



STATEMENT

BY
H.E. BADARA JOOF

VICE PRESIDENT OF THE REPUBLIC OF THE GAMBIA
ON THE OCCASION OF THE 73rd SESSION OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS

BANJUL
21 OCTOBER 2022

My Lord the Chief, Justice Hassan B Jallow

Your Excellency Dr. Monique Nsanzabaganwa, Deputy Chairperson of the African Union Commission;

Your Excellency, Hon. Mudford Zachariah Mwandenga Chairperson of the ACHPR

Your Excellencies, Commissioners of the ACHPR

Your Excellencies Members of the Diplomatic and Consular Corps

Honourable Ministers

Members of the National Assembly

Members of the National Human Rights Institutions

Chairperson of the NGO forum

Delegates from the African continent and beyond

Distinguished Ladies and Gentlemen

I must foremost extend my fraternal greetings and heartfelt welcome to the Chairperson and Commissioners and to all delegates for gracing this occasion. I was made to understand that the last time the Commission and its delegates met was three years ago. Welcome to Banjul and to the home of the African Commission.

Notwithstanding the pandemic, the Commission has been performing its function and has been meeting all in an attempt to resolve serious issues confronting the Continent. I must use this

unique opportunity to commend the ACHPR for the work it has been doing in the interest of creating a better Africa for us all.

You will recall that the Government established the Truth, Reconciliation and Reparations Commission (TRRC) through an Act of the National Assembly to investigate and create an impartial record of the human rights abuses committed from 1994 – 2017 in order to deliver justice, accountability, promote healing and reconciliation to all persons affected during this period. The TRRC has delivered on its mandate and provided a report to the President on the 25th November, 2021.

The entire report was made public one month after its presentation to the President who directed that work on the white paper be commenced through a very consultative and inclusive process. On the 25th day of May, 2022 the government released its white paper on the report of the TRRC. The white paper represents the government's position on the recommendations of the TRRC. The white paper is unprecedented in the history of truth commission given the reality that out of the 265 recommendations made, the government accepted all rejecting only two.

We are confident that as a government we now have a clear roadmap towards reconciliation, justice reparations, and ensuring non reoccurrence. The implementation of the white paper will see the introduction of broad based reforms which the government intends to carryout.

Enforced disappearance and Sexual and Gender Based Violence (SGBV) were prevalent themes during the TRRC. The government wishes to underscore its commitment to implement the recommendations of the TRRC in SGBV by investing more on education, research, training and behavioral change. Behavioral change in the sense that the patriarchal nature of our society and attitude towards women and the girl child need to change.

On enforced disappearance, this remains a matter of grave concern to the government. Efforts will continue to be made to work with the families and our partners with a view to continuing the search and conducting exhumations on identified sites to bring closure to the families concerned.

Reparations for the victims of the human rights violations and abuses will continue to receive the attention of the government. We must however acknowledge that this will involve huge financial outlays that may be beyond the reach of the government. We therefore invite our partners and the international donor community to render the necessary support in this regard. A Reparations Bill is currently being considered and it will constitute an agency that will be victims led to carry out the granting of reparations to victims. It would be recalled that the government had earlier made an allocation of 50 million Dalasis to the TRRC to carry out reparations. An additional sum of over 100 million Dalasis was also placed in this year's budget

in the expectation of commencing reparations through the proposed Reparations Act for victims.

The TRRC process has revealed that we are a nation very much in need of healing and reconciliation. Government will continue to invest heavily to ensure the reconciliation of all Gambians, victims, perpetrators and citizens prevail in the spirit of guaranteeing the peace and stability of our country. In this regard work is already underway for the establishment of a National Peace Council.

We also recognize that accountability and justice must be pursued. The TRRC has outlined those it deems most responsible for the atrocities committed under the previous regime. In this regard we are in the process of putting in the necessary mechanisms to ensure justice for the victims. To this end, we shall establish the necessary legal frameworks to try international crimes such as torture, enforced disappearance and crimes against humanity, being crimes that took place on Gambian soil. The government will not relent in its efforts to ensure justice for the victims. The way has already been paved with the successful completion of the NIA 9 trial responsible for the brutal killing of Solo Sandeng and the trial of a former Junta leader responsible for the death of a former Minister.

We are committed to ensure a better and brighter future for all Gambians to live side by side in peace and security and Never Again shall we permit the abuses under the former regime to reoccur on Gambian territory.

As we celebrate the 35th anniversary of the establishment of the African Commission on Human and Peoples' Rights in the Gambia it is worthwhile to recollect that the Gambia co-sponsored with other African countries the establishment of the African Charter on Human and Peoples' Rights in 1979 for the promotion and protection of human Rights and basic freedoms on the African continent. It was in recognition of the important role demonstrated by the Gambia in the adoption of the Charter that it was it was unanimously called the Banjul Charter on Human and Peoples' Rights. It was in Banjul that the draft provisions of the Charter were negotiated and concluded before its final adoption by the Authority of Heads of State and Government of the then OAU (now African Union) in 1981 in Nairobi, Kenya .

Our commitment and determination as a vanguard for the promotion and protection of Human Rights as a country also led further to the establishment of the headquarters of the African Commission on Human and Peoples' Rights in Banjul in December, 1987. The Commission is a creation of the charter and it provides oversight and interpretation of its provisions. It should therefore not be surprising that the Gambia has a special affinity with the African Commission. Let me hasten to add that the Commission is independent, members of the Commission serve in their personal capacity and make a solemn declaration to discharge their duties impartially and faithfully.

This milestone event was also complemented by national efforts in the establishment of the African Center for the promotion of Democracy and Human Rights Studies through an Act of the parliament. The Gambia at a very early stage in its development laid very strong foundations for the respect, promotion and fulfillment of human rights.

In 2017 and for the first time in the history of this country, the Gambia established a National Human Rights Commission under the new government of HE President Adama Barrow. The Commission has become fully operational and continues to play a significant role in the promotion, respect and fulfillment of human rights. It participated meaningfully in the monitoring of the last Presidential and National Assembly elections. National Human Rights Commissions are by their nature, independence and effectiveness specifically placed to hold governments accountable and to promote and advance human rights as well as serve as agents for change. An effective National Human Rights Commission is indeed a strong and solid pillar for the entrenchment of democracy and the rule of law. There is every good reason why National Commissions must ensure their continuous compliance with the Paris Principles and jealously guard their independence. We are proud today that our National Human Rights Commission has gone through an accreditation process with the Global Alliance of National Human Rights Commissions which provides the international benchmarks

against which national human rights institutions can be accredited and has emerged successfully with an A status.

The accreditation will undoubtedly enhance the credibility and confer international recognition as well as participation in the work of the Human Rights Council and other United Nations mechanisms and processes. The Commission is also an integral part of the Network of African National Human Rights Institutions.

Your Excellencies, Distinguished Ladies and Gentlemen

The African Union's theme of this year is the Year of Nutrition, Strengthening resilience in Nutrition and Food Security on the African Continent is indeed highly appropriate and relevant. We are today witnessing very high prices for food as well as oil and gas. The Covid 19 pandemic in its toll has imposed numerous problems for us and now we are also witnessing the Russian Ukraine war which has also triggered stiff increases globally in prices of food and oil and gas with the hardest hit being the oil importing countries.

These developments have also compounded acute and already existing problems on the African continent. The number of African countries in conflict today is alarming. They cut across the whole continent. We recognize under the Constitutive Act of the African Union that the scourge of conflicts in Africa constitute a major impediment to the socio economic development of the continent and of the need to promote peace,

security and stability as a prerequisite for the implementation of our development and integration agenda.

We must silence the guns and avoid an Africa in continuous conflict to address food security and our progress as a continent.

I thank you all for your kind attention.