

AMNESTY INTERNATIONAL PUBLIC STATEMENT

AI Index: AFR 27/005/2009
15 July 2009

The Gambia: Amnesty International Demands Freedom for Gambians

“Freedom Day”, which takes place on 22 July 2009, is a national holiday in Gambia. On that “day of action” thousands of activists from 12 different countries worldwide will draw attention to the lack of political freedom and the widespread human rights violations in Gambia. The human rights situation, which has been deteriorating since 1994, has worsened since the last foiled attempted coup plot in March 2006.

The Gambia government has stifled political and social dissent. The army, National Intelligence Agency (NIA) and police have committed serious human rights violations. In a report published in November 2008, Amnesty International raised the cases of at least 30 people who have been detained without charge or unlawfully imprisoned after unfair trials since March 2006. Many have been tortured or ill-treated, disappeared, and died in custody or died shortly after release.

Freedom of expression is severely limited: journalists have been detained and unlawfully arrested if suspected of providing information to news sources and for writing stories unfavourable to the authorities. Newspapers, including internet based ones, have also been closed down or hacked into. Journalists and members of the opposition are frequently harassed, threatened, and unlawfully killed.

Two cases involving Gambian journalists have been brought to the attention of the ECOWAS Community Court of Justice since 2006. *Daily Observer* journalist Chief Ebrima Manneh remains a victim of enforced disappearance for three years despite the Court’s ruling demanding he be released and damages be paid to his family. The former editor of *The Independent* newspaper, Musa Saidykhan’s, alleges he was tortured by the NIA in 2006. His case is ongoing.

In June 2009, seven journalists were initially unlawfully detained and are currently on trial for sedition after criticizing President Yahya Jammeh for remarks that bluntly refuted government involvement in the unsolved 2004 murder of Deydra Hydara, former editor of *The Point* newspaper. Since 1994, at least 27 journalists have left The Gambia, more than half of them in the last two years, and at least 10 of them have been granted asylum elsewhere.

In March 2009 Amnesty International reported that in Foni Kansala district near Kanilai, the President’s village, over 1,000 people were reportedly kidnapped from their villages, accused of ‘witchcraft’, and taken to secret detention centres. In these centres, they were reportedly forced to drink hallucinogenic concoctions and to confess to being a witch. The liquid they were forced to drink appeared to lead to kidney problems and to at least six deaths from kidney failure. A well-known opposition leader, Halifa Sallah, wrote articles for *Forayaa*, the main opposition newspaper in Gambia, and criticised the government’s ‘witchcraft’ accusations. He was detained, charged with treason and held in Mile 2 Central Prison. After significant outside pressure, all charges were dropped and he was released.

Migrants and visitors are also subject to unlawful arrests, torture and ill-treatment by the security forces with some who died. In July 2005 a group of 50 foreigners, including 44 Ghanaians, was detained and reportedly killed by members of the Gambia security forces. A

recent report carried out jointly by ECOWAS and the UN determined that rogue security forces were responsible. So far, the Gambian government has not taken any steps to bring the perpetrators to justice.

Amnesty International encourages all members of civil society in Africa to join together on 22 July 2009 to call on:

- The United States, the United Kingdom and the European Union to publicly condemn human rights violations in The Gambia and put pressure on the government to improve the human rights situation in the country.
- The African Union and ECOWAS to put pressure on the Gambian government to urgently implement all recommendations of the African Commission on Human and People's Rights (ACHPR) including the June 2009 recommendations of the ACHPR Special Rapporteur on Freedom of Expression and the November 2008 ACHPR Resolution 134, which, among other recommendations, calls for:
 - An investigation into all allegations of acts of torture in detention and extrajudicial executions.
 - Access to all prisoners and an immediate end to harassment and intimidation of independent media institutions and respect for the rights of journalists and human rights defenders.
 - The Gambian government's full compliance with obligations under the African Charter with regard to the right to liberty, freedom from torture, right to fair trial, freedom of expression and of association and to take all necessary measures to ensure accountability for reported cases of human rights violations in the country.

END/