

AMNESTY INTERNATIONAL

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Serious danger of reprisals against Gambians seeking to engage with the UN's Universal Periodic Review

Human Rights Council must seriously address instances and risks of reprisals

Amnesty International is deeply concerned at the ongoing trend of intimidation and reprisals against those who engage with UN human rights mechanisms, including the Universal Periodic Review (UPR). The recent report by the Secretary General specifically addresses reprisals arising from the engagement of individuals with the reviews of Cameroon, China, Egypt, Malaysia, and Vietnam. Alleged reprisals reported include intrusive surveillance, arbitrary detention, and in one shocking instance in Cameroon, murder.

No-one should face sanction for engaging with or seeking to engage with UN human rights mechanisms. Intimidation and reprisals are a direct violation of the affected individuals' human rights and a tactic designed to dissuade others from advocating for their rights. They are also an attack on the UN human rights system itself. It is incumbent on UN member states to be aware of recourse to intimidation and the risks of reprisals and to be prepared to take action to prevent them.

Amnesty International is alarmed at the deterioration of the situation of human rights in **Gambia** since its UPR examination in 2010. Human rights defenders and journalists face attacks, and impunity for human rights violations, including those adjudicated by the ECOWAS Court of Justice, remains the norm. In 2012, the government arbitrarily executed nine death row inmates by firing squad. On 3 December 2012, human rights defender and Muslim cleric Imam Baba Leigh was deprived of his liberty by state agents and subject to incommunicado detention - which could amount to enforced disappearance - and repeatedly subjected to torture for publicly condemning the government's use of the death penalty. This year, Gambia unilaterally postponed the visits by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment and the Special rapporteur on extra-judicial, summary or arbitrary executions. Amnesty International urges Council members and observers to use the upcoming UPR to demand accountability of the government for human rights violations.

Amnesty International believes there is a real risk of reprisals against Gambians who seek to engage with the upcoming UPR examination for Gambia. It urges this Council to ensure sustained attention to the human rights situation in Gambia and to actively monitor the situation so that Gambian human rights defenders are able to engage actively with UN human rights mechanisms free from intimidation and reprisals.

Background

Gambia is scheduled to be examined under the Universal Periodic Review (UPR) of the UN Human Rights Council on 28 October 2014. Amnesty International delivered an oral statement during the General Debate under Item 6 of the UN Human Rights Council's agenda, which deals with the UPR. The statement was delivered during the 27th session of the Council on 22 September 2014 and forms the basis for the above statement.

Amnesty International submitted a longer written statement to the Council on the situation of human rights in Gambia on 11 August:

<http://www.amnesty.org/en/library/asset/AFR27/011/2014/en/b16517cf-f7f4-4c55-a0ac-fc1735961fdf/afr270112014en.pdf>

Amnesty International also submitted information on the situation of human rights in Gambia in advance of its examination under the UPR:

<http://www.amnesty.org/en/library/asset/AFR27/006/2014/en/34975205-59e1-4e9b-9e91-0e6120e37e35/afr270062014en.pdf>

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