

RIGHT TO EDUCATION COUNTRY FACTSHEET

THE GAMBIA

This brief intends to assist practitioners to identify the key national policies relevant to the right to education, analyse their strengths and weaknesses and detect the gaps between policies and practice, in order to use the empirical data collected to define an advocacy strategy informed by human rights. The information collected here reflects what is publicly available; it is neither intended to be exhaustive nor to give an authoritative analysis of the situation in the country, but rather, to be a useful tool for the reflection on the right to education.

THE RIGHT TO EDUCATION IN THE GAMBIA: A BRIEF ANALYSIS

1. Education policy framework in The Gambia

The right to education is directly guaranteed in The Gambia's constitution, and The Gambia is a party to the most important regional and international treaties protecting the right to education. However, The Gambia has not signed the protocols to the CEDAW, the CRC and the ICESCR, which open individual communication procedures, and has not ratified the UNESCO Convention Against Discrimination in Education. International human rights treaties are not directly part of The Gambia's domestic legal system, but courts should use them for interpretation in legal procedures.

The Gambia has a number of ambitious policies on paper to improve education in the country, and in particular a comprehensive national educational strategy. To realise these objectives, budget allocated to education in 2010 represented 5.0% of the GDP or 22.8% of total government expenditure, which according to several NGOs and international organisations is not enough – for instance, less than Ghana (5.5% of GDP and 24.3% of government expenditures in 2010) – and although The Gambia has significantly increased its expenditure on education over the last 10 years, there is still room for further increases. Furthermore, The Gambia still relies heavily on donors to maintain and develop its education system.

Concerns regarding education system in The Gambia include the short period of compulsory education, which is only mandatory from ages 7 to 12 and could be extended as it is the case in similar countries, and The Gambia needs to similarly ensure that its minimum age legislation for criminal responsibility, marriage and employment are made coherent with its education. A growing concern in The Gambia is quality of education. In particular, CSOs should monitor the role of private religious schools (Madrassas – see [PAGE](#), paragraph 248) to ensure that all children have freedom of choice in compulsory education and that private schools, including religious schools, are adequately regulated as stipulated in international human rights law. All children must have access to a quality education in line with the aims of education spelled out in the [General Comment 1](#) of the CRC.

2. Advocacy opportunities

- The Gambia is about to create its national human rights institution, and it should be ensured that this institution can monitor the realisation of right to education. Engaging with this new institution once it has been created may also open new avenues for advocacy.
- There was no submission by civil society on education during the review of The Gambia at the last UPR (2010), and a report could be made for the next review of The Gambia before the UPR in 2015.
- The UN Special Rapporteur on the right to education requested to visit The Gambia in 2007, but his request was denied by the Government. The Gambia committed to favourably consider the requests for country visits of Special Rapporteur on the right to education at the last UPR. Following up on this, civil society could request a visit from the UN Special Rapporteur once again.
- The Gambia has recently submitted late reports to the monitoring bodies of the ICESCR and the CRC. Civil society could seek these reports from the Gambian government and begin preparing an advocacy strategy for a review of The Gambia before these UN Committees.

Additional information on the right to education in The Gambia can be found at <http://www.right-to-education.org/country-node/337>

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I. INTERNATIONAL OBLIGATIONS

The major UN conventions (listed below) each have provisions relevant to education, non-discrimination or access to justice, and they can all be signed up to by states, thereby obliging these to respect, protect and fulfil human rights. When States ratify international treaties, they legally commit to respect its provisions, and the concrete situation in the country can therefore be measure against the standards set in the treaty. The ratification of treaties further indicates that the right to education does not come out of a vacuum, but corresponds to international standards that many States have committed to enforce.

It is sometimes possible to bring complaints before national courts if these treaties are not respected by States. Some conventions, either in their core text or in optional protocols, also specify routes of individual complaints to the different committees of independent experts.

Instrument	Ratified
<u>International Covenant on Economic, Social and Cultural Rights (ICESCR)</u>	29 Dec 1978
<u>Optional Protocol to the ICESCR</u>	-

<u>Convention on the Rights of the Child (CRC)</u>	8 Aug 1990
<u>Optional Protocol to the Convention on the Rights of the Child on a communications procedure</u>	-
<u>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</u>	16 Apr 1993
<u>Optional Protocol to the CEDAW</u>	-
<u>International Covenant on Civil and Political Rights (ICCPR)</u>	22 Mar 1979
<u>Optional Protocol to the ICCPR</u>	9 Jun 1988
<u>International Convention on the Elimination of All Forms of Racial Discrimination (CERD)</u>	29 Dec 1978
<u>ILO 87 Freedom of Association and Protection of the Right to Organise Convention</u>	04 Sep 2000
<u>ILO 98 Right to Organise and Collective Bargaining Convention</u>	04 Sep 2000
<u>ILO 111 Convention concerning Discrimination in Respect of Employment and Occupation</u>	04 Sep 2000
<u>ILO 138 Minimum Age Convention</u>	04 Sep 2000
<u>ILO 182 Worst Forms of Child Labour Convention</u>	03 Jul 201
<u>African Charter on Human and Peoples' Rights</u>	08 Jun 1983
<u>Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights</u>	30 Jun 1999
<u>African Charter on the Rights and Welfare of the Child</u>	14 Dec 2000
<u>UNESCO Convention Against Discrimination in Education</u>	-

The ratification information of the UN instruments can be updated using data on <http://treaties.un.org/pages/Treaties.aspx?id=4&subid=A&lang=en>; of the ILO instruments can be updated using the data on <http://www.ilo.org/ilolex/english/newratframeE.htm>; of the regional African instruments can be updated using the data on <http://www.au.int/en/treaties>; of the UNESCO Convention can be updated using the data on <http://www.unesco.org/eri/la/convention.asp?KO=12949&language=E&order=alpha>.

II. NATIONAL POLICIES

National laws and policies are important because they define concretely the framework of rights and obligations for actors in the country. The Constitution is the highest legislative norm; it sets out general principles to which all other national laws and policies have to adhere. It is usually the text where human rights, including the right to education, are or should be defined. If a policy or law does not respect the Constitution, it can usually be challenged before courts.

Laws and policies that are related to the right to education form a complex net that is useful to review to identify 1) to which extent it is in line with international standards, and 2) whether it matches the reality of education in a country.

The list of laws and policies presented below is not exhaustive; it gives an indication of the relevant existing policies and their relation with the right to education. It can constitute a basis for further research, and it should be considered critically together with the observations made by NGOs and international organisations.

1. CONSTITUTION

More details about the relevant provisions of the constitutions can be found at <http://www.right-to-education.org/country-node/337>

The [constitution of the second republic of The Gambia](#) was adopted on 8 August 1996 and entered into force in January 1997, and it was last amended in 2001.

1.1 KEY PROVISIONS

Generally, Chapter IV of the Gambian Constitution contains a substantial number of provisions guaranteeing human rights, including article 30 which protects the right to education in similar terms to the ICESCR. It also makes specific reference to children's rights:

- Article 29(1): provides that children have the right from birth to a name, the right to acquire nationality and, subject to legislation, to know and be cared for by their parents
- Article 29(2): provides that children under 16 years are entitled to protection from economic exploitation and cannot be required to perform work that is hazardous or that interferes with their education or will be harmful to their health or physical, mental, spiritual, moral or social development
- Article 216(2): requires the State to pursue policies to protect the rights and freedoms of, among other groups, children

Equally, the right to freedom of conscience, religion, belief and thought, and to academic freedom (article 25), the rights to equality and to non-discrimination (articles 17 and 33), the rights of women (article 28) and the rights of persons with disabilities (article 31) are protected.

The constitution also establishes a National Council for Civic Education (article 198 – 199) which, amongst other things, formulates, implements and oversees programmes aimed at inculcating in the citizens of The Gambia awareness of their civic and fundamental rights, duties and responsibilities.

1.2 INTERPRETATION – ROLE OF INTERNATIONAL LAW

International human rights treaties are not directly integrated into The Gambia's legal system and require national legislation in order to be completely incorporated. However, article 216 of the constitution specifies that Gambia must "pursue policies to protect the rights and freedoms of the disabled, the aged, children and other vulnerable members of society and to ensure that such persons are provided just and equitable social opportunities", and, in doing so, must be guided by the fundamental rights enshrined in the constitution and by international human rights instruments to which The Gambia is a signatory.

SOME KEY PROVISIONS OF THE CONSTITUTION PROTECTING THE RIGHT TO EDUCATION

Chapter III

Art. 30. Right to education

All persons shall have the right to equal educational opportunities and facilities and with a view to achieving the full realisation of that right -

- (a) basic education shall be free, compulsory and available to all;
- (b) secondary education, including technical and vocational education, shall be made generally available and accessible to all by every appropriate means, and in particular, by progressive introduction of free education;
- (c) higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular, by progressive introduction of free education;
- (d) functional literacy shall be encouraged or intensified as far as possible;
- (e) the development of a system of schools with adequate facilities at all levels shall be actively pursued.

Art. 217. Educational objectives

- (1) The state shall endeavour to provide adequate educational opportunities at all levels of study for all citizens.
- (2) The state shall pursue policies to ensure basic education for all citizens and shall endeavour to provide adequate resources so that such tuition for basic education shall be free for all citizens.
- (3) The state shall endeavour to provide skills training centres.
- (4) The state shall take measures to create an adult literacy programme, rehabilitative vocational training for the disabled, and continuing education programmes.

2. LEGISLATION AND POLICIES

The data presented below focuses specifically on some of the indicators useful to monitor human rights. Additional statistics about The Gambia can be found on the website of the Ministry of Basic and Secondary Education on <http://www.edugambia.gm/data-area/>, and all data from all UN agencies on The Gambia can be found on <http://data.un.org/>.

2.1 SUMMARY

SUMMARY OF GAMBIA EDUCATION SYSTEM (2010, unless specified)			
<i>Source: UNESCO Institute for Statistics</i>			
Public expenditure on education as % of GDP	2002	2008	2010
	2.8	4.1	5.0
Public expenditure on education as % of total government expenditure	2002	2010	2010
	8.9	16.4	22.8
Educational expenditure in pre-primary as % of total educational expenditure	2002	2008	2010
	-	-	-
Educational expenditure in primary as % of total educational expenditure	2002	2008	2010
	54.7	61.1	65.3
Educational expenditure in secondary as % of total educational expenditure	2002	2008	2010
	21.1	29.0	23.4
Entrance age of pre-primary	3		
Entrance age of primary	7		
Entrance age of 2A lower secondary	13		
Entrance age of 3A upper secondary	16		
Duration of compulsory education	6		
Starting age of compulsory education	7		
Ending age of compulsory education	12		

2.2 BUDGET

- The [United Nations Development Assistance Framework for the Republic of Gambia 2007-2011](#) indicated that access to quality health care, nutrition, education and sanitation services have been undermined by government budgetary crises.
- According to the [Poverty Reduction Strategy Paper progress report 2011](#) prepared by the government with the support of the IMF, the allocation of 25% of domestically generated resources to the priority sectors of Agriculture, Education, Health and Nutrition continues to fall short of the PRSP target for a number of years. The performance against this benchmark remains erratic and may continue to be the pattern unless the required amount of resources are provided and sustained throughout the PRSP period.
- According to the [Programme for Accelerated Growth and Employment \(PAGE\)](#) prepared by the government of the Gambia, the government plans to increase its budget commitment to both recurrent and development expenditures in education, but the recurrent expenditures on education represented only 17.8 % of the Government recurrent expenditures in 2009; which still falls short of the ECOWAS average 24 %.
- Government spending is strongly complemented by donors. Donor financing increased considerably from 35 % of the total education budget (Government + donors) in 2001 to 43 % in 2008 before declining to 37 % in 2009. It represented 1.2 % of GDP in 2009, which is slightly below the least developed country average of 1.5 %. The Gambia education development budget relies heavily on donor financing; on average, 86 % of the capital investments in education between 2001 and 2009 were financed by donors.

2.3 POLICY FRAMEWORK OVERVIEW

Relevant international policy documents can be found on http://planipolis.iiep.unesco.org/format_liste1_en.php. The Poverty Reduction Strategy Paper (PRSPs) can be found at <http://www.imf.org/external/np/prsp/prsp.aspx>.

- **Children’s legislation:** Gambian law is formed from a variety of sources, including national legislation, Sharia law and customary law. Relevant law can be found in various Acts and legal rules, including but not limited to:
 - The Children's Act 2005, which brings the CRC and other child-related international legal instruments into domestic law
 - The Child Trafficking Act 2007
 - The Labour Act 2007
 - The Maintenance of Children Act 1988
 - The Adoption Act 1992
- The [“Vision 2020, The Gambia Incorporated”](#) is the national development blueprint and articulates The Gambia’s long-term development goals. The government [reviewed it in 2010](#),

In view of Vision 20/20, the Department of State for Education aims to:

- Provide access to relevant and high quality basic education for all
 - Provide high quality education services
 - Ensure gender equity in education
 - Provide relevant life skills
 - Promote the principle of life-long learning.
- The [Education for All National Action Plan 2004 – 2015](#), or the **Education Policy 2004 – 2015**, is the main guiding policy document on education in The Gambia. It focuses on non-discrimination and all-inclusive provision of education with particular reference to disadvantaged groups, such as girls and those living in poverty. The policy emphasises the rights of the individual, cultural diversity, indigenous languages, and it further promotes ethical norms and values, a culture of peace, and the development of science and technology competencies.

- The [Education sector strategic plan 2006-2015 \(ESSP\)](#) summarizes the current status, government policies, and progress made in The Gambia’s education sector in recent years; identifies and explains major issues and constraints in the development of education and factors contributing to the issues; and outlines the major strategic activities to be implemented to attain the desired policy objectives. It contains a number of precise targets for all levels of education.
- The second [Poverty Reduction Strategy Paper \(PRSP\) II for 2007 – 2011](#) puts health and education as priorities for social service delivery, and sets a number of precise targets for all levels of education (from p. 94). A [mid-term \(2007-2009\) progress report](#) prepared by the National Planning Commission was published in 2011.
- The [Programme for Accelerated Growth and Employment \(PAGE\)](#) is The Gambia’s development strategy and investment programme for 2012 to 2015 and the successor to The Gambia’s Poverty Reduction Strategy Paper II. PAGE 2012-2015 is based on Vision 2020 and various sector strategies. PAGE is the main interface between the Government and its development partners and is intended to be aligned with the Millennium Development Goals (MDGs). It contains a number of useful statistics about education in The Gambia and an analysis of the situation in 2009.
- A [Special needs education and inclusive policy framework 2009-2015](#) highlights the policy efforts of The Gambia to achieve quality education for children with special needs.

2.4 OVERVIEW OF SELECTED RELEVANT POLICIES

- A wide ranging list of policy measures planned by the government can be found in the [Programme for Accelerated Growth and Employment \(PAGE\)](#); only a few examples are given below.
- Generally, the [PAGE](#) acknowledges the role of Madrassas in providing education, and the government plans to intensify the support it provides them to include classroom construction, teacher training and monitoring teaching and learning.

SUMMARY OF THE GAMBIA MINIMUM AGE LEGISLATION					
<i>See also the Right to Education Project website</i>					
	End of compulsory education	Admission to employment	Marriage		Criminal responsibility
			<i>General</i>	<i>Exception</i>	
			<i>girl/boy</i>	<i>girl/boy</i>	
Age	12	No min	No minimum	No minimum	7
Source	UNESCO Institute for Statistics, 2010	CRC/C/15/Add.165, 6 November 2001	CRC/C/15/Add.165, 6 November 2001		CRC/C/3/Add.61, 28 September 2000

SOME MEASURES TAKEN BY THE GAMBIA TO GUARANTEE THE RIGHT TO EDUCATION

Education rights	Measure	Description
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<p>Early education and care</p>	<p>Supervision</p>	<p>Close supervision of Nursery and Childcare centres with the aim that the standards set for a child-friendly environment and the standards of care for ages 3 to 6 are met in every part of the country, especially in the rural areas where The Gambia will continue to work closely with Community Development offices.</p>
<p>Free and compulsory primary education</p>	<p>Basic education for all</p>	<p>Unified basic education system, covering Grades 1-9, with no transition examination at the end of Grade 6. The Gambia enshrined education as a basic right in 1997. The Education Policy (2004) and the Children’s Act (2005) mandated free and compulsory basic education. The Children’s Act establishes basic education as compulsory and assigns duties to government and to parents / guardians. School children do not pay fees to attend Grades 1-6. Grades 7-9 require fees, but girls are either charged lower fees than boys or are exempted.</p>
	<p>New schools</p>	<p>According to the PAGE, school donkey carts will be introduced to ferry children to and from the nearest lower basic school in communities where the school-aged population is less significant.</p>
	<p>Elimination of costs</p>	<p>According to the PAGE, the Ministry of education has embarked on the elimination of all unauthorized levies in schools.</p>
	<p>Grants</p>	<p>According to the PAGE, a package of school grants has now been introduced in all public lower basic schools with a view to subsidizing schools for the implementation of low-cost items in their school development plans.</p>
	<p>Conditional Cash Transfer for school diversification</p>	<p>According to the PAGE, Education provision will be diversified to cater for the category of children who can neither be attracted by the conventional schooling model nor the modernized madrassas system since they reside within the custody of the marabouts whose primary responsibility is to teach them the Koran. A Conditional Cash Transfer (CCT) initiative is being piloted in five communities where the presence of this category of children is significant and therefore requires the payment of subsidies to the marabouts at a unit cost of one hundred Dalasi (D100) per child per month. The programme is expected to be scaled up once lessons from the pilot are identified.</p>
<p>Non-discrimination and relevant education</p>	<p>Access in remote areas</p>	<p>According to the PAGE, the provision of hardship allowances to teachers willing to serve in designated hardship areas.</p>
	<p>Targeted measures for children with special needs</p>	<p>The Special needs education and inclusive policy framework 2009-2015, is orientated around 10 key strategies:</p> <ol style="list-style-type: none"> 1. Creating opportunities for access to educational services 2. Provision of specialized materials and support services 3. Curriculum reform

		<ol style="list-style-type: none"> 4. Teacher training 5. Enhancing the accessibility of services 6. Advocacy 7. Research 8. Creating opportunities for life and livelihood skills 9. Provision of care and support 10. Gender mainstreaming <p>It is planned that the development of training programmes and instructional materials for special needs education (SNE) teachers and extending specially-designed facilities for SNE into the rural areas will be maintained during the PAGE period (2012-2015). This will be contained in the construction and rehabilitation programme of classrooms and facilities.</p>
	Gender	<p>In 2010, all girls received fee exemptions at grades 7-9 to encourage attendance. This effort to increase enrolment by girls in schools has been enhanced by the Girls' Scholarship Trust Fund, the Girl/Child Friendly School Initiative, and the President's Empowerment for Girls' Education Project. According to the MDG 2010 report, The Girls' Scholarship Trust Fund and the Girl Friendly School Initiative have relieved parents of the bulk of educational expenses and have also created a conducive environment for girls' education.</p>
Quality	Various	<p>In the PAGE, the government plans to address quality of education through a combination of measures including:</p> <ul style="list-style-type: none"> • stepping up the supply of qualified teachers • training of teachers in pedagogy, especially early grade literacy skills • training of teachers in content knowledge • conditional cash transfer for increased access to out-of-school children • curriculum review and reform • introduction of a national language programme • provision of relevant instructional materials • better-suited assessment and examination procedures • computer literacy and ICT education • use of open and distance learning (ODL) strategies • educational broadcasting
Transparency and accountability	Participatory school management	<p>Introduction of a Senior Management Committee comprising the Head teacher and community members who are elected for a two year term. These management committees are found in the lower basic schools and are responsible for the entire management of the schools. These committees are subdivided into various committees such as fundraising, academic, and development committees. School Performance Monitoring Meeting (SPMM) refers to the meeting convened annually at school level for communities and schools to come together and discuss the performances of their children/students. More information on http://www.edugambia.gm/programmes/participatory-</p>

performance-monitoring .	
New schools	According to the PAGE , new schools will be established, particularly in the deprived regions with the aim to improve the gross enrolment rate.
Secondary school	Sponsorship packages for both boys and girls at the basic and secondary levels will continue to be provided with the aim to significantly improve the completion rates from 75 %, 59 % and 28 % for lower, upper basic and senior secondary to 93 %, 69 % and 34 % respectively over the PAGE period (2012-2015).
Sponsorship	

3. REMEDIES

AVAILABLE REMEDIES FOR HUMAN RIGHTS VIOLATION RELATED TO THE RIGHT TO EDUCATION		
Domestic	Regional	International
<ul style="list-style-type: none"> ➤ High Court (see article 37 of the Constitution) ➤ Children's Ombudsperson <p>See http://www.crin.org/resources/infoDetail.asp?ID=27102&flag=report</p>	<ul style="list-style-type: none"> ➤ The <u>African Committee of Experts on the Rights and Welfare of the Child</u> ➤ The <u>African Commission on Human and Peoples' Rights</u> and the <u>African Court on Human and Peoples' Rights</u> 	<ul style="list-style-type: none"> ➤ <u>UNESCO procedure</u> for human rights violations in UNESCO's fields of mandate ➤ <u>ILO procedure</u> in the cases of those conventions which The Gambia has ratified
<p><i>For more information, see also http://www.claiminghumanrights.org/gambia.html which is a useful source of information about international remedies for human rights violations.</i></p>		

A National Human Rights Commission should be created shortly:

<http://thepoint.gm/africa/gambia/article/gambia-closer-to-setting-up-human-rights-commission>.

III. RELEVANT RECOMMENDATIONS FROM NATIONAL AND INTERNATIONAL ORGANISATIONS AND BODIES

The recommendations and observations made by national or international bodies provide a critical view of the laws and policies in a country, and can constitute a useful tool to identify the gaps related to the right to education. They also give arguments for national advocacy, and can be useful forum to mobilise people and drive change on the right to education.

Recommendations are often made by NGOs in the context of the reporting to UN bodies. They give the point of view of civil society and affected people. At the national level, independent monitoring bodies, such as national human rights institutions, can also make recommendations on human rights, normally giving a neutral domestic perspective on the state of human rights in a country.

The performance of States to respect their obligations is also reviewed by other States through Universal Periodic Review (UPR), which is a peer review mechanism taking place at the Human Rights Council. The recommendations made in this context, are often rather general, but carry a significant political weight. The analysis made by UN human rights bodies related to treaties which States have signed up to provide more specific recommendations, and constitute one of the most authoritative sources of critical analysis on human rights in a country.

Other international mechanisms, such as UN Special Rapporteurs and UN Agencies (including UNICEF, the World Bank, etc.) can be another useful source of information.

1. NGOS AND NATIONAL INSTITUTIONS

Information can be found on the website of the national human rights institutions, from the NGOs themselves directly, or from the [Summary of stakeholders' information compiled by the UN for the UPR](#).

In their submission for the 2010 UPR, none of the NGOs reported on issues related to the right to education in The Gambia.

2. UN HUMAN RIGHTS BODIES

The relevant comments made by UN agencies on the human rights situation in The Gambia can be found in the [Compilation of UN information prepared for the UPR](#), and the OHCHR offers the possibility [here](#) to do advanced search amongst all the UN human rights recommendations made on The Gambia.

2.1 UN UNIVERSAL PERIODIC REVIEW RECOMMENDATIONS

Last review 10 February 2010 - [A/HRC/16/4](#)

Next report April-May 2015 - can be checked [here](#).

Advanced search of the UPR recommendations can be made using the website of the NGO UPR Info on www.upr-info.org/database which includes a [research guide](#). The table below is an extract of the most relevant recommendations made to The Gambia at the UPR. "Action type" is an assessment made by UPR-Info of the specificity of the action recommended, ranking them on a scale from 1 (minimal action) to 5 (specific action).

Recommendation	Recommending State	Response	Action type
Elaborate a development plan with a view, inter alia, to eradicate extreme poverty and hunger as the most daunting challenge of the country, and to provide access to education, health care for all its citizens, particularly women and children	Iran	Accepted	5
Extend an open and standing invitation to Special Procedures of the Human Rights Council and respond positively to visits requests issued by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on the right to education	Spain	General Response	5
Allocate the necessary resources to ensure the appropriate functioning of the National Council on Civic Education	Angola	No response	4
Consolidate efforts to improve educational infrastructure at secondary, tertiary and higher education levels to ensure equitable access and quality education for all	Pakistan	Accepted	4
Increase level of education to cover disabled children	Kyrgyzstan	Accepted	4
Multiply efforts to expand the coverage of education and expand services to include the disabled	Libya	Accepted	4
Take adequate measures to combat illiteracy and poverty	Djibouti	Accepted	4

Take effective measures to make primary education free, enhance the quality of education, improve the literacy rate and increase enrolment in schools by abolishing or rationalizing tuition fees at all levels of the educational system as recommended by the Committee on the Rights of the Child	Turkey	General Response	4
Favourably consider the requests for country visits of the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on the right to education	Belarus	Accepted	3
Continue applying the measures adopted with a view to achieving the proposed goals relating to education	Cuba	Accepted	2
Continue efforts to promote education for the good of all	Kuwait	Accepted	2

2.2 UN HUMAN RIGHTS TREATY BODIES

The full recommendations relevant to the right to education can easily be found by using this [tool](#) developed by the OHCHR. Information about the reporting status of countries can be found [here](#).

COMMITTEE ON THE RIGHTS OF THE CHILD (CRC)

Past and future session of the CRC can be found at <http://www2.ohchr.org/english/bodies/crc/sessions.htm>.

Last review 6 November 2001, [CRC/C/15/Add.165](#)

Next review Second and third reports had been overdue since 1997 and 2002, respectively. The Gambia submitted its second and third reports on **28 October 2011 (CRC/C/GMB/2-3)**, and the review has not yet been scheduled.

- Since The Gambia has not reported to the CRC since 2001, and information and recommendations from the last review by the CRC are often outdated as a great deal of legislation has been passed in relation to children's rights and issues affecting the right to education since then. As noted by [CRIN](#), The Children's Act 2005 has addressed a number of the most serious issues raised by the Committee, including the legal minimum ages that the Committee requested.
- In 2001, the CRC notably recommended taking effective measures to make primary education free, train teachers, including female teachers, enhance the quality of education and improve the literacy rate. It further recommended increasing enrolment in schools by, inter alia, abolishing and/or rationalizing user fees at all levels of the educational system.
- With regards to children with disabilities, the CRC recommended that The Gambia
 - take effective measures to collect adequate statistical data on children with disabilities and to ensure use of such data in development of policies and programmes for these children
 - implement alternatives to institutionalization of children with disabilities
 - establish special education programmes for them and, where feasible, integrate them into mainstream schools and public life
 - undertake awareness-raising campaigns to sensitize public about rights and special needs of children with disabilities as well as children with mental health concerns
 - increase resources, both financial and human, allocated to special education and enhance support given to families of children with disabilities
 - seek technical cooperation for training of professional staff, including teachers, working with and for children with disabilities from, among others, WHO and UNESCO
- It also recommended that special measures be taken to ensure access to education for refugee, asylum-seeking, unaccompanied children and street children.

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (CESCR)

Past and future session of the CESCR can be found at <http://www2.ohchr.org/english/bodies/cescr/sessions.htm>

Last review First, second, third and fourth reports overdue since 1990, 1995, 2000 and 2005, respectively. The Gambia submitted its first report on **9 May 2012 (E/C.12/GMB/1)** but it has not been scheduled for review yet.

Next review -

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (CEDAW COMMITTEE)

Past and future session of the CEDAW Committee can be found at <http://www2.ohchr.org/english/bodies/cedaw/sessions.htm>.

Last review 15 July 2005, [CEDAW/C/GMB/CO/1-3](#)

Next review -

- The CEDAW Committee noted the efforts made by State to revise policy on education in order to address needs of the girl child, but it urged The Gambia to take measures that reflect the importance of realizing women's and girls' right to education as a fundamental human right, and a means for the empowerment of women. The Committee also encouraged the use of temporary special measures in order to accelerate the improvement of women's and girls' education.

2.1 OTHER RELEVANT UN BODIES

The analysis of the human rights situation in the Gambia made by UN agencies, including the right to education, can be found in the [Compilation of UN information prepared for the UPR](#). The [OHCHR office in The Gambia](#) gathers information regarding human rights in The Gambia and the [UN field office](#) gathers additional UN documents. Information about country and other visits by Special Procedures Mandate Holders since 1998 can be found [here](#).

- The **UN Special Rapporteur on the right to education** requested to visit The Gambia in 2007, but it was not accepted by the government.
- The [2005 UN Common Country Assessment \(CCA\)](#) noted that high dropout rates are an underlying cause of the high rates of illiteracy, especially for girl children. Many families are still unable to meet education costs and the value of schooling is still perceived differently for boys and girls in some communities.
- The **ILO Committee of Experts** asked The Gambia to indicate the measures taken, including their impact, to promote women's access to education and a wide variety of vocational training courses, including their participation in training courses primarily attended by men.
- The **IMF** highlighted a number of challenges and made some remarks and recommendations in the [Poverty Reduction Strategy Paper progress report 2011](#), including:

IV. OTHER SOURCES OF INFORMATION

- Useful information about The Gambia can also be found on the website of these human rights organisations.
 - Human Rights Watch: <http://www.hrw.org/reports/2012/01/22/world-report-2012>

- Amnesty International: <http://www.amnesty.org/en/annual-report/2012>
- International Federation for Human Rights: <http://www.fidh.org/-Africa->
- Very useful guidance can be found on the website of the **Child Rights International Network**, which has compiled a general overview of The Gambia’s national legal provisions on children's rights, including guidance on how to conduct further research:
<http://www.crin.org/resources/infoDetail.asp?ID=27101&flag=report>.
- The **Right to Education Project** website gives specific information about the right to education in The Gambia: <http://www.right-to-education.org/country-node/337/>
- The **US State** Department gives an overview of the education system in The Gambia:
<http://www.state.gov/r/pa/ei/bgn/5459.htm>
- The **World Bank** provides detailed statistics about education in The Gambia, and some policy analysis:
<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/GAMBIAEXTN/0,,menuPK:351644~pagePK:141159~piPK:141110~theSitePK:351626,00.html>
- The **Ministry of Basic and Secondary Education** (MoBSE) has its own website:
<http://www.edugambia.gm/>
- There is a **Wikipedia** page on education in The Gambia:
http://en.wikipedia.org/wiki/Education_in_The_Gambia
- The latest documents produced by the **IMF** on the Gambia can be found at
<http://www.imf.org/external/country/gmb/index.htm>
- The **UNDP** office in The Gambia contains information <http://www.gm.undp.org/>
- **DFID** produced a case study on the education in The Gambia <http://www.dfid.gov.uk/stories/case-studies/2011/mdg-3--education-for-all-in-the-gambia/>

V. HUMAN RIGHTS JARGON

Acronym	Full name	Comments
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	A treaty legally binding for the States that have ratified it and which defines States’ obligations regarding the human rights of women, which include economic, social and cultural rights.
CESCR	UN Committee on Economic, Social and Cultural Rights	The UN Committee made of international experts that gives interpretation of the International Covenant on Economic Social Cultural Rights and examines individual complaints made before the OP-ICESCR.
CRC	UN Committee on the Rights of the Child	The UN Committee made of international experts that gives interpretation of the Convention on the Rights of the Child.
ESCR	Economic, social and cultural rights	Rights defined by the ICESCR, including the right to education.
ICESCR	International Covenant on Economic Social Cultural Rights (1966)	A treaty legally binding for the States that have ratified it and which defines States’ obligations regarding economic, social and cultural rights.
ILO	International Labour Organisation	UN specialized agency which seeks the promotion of social justice and internationally recognized human and labour rights.

IMF	International Monetary Fund	International organisation working “to foster global monetary cooperation, secure financial stability, facilitate international trade, promote high employment and sustainable economic growth, and reduce poverty around the world.”
OP-ICESCR	Optional Protocol to the International Covenant on Economic Social Cultural Rights	Treaty that opens an international individual complaint mechanism for victims of violations of economic, social and cultural rights in countries that ratify it.
OHCHR	Office of the High Commissioner for Human Rights	The main UN agency for human rights.
UDHR	Universal Declaration of Human Rights (1948)	A non-legally binding text agreed upon by all members of the United Nations and that defines all human rights.
UPR	Universal Periodic Review	A system created by the UN Human Rights Council in 2006 sot States to peer-review the human rights records of all 192 UN Member States once every four years.