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Gambia: Government to come under review on human right record at UN

On 10 February, the human rights record of Gambia will come under review by the Universal Periodic Review (UPR) Working Group of the UN Human Rights Council in Geneva. The dialogue in the Working Group will be an opportunity for other states to ask questions to Gambian government representatives in areas such as freedom of expression, association and peaceful assembly, and unlawful arrests and unfair trials. Amnesty International urges the Gambian government and other states to use the opportunity of the UPR to address these concerns and to identify measures to improve the situation of human rights in the country.

The government has submitted a national report for the review in the UN Human Rights Council's Working Group. The report makes reference to guarantees in the Gambian Constitution against arbitrary arrest and detention and states that the provision in the Constitution which prohibits torture, and inhuman or degrading treatment is non-derogable. The report also states that the Gambian Constitution guarantees every person "the right to freedom of speech and expression, which shall include freedom of the press and other media". The review in the UPR Working Group will be an important opportunity to explore how to achieve fuller implementation of these guarantees.

Amnesty International and 11 other civil society stakeholders have contributed to a further report for the review which details major human rights concerns. In its contribution, Amnesty International has documented cases of unlawful arrest and detention of perceived and real opponents to the government since the alleged March 2006 failed coup attempt, and has provided information about 10 military personnel and five civilians who were tortured while in detention. Human rights violations against media workers occurred frequently, including the arbitrary arrest and detention in August 2009 of six journalists who wrote about the unresolved murder of journalist Deydra Hydara in 2004.

Amnesty International has also documented a number of enforced disappearances, including opposition supporters and journalists. Daily Observer journalist Chief Ebrima Manneh, arrested in 2006, remains disappeared despite a ruling in 2008 by the ECOWAS Community Court of Justice demanding his release and payment of damages to his family. Opposition supporter Kanyiba Kanyie was a victim of enforced disappearance in September 2006. The government continues to deny knowledge of his whereabouts.

Amnesty International has urged other states to participate actively in the UPR of Gambia and to make concrete recommendations to address the serious human rights violations recorded in Gambia. Amnesty also encourages the Gambian government to use the opportunity of the UPR to demonstrate real commitment to the fulfilment of Gambia's human rights obligations and commitments.

Background

The UPR is a unique opportunity to review the human rights record of all UN Member States once every four years and to work cooperatively with the States under review to identify measures to overcome human rights challenges and to improve the fulfilment of their human rights obligations and commitments. In this regard, it is of critical importance that the interactive dialogue in the UPR Working Group between the State under review and other Member States is used well. It should focus on the main human rights challenges in the

country and reviewing States should make concrete and measurable recommendations to address these and to strengthen the enjoyment of human rights by rights holders.

The human rights situation in Gambia, which has been deteriorating since 1994, has worsened since the last foiled attempted coup plot in March 2006. For further information on the human rights situation in Gambia, including Amnesty International's submission for the UPR refer to: <http://www.amnesty.org/en/library/info/AFR27/006/2009/en>

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International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK

www.amnesty.org
