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Dozens of death row prisoners in Gambia risk imminent execution

At least 38 people still on death row in The Gambia are at imminent risk of execution following official confirmation nine other death row inmates were put to death last week as the government pledged executions will continue, Amnesty International said.

“One can only imagine the terror the death row inmates and their families are facing knowing that at any moment they could be pulled from their cells and put in front of a firing squad,” said Paule Rigaud, Amnesty International’s Deputy Director for Africa.

“Amnesty International remains concerned that many inmates have been convicted after unfair trials where they have not had access to lawyers or an appeals process. Some were sentenced after being tried on politically-motivated charges and have been subjected to torture and other ill-treatment to force confessions.”

Conditions on death row are believed to be appalling and reports indicate that they have been made even worse by increased security since last week, with all prisoners reported to be on virtual lockdown.

The Gambia had not carried out executions since 1985 and was previously considered abolitionist in practice.

The recent executions followed statements made by President Jammeh on 19 and 20 August indicating that The Gambia would execute everyone on death row by mid-September.

Amnesty International understands that neither the prisoners who were executed nor their families were told of the executions in advance. Secret executions, where prisoners, families and lawyers are not informed beforehand, violate international law on the use of the death penalty.

Family members of those who remain on death row have been unable to access the prison, or communicate with the inmates.

The wife of one death row prisoner in The Gambia told Amnesty International:

“These past few days have been something like a nightmare. We don't know what's happening – who is dead and who is alive. And we don't know who will be next. Many of the people are still on appeal and we are scared because we do not know what will happen to them.”

On the evening of Thursday 23 August eight men and one woman were taken from their cells in Mile 2 prison near the capital city, Banjul, and shortly after executed by firing squad.

Amnesty International believes the executions were carried out between Thursday night and Friday morning though the government, in a statement released on Monday 27 August, claimed they were carried out on Sunday 26 August.

The statement from the Ministry of Interior reiterated the government's intention that "all sentences prescribed by the law would be carried out to the letter, including the death penalty". This appears to confirm that The Gambia will go ahead with further executions despite the international outcry.

Amnesty International has noted that in the past two years the number of death sentences handed down has increased; yet the criminal justice system remains flawed.

"The President must not only retract his threat to execute all death row prisoners; he must confirm that The Gambia will place a moratorium on executions, effective immediately," said Rigaud.

Amnesty International calls for a review of all death penalty cases. The international community should provide assistance to ensure fair trials of all death row inmates.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner. The organization campaigns for the total abolition of this cruel and inhuman punishment.

Background

While the use of the death penalty is allowed under the International Covenant on Civil and Political Rights, to which The Gambia is a State Party, international law and standards pose clear limitations on its use and set out safeguards to guarantee the rights of all those facing the death penalty. These include that the death penalty can only be imposed for crimes where there is an intention to kill which results in the loss of life. According to the UN, this excludes the possibility of imposing death sentences for activities of a political nature, including treason, espionage and other vaguely defined acts described as 'crimes against the State'. Death sentences can also be imposed only after trials which comply with the most rigorous internationally recognized standards for fair trial.

The executions that took place in The Gambia are in stark contrast to the trend, both in West Africa and globally, towards ending the use of the death penalty. According to Amnesty International's information, no West African country has carried out executions in recent years. Since 2000, Côte d'Ivoire, Senegal and Togo in West Africa, as well as Burundi, Gabon and Rwanda have abolished the death penalty for all crimes.

After the executions in The Gambia, 140 countries in the world have abolished the death penalty in law or practice. In Africa, 21 of the 54 member states of the African Union are abolitionist in practice, and 16 are abolitionist in law for all crimes. The Gambia had previously also been classified as abolitionist in practice. The last execution before last Friday took place in 1985, according to the government, more than a quarter of a century ago.