

**CALLS FOR REJECTION OF PRO-FGM BILL INTENSIFY AS MORE CSOS ENGAGE  
NATIONAL ASSEMBLY COMMITTEE  
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**PRESS RELEASE**

**Presentation of GAMCOTRAP Position Paper to the National Assembly Members on its stand on the Women Amendment Bill 2023, Flag, Gambia Bar Association and GAMCOTRAP**



By Momodou Jarju

More civil society organisations (CSOs) have joined the call for the rejection of the proposed Women's (Amendment) Bill 2023 which is aimed at lifting the ban on female genital mutilation (FGM) in The Gambia.

Another group of CSOs comprising Female Lawyers Association The Gambia (FLAG), The Gambia Bar Association, and The Gambia Committee on Traditional Practices Affecting the Health of Women and Children (GAMCOTRAP) Wednesday engaged the National Assembly Joint Committee of Health and Gender on a consultative meeting about the aforementioned bill.

FLAG president Ms. Anna Njie said they oppose the proposed private member's bill because repealing the anti-FGM law will not only weaken national protections for women and girls but also exposes The Gambia to legal challenges and potential loss of international support. As an institution, she said they recommend the upholding of the FGM law.

Njie highlighted four key recommendations from the policy brief presented to the joint committee for consideration. One is for the committee to reject the proposed FGM Bill and uphold the integrity of the anti-FGM law in alignment with constitutional, national and international obligations.

The second recommendation is to launch comprehensive educational campaigns targeting communities, religious leaders, and educators related to the health, legal and social aspects of FGM.

“Three, enhance support systems for survivors, including medical, psychological, and legal assistance. And four, to establish systems to ensure compliance with Anti-FGM laws and to monitor the effectiveness of the interventions within the security, health and educational sectors,” she said.

President Njie said despite misconceptions that FGM benefits women’s cleanliness or purity, local health studies in the Gambia and studies by the World Health Organisation cleanliness (WHO), found that it actually poses serious health risks such as bleeding, infections, urinary problems, chronic pain, child birth complications and newborn deaths.

“This violates various internationally and nationally recognised human rights, including the right to life, health, non- discrimination, freedom from violence, and protection of children. The Anti-FGM law seeks to end violence and discrimination against women and girls, aligning The Gambia with its human rights obligations. Since its enactment, the understanding of the harmful effects of FGM remains unchanged, providing no valid reason for repealing the anti-FGM Law,” she said.

Ms. Njie said while proponents of the pro-FGM bill are calling for the medicalisation of the practice, the WHO and the Maputo Protocol reject this view, stating that FGM regardless of who performs it is harmful and unethical.

“Medicalising FGM is likely to perpetuate the practice and violates a healthcare provider’s ethical duty to do no harm. It’s crucial to oppose the bill and take stronger actions against the medicalisation of FGM in The Gambia,” she said.

For her part, the president of Gambia Bar Association Neneh Cham said the Gambia is a rule of law country which means laws must be respected by everybody and “not when it suits us or depend on what we want to do”.

President Cham said Section 32 of the Constitution of the Republic of the Gambia, should put the FGM matter to sleep.

The section, as she cited, reads “every person shall be entitled to enjoy, practice, profess, maintain and promote any culture, language, tradition or religion subject to the terms of this Constitution and to the condition that the rights protected by this Section do not infringes on the rights and freedoms of others or the national interests, especially unity”.

She said the rights are given to people, but it doesn't extend that right for what the person wants to do to other people—like to children who are the most vulnerable in society.

“Even if we think we are their parents and we just want to do what is best for them, let's remember this provision, your right stops where somebody else's begins. Otherwise what do we have? Chaos and anarchy! We don't think of it the way we should because we think, oh its culture, its religion,” she said.

Speaking further, Madam Cham said laws are made for people, not animals.

“I want to repeat that. We make laws for people, not animals. I heard that children are people. They are the future of tomorrow, our tomorrow, Gambia's tomorrow. And we owe them an obligation, even without the law, to protect them and do the right thing for them, until they can decide for themselves,” she said.

The former vice president and now executive director of GAMCOTRAP Dr. Isatou Touray said Foni Kansala lawmaker Hon. Almameh Gibba's plans to repeal the anti-FGM law will not put the Gambia in tandem with progress made by nations to promote women and children's welfare.

Dr. Touray said The Gambia took significant steps forward in the fight against FGM by enacting the Anti-FGM Law in 2015, which criminalises the practice and provides protection for women and girls at risk. This, she said, comes after intense nationwide campaigns and sensitisations by GAMCOTRAP and the other NGOS and CSOs about the effects of FGM on the sexual and reproductive rights of women and girls.

“However, recent efforts have been made to repeal this law, sparking intense debate and raising fundamental questions about the rights of women and girls, cultural practices, religious beliefs, and the role of the state in protecting its citizens,” she noted.

According to her, the current saga of FGM heats up because the anti-FGM law was applied for the first instance in country and it created an intense debate.

“On the 16th January 2023 the case of FGM was reported by the GAMCOTRAP Regional Coordinator, who was monitoring the region and this was taken up by the organization to protect the eight girl-children who were slated for cutting. Our intervention resulted in saving five out of the eight girl-children while the other three fell victim of FGM. The circumciser and her team were arrested and a court action was initiated. GAMCOTRAP brought the matter to the relevant institutions. The case was taken up as IGP VS YASSIN FATTY, NANO JAWLA AND KADIUATOU JALLOW, and in August 2023, the Kaur/Kuntaur Magistrates Court issued a judgment convicting the three circumcisers, and ordering them to pay a fine of 15,000 dalasis

or serve a one-year prison sentence. This was the first conviction under the law since it was enacted in 2015.

“It must be realised that the affected Circumciser broke the law banning FGM, an oath she made in 2013 not to circumcise anymore. She was trained by GAMCOTRAP and was among the batch of circumcisers who declared to abandon the practice in 2013 among 30 circumcisers during the 4th Dropping of the Knife Ceremony in Wassu. She was given a bakery and her son was trained to operate it as an Alternative Employment Opportunity (AEO) to abandon the knife. She was given extra resources to address the challenges she was facing in her bakery,” Touray said.

Ex-vice president Touray shared her appreciation of the different governments of the Gambia who have been working with CSOs and other non-actors to ensure the banning of FGM. She said the government is going in the right direction by supporting the anti-FGM law through its commitment to promote women’s and children’s rights, including gender equality and women’s empowerment.

“In The Gambia, international conventions and policies exist to address issues related to gender equality, human rights, and the protection of women and girls from harmful practices like FGM and other harmful practices. When a country signs or ratifies these conventions and policies, it signifies its commitment to upholding the principles outlined therein and taking concrete actions to address the specified issues.

“By signing and ratifying these conventions and policies, countries demonstrate their commitment to ending FGM and advancing the rights and well-being of women and girls, both domestically and internationally,” she said.

Dr. Touray also informed lawmakers that they have achieved seven ‘dropping of the knife’ over the years and communities are abandoning the practice.

“When the law was being passed, it was 115 communities that have abandoned the practice. But since then, 208 circumcisers have ‘abandoned the knife’ and 1056 communities have abandoned FGM through the public declarations in The Gambia,” she revealed.

Touray, a survivor of FGM herself, said her-led institution strongly recommends the prohibition of FGM and reject the proposed amendment bill.