

# Project Document UNDP Gambia



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**Project Title**: "Intensifying Support to Victims of Sexual and Gender Based Violence (SGBV) and their participation in Truth, Reconciliation and Reparations Commission (TRRC) processes in The Gambia "

Project Number: 00116938

Implementing Partner: The Ministry of Justice

Start Date: 01 January 2020 End Date: 30 June 2020 PAC Meeting date: 17 February 2020

# **Brief Description**

Briefly describe the overall development challenge and the expected results of the project.

The prevalence of sexual and gender-based violence in The Gambia and the tendency for these crimes to go unaddressed are rooted in long-standing social injustices and institutional failures in the application of laws to protect women's rights and foster women's empowerment as well as the associated stigma and the high-profile identity of several of the perpetrators. Moreover, as these issues remain particularly sensitive to address in The Gambia, numerous challenges arise in the documentation and investigation of sexual and gender-based violence.

SGBV can adversely impact a victim in a number of ways including, but not limited to, severe trauma such as Post-Traumatic Stress Disorder (PTSD), exposure to HIV and other STD infections, physical and mental health issues, unwanted pregnancies, lower economic productivity, inability to undertake an adequate duty of care to children, and the capacity to take advantage of life opportunities including employment opportunities. Beyond its mandate to provide reparations to victims, the TRRC is expected to provide adequate support services to victims of human rights violations and abuses in order to ensure their full participation in its processes. Unlike victims of some other forms of human rights violations and abuses where victims voluntarily appear before the TRRC, there is a critical need to ensure that SGBV victims are provided with adequate and meaningful support to be able to effectively participate in the TRRC process, otherwise, there is a real risk that these victims will simply not participate in the process at all.

During the TRRC's public hearings on the theme of SGBV, the testimony of a young woman about the sexual violence she was subjected to by former President Jammeh as well as other victims of SGBV were met with negative backlash and victim blamed by many members of the public especially on social media. The TRRC subsequently released a press statement on 22 October 2019 addressing this backlash.<sup>1</sup> This further highlights the strong need to galvanize efforts to address the stigma, name calling and labelling of victims. The negative public reaction is likely to dissuade victims from coming

Available on the TRRC Facebook page: https://www.facebook.com/moj.trrc/

forward and testifying. Already the TRRC has witnessed several victims of SGBV who have initially agreed to testifying subsequently changing their minds due to family and social pressure or choose to testify instead "in camera". As with any intervention aimed at victims, it is important to uphold the principle of 'Do No Harm.' That is why TRRC staff, including staff at the Victim Support Unit, researchers, statement-takers and investigators have received several specialized trainings on managing particularly vulnerable victims, such as SGBV victims.

Several victims of SGBV identified thus far by the TRRC and Victim Centre have revealed that the violations they were subjected to have had a direct impact on their physical and psychological health and on their economic status. The proposed interventions are therefore intended to encourage victims' participation in the TRRC process as well as to mitigate the risk of further harm and suffering amongst victims of SGBV.

Contributing Outcome (UNDAF/CPD, RPD or GPD): 1.2 Governance and Human Rights; institutional reforms implemented to ensure rule of law and guarantee people their human rights, such as access to justice, gender equality, basic social services and democratic participation in decision making processes

Indicative Output(s) with gender marker<sup>2</sup>: GEN3 for all Outputs, namely:

1.1: The general public, particularly victims of SGBV, are sensitized about the TRRC's mandate on SGBV; 1.2: Victims of SGBV benefit from services at the TRRC: 2.1: In coordination with the TRRC, implement a livelihood scheme for a select number of SGBV victims registered with the TRRC; 3.1: Improved coordination and proactivity of national SGBV response mechanism; 3.2: National SGBV response mechanism, including the TRRC and CSOs, have adequate capacities to respond to the health and protection-related needs of SGBV victims.

Total resources required:	€250,829	
Total resources allocated:	UNDP TRAC:	
	Donor:	Government of Ireland
	Government:	
	In-Kind:	
Unfunded:		

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Print Name: Mr. Cherno Marenah	Print Name: Ms. Aissata De

<sup>&</sup>lt;sup>2</sup> Note: Adjust signatures as needed

<sup>&</sup>lt;sup>2</sup> The Gender Marker measures how much a project invests in gender equality and women's empowerment. Select one for each output: GEN3 (Gender equality as a principle objective); GEN2 (Gender equality as a significant objective); GEN1 (Limited contribution to gender equality); GEN0 (No contribution to gender quality)

Funding Target (Budget): €250,829

**Duration:** 18 months (January 2020 – June 2021)

Target group: victims of sexual and gender-based human rights violations, their families, relatives and

other close relations

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#### PROJECT COMPONENTS

# I. Country Context and Rationale for Donor support

#### a) Country context

Former Gambian President, Yahya Jammeh, went into exile on 21 January 2017, leaving behind a legacy of human rights abuses, near empty coffers and an institutional vacuum. He ruled for 22 years with an iron fist and scant regard for rule of law and human rights. During the Jammeh administration, scores of political figures, journalists, civil society activists and students were harassed, detained, tortured, sexually violated, murdered, made to disappear or forced into exile. Freedom of expression, association and assembly were severely restricted and several critical media houses were closed down. Justice institutions were systematically manipulated to preserve the oppressive regime in power. There was constant interference and arbitrary removal of independent-minded judges by the Executive.

The Gambia is among the poorest countries in the world, with nearly half of its population living below the absolute poverty line of US\$1.25 per day. Available data indicate that almost 30% of the active labor force is unemployed, with slightly higher unemployment rate in the rural areas (31.1%) than the urban area (28.4%). Moreover, unemployment is highest for the youth at 39% (Gambia Bureau of Statistics). Among migrants to Europe across the Mediterranean, Gambians are disproportionately represented. According to some estimates, Gambians make up the second biggest contingent of migrants from West Africa, despite the country's small population size. And many of these migrants continue to be deported back to The Gambia by many European countries, thus creating a growing community of returnees most of whom are vulnerable.

The Gambia has adopted the Gender and Women's Empowerment Policy 2010 – 2020 which consolidates the progress made so far and expressly ensures that a gender perspective is incorporated at all levels of planning, resource allocation and implementation of development projects. In addition, the country has adopted the National Development Plan (2018-2021), as well as the Programme of Accelerated Growth and Employment (2012-2015), in acronym, PAGE, which is premised on the 1997 Constitution of The Gambia, under Section 33, subsection (4), clearly prohibiting all forms of discrimination based on gender.

The Gambia has signed and ratified several International and Regional Conventions promoting the rights of women and girls, e.g. the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child, the "African Charter on the Rights and Welfare of the Child" (with art. 17 dealing specifically with the administration of Juvenile Justice), the AU Solemn Declaration on Gender Equality in Africa, the African Charter on Human and People's Rights on the Rights of Women in Africa. In domesticating these conventions, the Government signed and promulgated the Women's Act 2010 (2015 Amendment banning Female Genital Mutilation), the Sexual Offences Act 2013, the Domestic Violence Act 2013 and the 2016 Amendment to the Child Act banning Child and Forced Marriage.

Despite these strong legal and policy frameworks, women, girls and youth continue to face significant challenges. While the Constitution has provisions that ensure gender equality, there are still discriminatory provisions in the law pertaining to the Personal Status of Women. It is a known fact that women and girls have suffered human rights violations in the hands of the State and security personnel

during Jammeh's regime, but rights violations have remained unreported by the victims and have not been reflected in CEDAW periodic reports, mainly due to the fear that prevailed in the country. Furthermore, the representation of women in political and public life remains a challenge. In the National Assembly, only 5 out of the 53 members are women. These figures not only demonstrate the disparity in The Gambia's commitment to attaining gender equality in political participation but also indicate the volume of work at hand to building a democratic society where every citizen, regardless of gender, becomes a meaningful and active participant in the governance affairs of the country.

#### b) Government commitment and intentions

Upon coming into power in January 2017, President Barrow and his Government indicated their commitment to respecting, protecting and upholding people's fundamental rights, including ensuring freedom of expression, equal access to justice, the right to the truth about what had happened in the past and the fate or whereabouts of their relatives, the right to be free from discrimination and the right to take part in the conduct of public affairs.

Due to the dire need to investigate the alleged human rights violations and abuses committed during former President Jammeh's regime, as well as strengthen national institutions to install democracy, rule of law and human rights standards in the country, the new Government embarked on a national transitional justice process to establish mechanisms for truth seeking, justice and healing as a top priority after 22 years of oppression, as well as put in place structures to guarantee non-recurrence.

Since January 2017, The Gambia has developed several judicial and non-judicial mechanisms to deal with the violation of human rights in the country during the past two decades. A Truth, Reconciliation and Reparations Commissions (TRRC) was established in December 2017 to seek truth and justice, promote national reconciliation and address impunity; a commission of enquiry into the financial dealings of former president Jammeh and his close associates was initiated; Security Sector Reform aimed at reforming the Gambia's security sector to bring in line with democratic norms and principles and under democratic civilian control; as well as civil service reform to both sustain the transitional justice processes, but more so to be effective, efficient and responsive to the needs of the people. Furthermore, a National Human Rights Commission was established in December 2017 as a mechanism to monitor and prevent future human rights abuses.

The Government has also been working to amend or abolishing laws that hinder human rights and enact laws and establish institutions and law enforcement practices that will promote and protect the rights and freedoms of all. Equally, The Gambia signed and ratified international treaties, including the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention for the Protection of all Persons from Enforced Disappearances. It has also stressed its commitment to monitoring compliance with treaty obligations, including through the Universal Periodic Review (UPR) of the Human Rights Council, which it most recently fulfilled on 5 November 2019, during the 34th session of the UPR.

The Government has set aside resources to support the functioning of the TRRC, although the exact amount is unknown. One of the main partners and donors remains UNDP and OHCHR with support from the Peacebuilding Funds which has supported the Commission since its establishment. Other key donors include The European Union, The African Union, UNICEF, International IDEA, and the governments of France, Qatar and Senegal.

### c) Addressing SGBV within the TRRC processes

In delivering on its commitment to find out the truth about the human rights violations that took place in the Gambia during the 22 years of dictatorship, the current government, held extensive and nation-wide consultations to inform legislative process as to what form of Truth Commission would be most suitable for the Gambian context. A variety of Gambians including key stakeholders such as victims, communities, religious, traditional and women leaders were consulted to that end. The findings from the national consultations helped to shape the Truth, Reconciliation and Reparations Commission Act 2017.

The Act is quite gender sensitive with Section 14 (2) of the Act mandating the Commission to adopt a child and gender sensitive approach in its investigations. Section 4 of the Act also provides for gender diversity in the appointment of commissioners. As a result, 4 of the 11 commissioners are women. Moreover, section 2 (a) of the Act lists Sexual and Gender Based Violence (SGBV) as one of the human rights violations to be investigated by the TRRC whilst section 16(4) calls for appropriate protection measures for victims and witnesses of SGBV.

In operationalising The TRRC Act which requires the Commission to ensure that the experiences of both women and men are considered and acknowledged while taking necessary measures to prevent any form of revictimization, the TRRC established a Women's Affairs Unit to support the Secretariat and Commissioners in ensuring that the perspectives and experiences of women are considered and acknowledged across the operations and outputs of the TRRC. Although the Commission does not have a formal policy document to guide the integration of gender in its operations, both the Victims Support Unit and the Women's Affairs Unit have draft strategies and operational standards that prioritize gender sensitive approaches. Furthermore, the TRRC has set up a special taskforce on SGBV and have also developed a SGBV strategy. The Commission also has a Child Protection and Gender Committee.

In January 2019, the TRRC started its hearings. To date, the TRRC has collected over 520 statements from victims of human rights violations of which 113 were from women and heard over 144 witnesses, 31 of whom were women. Although the exact number of victims of human rights violations during the 22 years of Jammeh's dictatorship is yet to be known, it is believed through efforts by the largest victims' association in The Gambia- the Victim's Centre- to be a few thousands. As the TRRC continues to investigate the types of human rights abuses and violations that were committed between July 1994 and January 2017, it has come to the fore that these violations include extra judicial killings, torture, arbitrary arrests, forced displacements and resettlements, cruel and degrading treatment, enforced disappearances and sexual and gender-based violence (SGBV).

The TRRC has registered several victims who have either explicitly, or implicitly reported being victims of sexual and gender-based violence. In October, the TRRC during its 9<sup>th</sup> session had SGBV as the main theme of its hearings. In this session, 15 witnesses testified, 13 of whom were women, all but one of whom testifying about SGBV they encountered, which ranged from threats of being raped, molestation to rape. On 15 October 2019, gender expert Haddy Mboge Barrow, who has spent 30 years providing support to victims of sexual and gender-based violence, testified at the TRRC on the status of this crime in The Gambia. She paints a bleak picture, citing the rampant nature of sexual and gender-based violence cutting through all layers of Gambian society- from Gambian homes to the highest offices. Mrs. Barrow, as an expert in this field, confidently cited that at least 41% of Gambian women are violated, often times sexually by family members, relatives or their friends and in many instances, leading to incest.

<sup>&</sup>lt;sup>3</sup> Part one of her testimony is available here: <a href="https://www.youtube.com/watch?v=u2Hv5UNodes">https://www.youtube.com/watch?v=u2Hv5UNodes</a> Part 2: <a href="https://www.youtube.com/watch?v=zsXvLD3TgbM">https://www.youtube.com/watch?v=zsXvLD3TgbM</a>

There is also much evidence to point to the fact that most times, these violations were committed against both men and women during unlawful detentions at police stations or the National Intelligence Agency's headquarters in Banjul. Moreover, the recent mapping of incidents of sexual and gender-based violence in The Gambia from 1994 to 2017 by TRIAL International reveals that SGBV was widespread and pervasive during Jammeh's rule with some incidents being allegedly perpetrated by senior government officials, including President Jammeh. However, due to the tight-knit nature of Gambian societies and the culture of silence, stigma and shame is often associated with victims of SGBV and therefore, it is strongly believed that many of these violations may remain unreported to the TRRC.

Transitional justice processes provide a unique opportunity for countries to strengthen their socio-economic architecture, including gender equality and equity. In the same vein, the TRRC in The Gambia provides a distinct opportunity for the Government and its institutions, as well as civil society organizations, to uncover the extent to which SGBV had occurred in the country, which without the TRRC, is much more likely to have remained an unreported and non-investigated matter.

It remains however, that due to the very nature of SGBV cases, combined with the cultural stigmatization of these acts and the tight-knit nature of Gambian societies, there is a huge need for adequate incentives to be provided to victims of SGBV to participate in the TRRC process. These incentives must look beyond the TRRC and into the personal needs of each victim and those persons most affected by their victimhood.

Furthermore, there is a need for the Gambia's TRRC to draw experiences from other truth commissions that have relied on women's groups to mobilize women to participate in truth seeking processes by ensuring that women's voices and experiences were addressed and acknowledged by the Truth commissions. In the South African and Kenyan truth commissions, women's organizations conducted research on the gendered patterns and impact of the human rights violations and also supported and facilitated the participation of female victims in the Truth commission's work. Women's organizations also monitored the different phases of the truth-seeking process to ensure that they were gender responsive and included the experiences of women. In the Gambia, the Gender Action Platform successfully pushed for the establishment of the women's affairs unit, however since the establishment of the Women's Affairs Unit, the Platform has not been very active in providing support to the Unit or other units of the TRRC. However, a number of CSOs that work on gender issues have been instrumental in supporting the TRRC to engage women and have supported numerous listening circles targeting the LGBTQI community who suffered immensely during Jammeh's regime as well as other groups such as female law enforcement officers, victims of SGBV, with very rich information often coming out from these meetings. The International Center for Transitonal Justice (ICTJ) has also been a key partner to the TRRC and has been working on an alternative to public hearings that facilitates women's safe participation. They have been engaging women's groups to support them to prepare and present a women's submission to the TRRC, which would be a useful way to share their experiences while protecting their identity through a collective submission. However, generally, these CSOs could be more active partners in not only providing useful analysis and information about women's experiences to the TRRC, but also providing necessary support and advice to women that are willing to share their experiences. It would therefore be useful for the TRRC to strengthen its efforts to engage key CSOs to find innovative ways to safely and respectfully capture women's experiences that will contribute to creating a more comprehensive record of women's experiences, especially on taboo topics such as sexual violence.

## d) Justification for support

The prevalence of sexual and gender-based violence in The Gambia and the tendency for these crimes to go unaddressed are rooted in long-standing social injustices and institutional failures in the application of laws to protect women's rights and foster women's empowerment as well as the associated stigma and the high-profile identity of several of the perpetrators. Moreover, as these issues remain particularly sensitive to address in The Gambia, numerous challenges arise in the documentation and investigation of sexual and gender-based violence. However, the transitional context appears to be laying the foundations for a more welcoming environment and is seeing more victims of sexual violence coming forward and speaking up. The project by working closely will key partners can help to continue to build the momentum to effectively address SGBV in a holistic manner.

Furthermore, SGBV can adversely impact a victim in a number of ways including, but not limited to, severe trauma such as Post-Traumatic Stress Disorder (PTSD), exposure to HIV and other STD infections, physical and mental health issues, unwanted pregnancies, lower economic productivity, inability to undertake an adequate duty of care to children, and the capacity to take advantage of life opportunities including employment opportunities. Beyond its mandate to provide reparations to victims, the TRRC is expected to provide adequate support services to victims of human rights violations and abuses in order to ensure their full participation in its processes. Unlike victims of some other forms of human rights violations and abuses where victims voluntarily appear before the TRRC, there is a critical need to ensure that SGBV victims are provided with adequate and meaningful support to be able to effectively participate in the TRRC process, otherwise, there is a real risk that these victims will simply not participate in the process at all. During the TRRC's public hearings on the theme of SGBV, the testimony of a young woman about the sexual violence she was subjected to by former President Jammeh as well as other victims of SGBV were met with negative backlash and victim blamed by many members of the public especially on social media. The TRRC subsequently released a press statement on 22 October 2019 addressing this backlash.<sup>4</sup> This further highlights the strong need to galvanize efforts to address the stigma, name calling and labelling of victims. The negative public reaction is likely to dissuade victims from coming forward and testifying. Already the TRRC has witnessed several victims of SGBV who have initially agreed to testifying subsequently changing their minds due to family and social pressure or choose to testify instead "in camera". As with any intervention aimed at victims, it is important to uphold the principle of 'Do No Harm.' That is why TRRC staff, including staff at the Victim Support Unit, researchers, statement-takers and investigators have received several specialized trainings on managing particularly vulnerable victims, such as SGBV victims.

Several victims of SGBV identified thus far by the TRRC and Victim Centre have revealed that the violations they were subjected to have had a direct impact on their physical and psychological health and on their economic status. The proposed interventions are therefore intended to encourage victims' participation in the TRRC process as well as to mitigate the risk of further harm and suffering amongst victims of SGBV.

### II. Objectives of support and proposed implementation

### a) Project outcomes, theory of change, activities and targets

# (i) Outcome statement

Overall this project aims to support The TRRC in its effort to ensure increased and effective participation of victims of sexual and gender-based violence and human rights violations in its processes, and to help

<sup>&</sup>lt;sup>4</sup> Available on the TRRC Facebook page: https://www.facebook.com/moj.trrc/

the delivery of essential support services and healing for victims of SGBV. This will include first and foremost dedicated support to victims of SGBV to fully participate in the TRRC process and secondly, through the provision of catalytic support to the TRRC, civil society organizations working with victims of SGBV as well as other state institutions in the form of institutional and technical capacity-building to build their capacity in responding as well as preventing cases of SGBV.

# Theory of change

*IF* victims of SGBV are provided with essential support to participate in the TRRC processes, THEN the TRRC as part of its mandate will ensure that cases of SGBV in The Gambia are visible and propose concrete recommendations for government and all key stakeholders in addressing the issues in a comprehensive, inclusive, principled, rights-based and victim-centred manner, THEREBY promoting the wellbeing and healing of victims of SGBV, end impunity for perpetrators and reduce cases of SGBV in the country.

# **Proposed Interventions**

The proposed interventions will be as follows:

1. Support national efforts to create a conducive environment that prevents SGBV whilst promoting and protecting the rights of survivors of SGBV.

Due to the shame and stigma that are often associated with SGBV, many victims suffer in silence, never reporting their cases or seeking basic support services. In instances where the victims inform their family or a trusted religious or traditional leader or other respected person within the community, they are often discouraged from reporting the case.

Section 34 (2) of the TRRC Act requires the commission to "take appropriate measures to protect informants," this includes ensuring their safety, anonymity and confidentiality. The Act further requires the commission to provide psychosocial support to victims and witnesses. To give effect to this provision, the TRRC secretariat established the Victim Support Coordination Unit, which is mandated to provide the necessary support services to victims and survivors who participate in TRRC processes. The unit offers counselling and psychosocial support to victims and witnesses who seek to share their testimony with the TRRC. Additionally, a Women's Affairs Unit was established. This Unit uses several strategies, to encourage the participation of women in TRRC processes. The strategies include women's listening circles and women's dialogues, which provide a safe space for women victims to speak about the abuses that they suffered and the impact of those abuses on their lives. These gatherings have proven to have a cathartic effect and have increased the self-confidence of many women victims. However, the TRRC hearings have seen very few victims of SGBV coming forward and registering with the Commission. In one instance, a female survivor who was scheduled to publicly testify about being sexually abused, changed her mind at the last minute after family members convinced her not to testify because of the stigma and social consequences that they would face. She was allegedly told "You will eventually die, but your children and grandchildren will have to live with the "shame' that their mother was raped". Even in cases where victims have come out, they may report other violations such as wrongful arrest, detention or torture and omit details about the sexual or gender-based violations they suffered.

Although some victims of SGBV have voluntarily appeared before the TRRC and provided statements, information from the Victim Centre, other victim associations in The Gambia and research conducted by TRIAL International into this matter suggest that there are so many more victims that have yet to provide the TRRC statements. To encourage more women to come forward, there is need to support the TRRC to put in place measures to protect the privacy and dignity of victims. The purpose of this intervention is thus, to firstly, increase significantly the direct participation of victims of SGBV in all TRRC processes, particularly statement-taking, investigations and hearings (closed, private and/or public). This is because whether victims choose to participate in the TRRC process or not, the TRRC must find innovative ways of receiving information on the scope and nature of this type of violation in order to make recommendations geared at transformative and institutional reforms to the Government.

This intervention shall encourage more SGBV victim participation at the TRRC by ensuring that the public discussion on SGBV shifts from victim blaming towards understanding and supporting the needs of victims and address issues of impunity especially within a patriarchal context like the Gambia. To make the necessary impact, there is a need for a holistic approach towards tackling the stigmatization and blaming of victims.

Additionally, practical factors such as distance and financial constraints deter victims from participating. The TRRC established a Victim Participation Support Fund to support basic needs of victims in order to enhance their participation in the TRRC process. The fund covers immediate, basic yet necessary needs of victims such as providing transportation to and from the TRRC, refreshments and safe space and imminent medical interventions (scans, x-rays) that often-hinder participation as well as ad-hoc protection services and one-off medical gadgets (wheelchairs, walking, hearing or seeing aids). Such support will not only help to improve their welfare but will encourage other victims to come forward and register their case.

Beyond this basic support, many victims also have some urgent medical needs which are of great concern not only to the TRRC but to other key stakeholders. The medical needs of victims may be physical, psychological or both stemming from the initial human rights abuses (for example those who were tortured or detained under very unfavorable conditions), but also due to the serious interruptions in their means of survival and livelihoods which may partly be due to illness, injuries and incapacitation from detention. Therefore, supporting victims with psychosocial support will assist with their healing process.

# 2. Support victims of SGBV to restore their dignity and well-being.

The impact of SGBV can be far reaching on a victim. In order to determine the type and level of support needed by victims, it is imperative that they are given the platform to express the challenges they may have in fully participating in the TRRC's process and express their needs such as financial or urgent medical needs that they have as a result of the violations they experience. This outcome could only be achieved if there is a comprehensive assessment of the needs of victims. The nationwide 'Needs Assessment' mission will aim to meet with victims, witnesses and their families to determine the urgent needs of these groups. The assessment will be conducted by a team comprised of a consultant (with demonstrated

expertise in research dealing with vulnerable groups), staff of the TRRC and staff of the Victim Center who will be supported by psychologists.

The need for psychologists to support the mission is based on evidence thus far that a substantial portion of victims have experiences of trauma in the past due to the violations as well as exposure to insecure situations. Therefore, the initiative will endeavor to promote mental health among the victims to propagate resilience to post-traumatic behaviors that could negatively impact on their wellbeing as well as interrupt the functions of the processes. The psychologist(s) will therefore help prepare the victims psychologically to deal with possible traumatic experience during the assessment and statement-taking initiatives and during the Commission hearings. The results of the assessment will feed into a comprehensive victim support programme, the TRRC's reparations programmes as well contribute to resource mobilization efforts for victims.

Supporting victims of SGBV with livelihood skills training and income generating activities can reduce the multiplier effects of the violation and restore the dignities and livelihoods of the victims. In The Gambian context, victims, including victims or SGBV often cite their main concern and grievance as being a loss of income or ability to provide for their children and other family members/relatives.

So as not to duplicate efforts, these income generating activities will utilize existing programmes under the UNDP Poverty Alleviation Programme. Under this intervention, victims of SGBV will be provided with skills training for income generating activities and possibly, be availed funds to start up their own business. It is expected that the livelihood and income generating activities will help victims to gain additional skills and earn additional income from it to meet their needs. The support is also expected to have a positive impact on the mental and physical wellbeing of the beneficiaries include boosting their self-esteem.

#### 3. Support the strengthening of national systems to respond to cases of SGBV.

There is convincing evidence that victims of SGBV especially suffer from traumatisation and chronic PTSD. This situation is further exacerbated by inadequate essential response services such as legal and health services in The Gambia especially mental health services. The absence of a professional detection, reporting and response services has resulted in low reporting of cases and in instances where cases are reported, often poor investigation results in low prosecution rates. Furthermore, the lack of accurate data on the prevalence of SGBV cases seriously hampers efforts of evidenced based programming, Therefore, there is a strong justification to strengthen the capacity of existing service providers to enhance reporting, detection, investigation and prosecution of SGBV as well as to meet the long-term psychological needs of victims of SGBV, especially those suffering from trauma.

In 2018, the Ministry of Justice established a SGBV Unit to handle all such cases. The unit is comprised of key actors including social workers, police officers and prosecutors. However, the Unit needs capacity enforcement to deliver on its mandate on dealing with such complex cases which requires specialized trainings. Through the proposed intervention, a series of well-crafted and tailored workshops and trainings will be conducted to increase the capacity of service providers e.g. law enforcement officers, lawyers, judges, social workers, psychologists and counsellors, as well as (civil society) organisations and institutions to effectively prevent and respond to cases of SGBV including working with people suffering from trauma. Some of these trainings will be designed as a "Training of Trainers" in order to ensure that service providers share learned knowledge and techniques with other or future service providers. Overall, these trainings

are aimed to increase case management of SGBV cases including knowledge on trauma and PTSD, and ensure that post-TRRC, there remains adequate capacity in Gambian service providers to provide trauma informed care to individuals suffering from PTSD or traumatisation, including victims of SGBV. These interventions will complement the current UNDP Rule of Law project which is working around similar issues with limited resources.

In addition, there exists **A one-stop centre** (a centre for victims-survivors of SGBV with service geared towards addressing their needs in one place) at the country's largest hospital. However, this centre has limited facilities to adequately respond to the needs of victims, there is a great need to ensure that the centre is well equipped in terms of enough trained personnel and medical services (treatment, rape kits, storing and testing samples). By supporting the centre, this will enhance the support services that are availed to victims and provide victims with a better chance of healing.

Currently, data on SGBV cases in terms of prevalence, types etc. is almost not existent and therefore remains a barrier to effective programming to address the issues. Creating a comprehensive information system / database would be very useful for actors. The database could also in the long-term be used to help fight impunity by storing documented profiles of perpetrators, help track, monitor as well as provide useful information for vetting purposes. The database would include features to maintain confidentiality of victims and would be accessible by limited number of trained professionals. Training including on data protection, confidentiality and ethics of key users would immediately follow the creation of the database.

The project will contribute to greater outcomes for victims of SGBV through close collaborations and partnerships with existing institutions and programmes notably the TRRC, the National Human Rights Commission, the SGBV Unit established by the Ministry of Justice, the UNDP Rule of Law Project and CSOs such as the Network Against Gender Based Violence. Furthermore, supporting national capacity building efforts will contribute to sustainability.

## (ii) Expected results

<u>Outcome 1</u>: Existence of a conducive environment that encourages victims of SGBV to register with the TRRC and effectively participate in the TRRC process.

<u>Output 1.1</u>. The general public and especially victims of SGBV are aware of the work of the TRRC and have the necessary knowledge and attitude about SGBV that encourage victims of SGBV to report their cases to the TRRC

Activity 1.1.1: Community, traditional, religious leaders and influential youth are engaged to build their knowledge on SGBV and on the mandate of the TRRC on SGBV

Activity 1.1.2: Develop sensitization tools/materials and conduct nationwide sensitisation meetings with selected women and youth groups/leaders and community leaders and members with an emphasis on both male and female on the importance for them and society as a whole to contribute by engaging at various level in the fight against SGBV and encourage victims to come out.

Activity 1.1.3: The media both print and electronic are trained on reporting cases of SGBV

Activity 1.1.4: Provision of small grant to a media house to routinely report on various aspects of SGBV that shifts the narrative from victim blaming and focuses more on prevention and addressing SGBV through access to support services e.g. medical, legal, access to justice

<u>Activity 1.1.5</u>: Support to selected traditional communicators to conduct community sensitisations that focuses on SGBV that shifts the narrative from victim blaming and focuses more on access to support services

<u>Activity 1.1.6</u>: Development, printing and dissemination of messages and provision of key information through visibility material for mass dissemination in public and private sector (manuals, posters, stickers, billboards)

<u>Activity 1.1.7</u>: Identification of champions and establishment of informal Anti-SGBV Networks linking men and women from all walks of life, champions of the cause in each region of the country and support to such networks for a continued engagement even beyond the TRRC and the lifespan of the project.

<u>Output 1.2</u>. The TRRC has adequate operational, financial and technical capacities to respond to the health related- and protection needs of SGBV victims who register their cases

Activity 1.2.1: Increase resources of the Victim Participation Support Fund to provide essential support on a case by case basis to victims of SGBV including transport refund, daily subsistence, refreshment, witness protection etc as needed

Activity 1.2.2: Support the Victim Support Unit to provide needed psychosocial services to all victims of SGBV who report their cases at the TRRC or are otherwise identified as such

Activity 1.2.3: Support the Witness Protection Unit with priority on women victims in need of protection services.

Outcome 2: Identified SGBV victims are supported and their dignity and wellbeing restored.

<u>Output 2.1</u>. Essential livelihood needs of survivors and victims of SGBV accurately defined and spelt out in an assessment report

Activity 2.1.1: Support the assessment of the livelihood needs of identified victims of SGBV

Activity 2.1.2: Development of a framework for the provision of adequate support to victims of SGBV registered with the TRRC

<u>Output 2.2</u>. Selected victims of SGBV are provided with adequate and specific skills of their choice, have regained confidence and have started business aiming at restoring their earning potential

Activity 2.2.1: Support the participation of selected victims of SGBV to undertake income generating trainings from existing providers

Activity 2.2.2: Provide one-off capital to selected victims of SGBV to start their own income generating activity

<u>Outcome 3</u>: Capacities of National systems routinely in charge of prevention and response to cases of SGBV strengthened and TRRC's interventions on victims and cases of SGBV well-coordinated, more impactful and sustainable

<u>Output 3.1</u>. The coordination mechanisms of multidisciplinary services providers that deal with cases of SGBV are strengthened.

<u>Activity 3.1.1:</u> Survey to identify all institutions involved in the prevention and response to SGBV in The Gambia and assess capacity gaps of their coordination mechanisms.

Activity 3.1.2: Provision of material support (rape kits, storing and testing samples, furniture) and basic training to the One Stop Centre to contribute to the creating of a conducive environment for victims.

Activity 3.1.3: Support the review/development, adoption, dissemination and implementation of policies against sexual harassment and gender-based discrimination throughout public and private sector

<u>Activity 3.1.4:</u> Support to the development of a comprehensive information system / database on SGBV that will provide accurate and reliable data on SGBV and serve as a tool for evidence-based decision making by policy-makers in addressing and preventing SGBV

Output 3.2. The capacity of actors that deal with cases of SGBV are strengthened.

Activity 3.2.1: Provision of trauma trainings to formal actors (social worker, CSOs, police, staff of the one stop centre)

Activity 3.2.2: Provision of trauma trainings to informal actors (carefully selected community actors)

Activity 3.2.3: Provision of specialized trainings to actors who interact with SGBV victims-survivors (police officers, lawyers, judges, medical personnel and persons providing psycho-social support, staff of the One Stop Centre and the SGBV Unit of the Ministry of Justice investigators and case workers of the National human Rights Commission etc.) on dealing with cases of SGBV including reporting, investigation and prosecution of SGBV.

#### Management and coordination

### a) Project Management

### UNDP's Capacity and comparative advantage

UNDP Gambia Country Office currently has a Governance and Human Rights Team which is supervised by the Deputy Resident Representative for Programme and Operations who will have the responsibility for the daily oversight and quality assurance function for the management of the project. The Country Office manages an overall budget of USD 10 million. Given the nature of the previous national administration, the Country Office has over the past 3 years spent approximately USD 500,000 USD per annum on governance interventions.

In addition to the existing capacity within the UNDP The Gambia on governance and human rights, with the PBSO IRF funding, a project management Unit of 8 staff headed by a Senior Advisor on Rule of Law and Transitional Justice has been established to implement the TJHR Project. The Project Coordinator has 28 years of professional experience in the human rights field and more 10 years in transitional justice field for having supported TJ processes in Burundi, Togo and now The Gambia. While in the DRC Peacekeeping mission (MONUSCO), he cofacilitated the training of a number of human rights officers in monitoring and reporting sexual and gender based human rights violations. Six out of the eight staff have background in human rights and transitional justice with 3 of the team members having extensive experience of working in various contexts including peace keeping missions. Three of the staff also have over 10 years working

experience on gender issues including SGBV cases. This team which will be responsible for the day to day implementation of the project is providing technical and logistical support to the Ministry of Justice and the TRRC daily. The team would also be supported by the UNDP Gender Specialist who has over two decades of experience working on gender mainstreaming and SGBV issues at policy and technical level.

Number of staff	Function	Percentage of time spent on the project activities  15%	
1	Project Coordinator		
5	Human Rights and transitional justice Specialists	20% each	
1	Programme Assistant	25%	
1	Driver	10%	

Likewise, a Senior SSR Advisor was recruited under the same PBSO IRF and is spearheading the UN support to the government in the security sector reform field in collaboration with other Advisors deployed by UK, USA, France and EU. The UN Department of Political Affairs and UNDP Joint Programme on National Capacities for Conflict Prevention has also deployed a Peace and Development Advisor who coordinated the Conflict and Development Analysis Report and provides ongoing advisory support to the UNCT and Government institutions on best ways to ensure social cohesion and sustainable peace in The Gambia. Under the purview of UNDP, the PDA provide support to Gambia Press Union in establishing an Editors Forum to promote Conflict-sensitive reporting. Additionally, the Joint UNDP-UNICEF Project on Strengthening Rule of Law and Enhancing Justice and Security Service Delivery in The Gambia 2017-2020 has deployed a Chief Technical Advisor on Rule of Law to lead implementation of and provide advisory services on rights based and child sensitive reforms.

The Project Management Unit has excellent working relationship with Justice Rapid Response and both entities have partnered to support the investigations and exhumations activities of the TRRC. When JRR deployed experts in SGBV to The Gambia, the latter met with the TJHR PMU and exchanged extensively on the right approach and way forward. The TJHR PMU intends to continue such collaboration in the area of SGBV to synergize better and avoid duplication of efforts. An example of such collaboration is ongoing with other partners such as the International Center for Transitional Justice when the project organized in September 2019 a one week mentoring and capacity-building activity aiming at mainstreaming gender into the operations of the TRRC, the National Human Rights Commission and the Ministry of Justice SGBV Prosecution Unit. The same happened when the project partnered with Trial International in SGBV related activities to share information and create more synergies in supporting the TRRC.

## Recipient and implementing agency and arrangements

To facilitate the implementation of this project, the Donor and UNDP agree to the following:

UNDP through the Transitional Justice and Human Rights Project Management Unit will be responsible for implementing and is responsible for quality assurance regarding substantive activities and project management. It is however agreed that other UN agencies such as UNFPA, UNICEF and UNAIDS will be consulted on areas where they have comparative advantage to help ensure the effective implementation of the project.

UNDP will work closely with the TRRC in the implementation of the project as well as other key stakeholders such as CSOs with good experience of working on SGBV issues, government agencies and the media in order to boost delivery of project results.

# b) Risk management

# Risk management matrix

Risks to the achievement of project results	Likelihood of occurrence (high, medium, low)	Severity of risk impact (high, medium, low)	Mitigating Strategy (and Person/Unit responsible)
1) Social – Due to the culture of silence, stigmatization of victims of SGBV and taboo around Sexual violence, victims may be deterred from coming out and speaking on the process	Medium	High	-Increased advocacy for continued adoption of a victim-centered approach by the TRRC -support to CSOs with experiences of working on SGBV cases for intensification of outreach and social mobilization program to encourage victims to participate in the TRRC processes -Continued capacity building of stakeholders including, CSOs, media, TRRC personnel and community leaders on SGBV to ensure that public perception and narrative on SGBV is not negative and thereby deterring victims form coming out
2) Inadequate national capacities	Medium/High	Medium	Targeted training and close accompaniment of key national stakeholders throughout all stages of the project through the support of project team members
3) Sabotage by some opinion leaders due the patriarchal structure and maledominated nature of the society and also due to the perception of exclusion or fear of losing control or being discovered.	Medium	Medium	Strong engagement with identified potential spoilers, opinion leaders, Imams, Youth groups through carefully designed communication and outreach strategies using champions, elements of traditions and religious scriptures to convey the message on the noble objectives of the project. And maintain such engagement through the life of the project.  Always address both men and women in all activities of the project.

4) Mismanagement of funds by TRRC or COS recipient	Low	Low	The project has assessed the capacities of the TRRC and put in place safeguards in dealing with the commission. All UNDP partners and responsible parties are periodically trained and spot checks are conducted to ascertain compliance with financial procedures and standards. The same system will apply to any CSO selected as responsible party in this project. Disbursement will be made in tranches and failure to retire a first tranche disbursement
			The project management Unit also conduct regular monitoring of activities carried out by partners.

## a) Monitoring & evaluation:

Project monitoring and evaluation (M&E) will be conducted in line with the approved Project Monitoring and Evaluation Plan. The UNDP Deputy Representative and Head of Operation and Programmes will oversee overall project oversight. The Project Management Unit will hold regular meetings to discuss the project implementation and assess its progress. The Results and Resources Framework (RRF) incorporated in this document will be the touchstone for performance monitoring and reporting. The Government of The Gambia and UNDP will be responsible for setting up the necessary M&E mechanisms (see further below) in order to ensure continuous M&E of the project's results and impact, as well as to ensure efficient resource utilization, accountability, transparency and integrity.

In addition, Joint M&E visits between the Project Management Unit and the TRRC and other key stakeholder as well as the periodic coordination meetings to review and assess progress registered against plan, will further strengthen the M&E of the project and equally boost coordination among actors. This will further facilitate sharing of learnings and experience among projects for better planning and implementation of the project.

#### M&E Plan

Tracking the achievement of planned results for each activity within the project work plan and reporting progress to the Donor and giving feedback to the implementing partners will be the responsibility of the Project Manager via an M&E Plan. The Project Manager, will ensure that selected implementing partners if any, will develop a results-based monitoring plan. The plan will have gender-sensitive SMART indicators, which will facilitate effective monitoring. The Project Manager will provide semi-annual reports to the Donor or as often as the Donor requires.

The specific mechanisms that will be used to monitor the achievement of results will include:

- Semi-annual progress and financial reports, prepared by the Project Manager for review by the Donor; a standard reporting format will be used;
- A final report will be prepared by UNDP, which includes lessons learned and good practices, within 3 months of the end of the Project and submitted for review and consideration by the Donor;

• A final independent review will take place at the end of the Project;

The project will be subject to an independent evaluation to be done in consultation with the donor before its closure.

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Annex C: Results Framework

Country name: The Gambia

Project Effective Dates: Planned Start Date: 1 January 2020

Planned Completion Date: 30 June 2021

Theory of Change: IF victims of SGBV are provided with essential support to participate in the TRRC processes, THEN the TRRC as part of its mandate will ensure that cases of SGBV in The Gambia are visible and propose concrete recommendations for government and all key stakeholders in addressing SGBV in a comprehensive, inclusive, principled, rights-based and victim-centric manner, THEREBY promoting the wellbeing and healing of victims of SGBV, end impunity for perpetrators and reduce cases of SGBV in the country.

Milestones	Increased understand through the training of various targeted audiences.  Increased awareness a achieved through nation-wide outreach activities in all the regions.  Increased support and encourage ment of SGBV victims and survivors from influencers.
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Year 2	
Year I	
The other Hills	Oue Oue Oue Oue Oue Oue Oue Oue Oue Oue
Means of Verification	Activity reports, including monitoring reports.  Media monitoring reports.  TRRC statements.
Indicators	Outcome Indicator 1  Number of public attacks against outspoken victims and survivors of SGBV reduced.  Outcome Indicator 1  Number of SGBV related testimonies and statements received by the TRRC increased.  Baseline:  - TBD (number of attacks against outspoken victims and survivors or SGBV reduced)  - 50 SGBV related testimonies and statements received by the TRRC.  Target:  -TBD (number of attacks against outspoken victims and survivors or SGBV related testimonies and statements received by the TRRC.  Target:  -TBD (number of attacks against outspoken victims and survivors or SGBV reduced)  -200 SGBV reduced)  -200 SGBV related testimonies and statements received by the TRRC.
Activities	
Outputs	
Outcomes	Existence of a conducive environment that encourages victims of SGBV to register with the TRRC and effectively participate in the TRRC process.



Nation- wide multimedia and community outteach campaigns over one full year trageting a wide range of selected audience (male and female) and culminating in the setting up of regional and national Anti-SGBV Network	
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-Reports of media monitoring -Public statements by various institutions - Activity reports, including monitoring reports, including monitoring reports Compilation of testimonies collected from victums during dedicated interviews and Focus groups discussions Activity reports of the Anti-SGBV Network Pre and post training assessment forms.	
Output Indicator  11.1.1  - Indicator I: Level of awareness and understanding of SGBV in The Gambia.  - Widespread denial of prevalence of SGBV bading to low reporting of SGBV leading to low reporting of SGBV cases of GBV, out of which 153 is SGBV in 2016).  - 50 SGBV related testimonies and statements received by the TRRC.  Target.  - 10% of sensitized youth groups,	community leaders and members take positive steps that encourage victims and survivors of SGBV to report their case to the TRRC. 200 SGBV related testimonies and statements received by the TRRC. At least 50% of survivors and victims of SGBV interviewed by project attest to a positive and
Activity 1.11. Community. traditional, religious leaders and influential youth are engaged to build their knowledge on SGBV and on the mandate of the TRRC on SGBV and on the TRRC on SGBV and on the TRRC on SGBV and conduct nationwide sensitization meetings with selected women and youth groups/feaders and community leaders and members with an emphasis on both male and female on the importance for them and society as a whole to contribute by engaging at various level in the fight against SGBV and encourage victims to come out.	Activity 1.1.3; The media both print and electronic are trained on reporting cases of SGBV. Mam  Activity 1.1.4; Provision of small grant to a media house to routinely report on various aspects of SGBV that shifts the marrative from victim blaming and focuses more on prevention and addressing SGBV through access to support services e.g. medical, legal, access to justice. Mam and Marianne
Output 1.1 The general public and especially victims of SGBV are aware of the work of the TRRC and have the necessary knowledge and appropriate attitude towards SGBV, which encourages victims of SGBV to report their cases to the TRRC.	

TINKC	Victims support Unit and Witness Protection Unit have sufficient resources and survivors and victims	de de la company
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	by the	
	cator Activity Reports produced by the TTRC. of a  ve support caters for reports by the devictims Project the TTRC. Unit.	
Exit to the following the foll	Output indicator  12.1.: pport -Indicator I: Availability of a ton a comprehensive support is to scheme that caters for survivors and victims of SGBV at the TRRC.  Baseline: At least 50 SGBV victims and	
Activity 1.1.5.  Support to selected traditional communicators to conduct community sensitizations that focuses on SGBV that shifts the narrative from victim blaming and focuses more on access to support services.  Activity 1.1.6. Development, printing and dissemination of messages and provision of key information through visibility material for mass dissemination in public and provision of champions and establishment of informal Anti-SGBV Networks inking men and women from all walks of life, champions of the cause in each region of the country and support to such networks for a continued engagement even beyond the ITRRC and the lifespan of the project.	Activity 1.2.1: Increasing resources for the Victim Participation Support Fund to provide essential support on a case by case basis to victims of SGBV including transport refund, daily subsistence, refreshment, witness	Torrest the second seco
	Output 1.2 The TRRC has adequate operational, financial and technical	

of SGBV coming to the TRRC have access to basic services			Provision of support to selected survivors and victims fit to and willing to undertake income generating activities aming at their increased autonomy and improved livelihood	Assessment of livelihood needs of identified SGBV survivors and victims completed.
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			D	joz
	۲Ö		- Activity and monitoring reports s	Activity and monitoring reports  Framework for support to victims
Suvors received support from the TRRC.  Target:  200 SGBV	survivors receive support from the TRRC.		Outcome Indicator 2.1: - Level of satisfaction expressed by SGBV victims and survivors for services received from the TRRC. Basetine: (information is not available) Target: - 70% of SGBV victims and survivors express satisfaction with services received from the TRRC.	Output Indicator 2.1.1 - Indicator 1: Existence of a comprehensive mapping report on the livelihood needs of survivors and victims of SGBV and their
The Local Control of the last	Activity 12.2.: Support the Victim Support Unit to provide needed psychosocial services to all victims of SGBV who report their cases at the TRRC or are otherwise identified as such.	Activity 1.2.3: Support the Winess Protection Unit with priority on women victims in need of protection services.		Activity 2.1.1: Support the assessment of the livelihood needs of identified victims of SGBV.
capacities to respond to the health and protection-	needs of SGBV victims who register their cases at the TRRC.			Output 2.1 Essential livelihood needs of victims and survivors of SGBV
			OUTCOME 2: Identified SGBV victims are supported and their dignity and wellbeing restored.	



- Policy framework developed for the provision of adequate support to survivors and victims of SGBV registered with the TRRC - Training completed in entrepreneurship and specific skills	- Selected grantees receive their grant package	
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	Activity and monitoring reports	
ihwast in and ability to initiate small self- help or income generating activities.  Baseline: Non- existence of such a report.  Target: A comprehensive mapping report on the livelihood needs of survivors and victims of SGBV is available.	Output Indicator 2.2.1 - Indicator I: Number of survivors and victims trained on skills to start an income generating funded by the Project.	Baseline: 0  Target: at least 10  - Indicator 2: Percentage of businesses still operating at the time of Project closure.  Baseline: 0  Target: at least 40%
Activity 2.1.2: Development of a framework for the provision of adequate support to victims of SGBV registered with the TRRC.	Activity 2.2.1: Support the participation of selected victims and survivors of SGBV in trainings from existing providers to undertake income generating.	Activity 2.2.2: Provide one-off capital to selected victims of SGBV to start their own income generating activity.
accurately defined and spelt out in an assessment report.	Output 2.2 Selected survivors and victims of SGBV are provided	with adequate and specific skills of their choice, have regained confidence and have started business aiming at restoring
accur defin spelt an asses repor	Outp Selec survit and v of SG are provi	with adequand shifts skills their have regai confid and h starte busin aimin restor

