La Argentina asigna una especial importancia a la necesidad de que los responsables de violaciones a los derechos humanos sean juzgados por tribunales competentes de sus países. Al respecto, la Argentina desea preguntar sobre las medidas que se implementan para asegurar la independencia del proceso judicial a fin de hacer frente a los casos de uso excesivo de la fuerza y las ejecuciones extrajudiciales cometidas por las fuerzas de seguridad.
- Habida cuenta de la adopción del plan de acción nacional sobre la trata de personas, la Argentina desea preguntar en qué consiste este programa en líneas generales y qué impacto han tenido hasta el presente.
- Distintos Relatores Especiales instaron a las autoridades de Gambia a adoptar todas las medidas necesarias para garantizar la protección de los defensores de derechos humanos frente a toda violencia, represalia o discriminación. Al respecto, la Argentina desearía preguntar si se han tomado las medidas al respecto y cuáles fueron sus efectos. Caso contrario, preguntar si existe en la posibilidad de adoptar dichas medidas en un futuro próximo.
- De la información suministrada por el Consejo de Derechos Humanos surge que el país ha tomado iniciativas de promoción de los derechos humanos, en particular de los derechos de la mujer como parte de Política Nacional para la mujer. Al respecto, la Argentina desea preguntar qué medidas se han adoptado y cuáles fueron los resultados obtenidos.

*[Informal translation provided by Argentina]*

- Argentina attaches particular importance to the prosecution by courts of those responsible for human rights violations. In this regard, Argentina would like to ask what measures were implemented in order to ensure the independence of the judicial process to deal with cases of excessive use of force and extrajudicial killings committed by security forces.
- Given the adoption of a national action plan on trafficking in persons, Argentina wishes to request more information about this program in general and which impact it has had so far.
- Different Special Rapporteurs urged the Gambian authorities to take all necessary measures to ensure the protection of human rights defenders against any violence, retaliation or discrimination. In this regard, Argentina would like to ask which measures have been taken and what has been the implementation.
- According to the information provided by the Human Rights Council, it appears that Gambia has taken initiatives to promote human rights, particularly

women's rights as part of National Policy for Women. In this regard, Argentina would like to ask what steps have been taken in that direction and which are the results.

## **CZECH REPUBLIC**

- Has the Government of Gambia considered issuing a standing invitation to the Human Rights Council Special Procedures? Regarding several pending requests for visits of human rights special procedures, does the Government consider inviting these representatives and in which timeframe?
- Does the government consider acceding to the Convention against Torture and other Cruel, Inhuman or degrading treatment or Punishment and the Optional Protocol thereto?
  - How is currently ensured protection against torture, investigation of any allegations of torture and punishment of its perpetrators? Do victims of torture have any tools available to search rehabilitation, compensation etc?
  - How is ensured protection of individuals against unlawful arrest or detention?
  - How is monitored compliance of conditions in detention and prisons with international standards?
- What measures has Gambia adopted or is preparing to fight discrimination and violence against women.
  - Does Gambia consider banning by law of FGM and punishing its perpetrators? Does Gambia have any awareness raising programmes on harmfulness of FGM?
  - What measures is Gambia adopting against incidence of early or forced marriages?
  - What measure is Gambia adopting to fight effectively sex tourism?
- How is ensured protection of the rights of the child, in particular with regard to juvenile justice, does the Government consider eliminating corporal punishment as a penal sanction from its criminal law?
- How does Gambia ensure implementation on national level of guarantees of freedom of the media as stipulated in the ICCPR? Does Gambia consider reviewing its legislation in this regard?
- How is in practice ensured respect of right to privacy and non-discrimination of persons of minority sexual orientation or gender identity as universally guaranteed by ICCPR? Does the government consider revision of relevant legislation in this regard?

## GERMANY

- Reports by the NGOs Amnesty International, the Media Foundation for West Africa, International PEN, International Publishers Association, Index of Censorship and the Trade Union Congress have informed about the killing of the prominent journalist Deydra Hydara and the inaction of the government to investigate in this matter. Amnesty International has further reported that politicians of the opposition as well as public supporters may be at risk of enforced disappearance (para. 10f of the OHCHR stakeholders summary A/HRC/WG.6/7/GMB/3 referencing AI, p. 4f ; MFWA, p. 4 ; IP/IPA/IoC, p. 2). The German delegation is interested in how the Government of Gambia is dealing with these concerns and what measures are being implemented to assure the freedom of expression that is connected to the issue?
- The Human Rights Committee was concerned by the limitations on the right to freedom of assembly and the limitations on oppositional journalist voices (para. 38f of the OHCHR compilation A/HRC/WG.6/7/GMB/2 referencing CCPR/CO/75/GMB, paras. 19 to 22). How does the Government of Gambia address the concern addressed to it by The Human Rights Committee?

## NORWAY

- How has the Government of the Gambia included representatives of civil society in the reporting process and how do you intend to include these actors in the process of follow-up to UPR recommendations?
- What steps is the Government taking to improve its cooperation with the UN Human Rights system, including by submitting overdue reports to the UN Treaty Bodies and enter into a dialogue with the system of special procedures?
- What steps is the Government taking to improve security for human rights defenders and to ensure that crimes and violations against human rights defenders and journalists are effectively investigated and prosecuted, and that those responsible are punished?
- What steps is the Government taking to combat violence based on sexual orientation and gender identity?
- Will the Gambian government take steps to outlaw the practice of Female Genital Mutilation?

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