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Death under torture/Forcible expulsion

14 November 1990

**SENEGAL/ : Sékou Mary, known as Agnocoune, 58-year-old peasant-farmer from
THE GAMBIA Kabiline village, Diouloulou subdistrict, Bignona department, Senegal**

Sékou Mary, known as Agnocoune, is reported to have died as a result of torture inflicted on him in Diouloulou Gendarmerie station in late October 1990. He had been arrested on 23 October in the Gambia by the Gambian authorities, held in Brikama police station in the Gambia, and later handed over to the Senegalese security forces who took him to the town of Diouloulou where he was reportedly beaten to death. His dead body was reportedly returned to his family and he was buried in his village, Kabiline, on 26 October. He was married with two wives and had 10 children.

Sekou Mary was among 10 Senegalese asylum-seekers from Casamance region who were originally arrested on 26 September 1990 by the Gambia's security forces, charged with entering the Gambia without a residence permit on 8 October, and remanded in Banjul's Mile 2 prison to await trial. Before being tried, on 12 October the detainees were handed over to Gambian immigration officers at Jiboro village who took them to the Senegalese border and forcibly expelled them from Gambian territory. Nevertheless, Sékou Mary reportedly returned to the Gambia where he was in hiding until his second arrest on 23 October.

Following the forcible expulsion of Sekou Mary and nine others on 12 October, Amnesty International appealed to the Gambian Government to respect its international obligations and to ensure that no asylum-seeker who would be at risk of torture, extrajudicial execution or imprisonment as a prisoner of conscience was returned to Senegal.

Along with two of his relatives, Sékou Mary originally left Kabiline village on 24 June 1990 when they heard that soldiers were due to come and search their village. Apparently the soldiers wanted to question them because some of their children are believed to be with armed rebels in the bush. Several villagers were ill-treated and a relative of the three men, Famara Mary, aged 45, was shot dead by a soldier, apparently while under arrest.

BACKGROUND INFORMATION

Amnesty International is concerned at the increasing frequency with which it is receiving reports of torture and extrajudicial executions committed by members of the Senegalese security forces in the course of operations against Casamance separatists seeking independence for the southern region of Senegal. Since May 1990 armed separatists have dramatically increased their attacks on government forces and civilian targets. More than 20 civilians and a number of soldiers have died as a result of these attacks. Hundreds of Casamance villagers fleeing operations by the security forces have sought asylum in the neighbouring countries of the Gambia and Guinea-Bissau. Recently, the Gambia's Minister of Foreign Affairs publicly acknowledged that nine Senegalese nationals had been forcibly returned to Senegal by the Gambian authorities.

RECOMMENDED ACTION: Telegrams/telexes/airmail letters:

To the Senegalese authorities (in FRENCH if possible):

- expressing concern that Sékou Mary, known as Agnocoune, is reported to have died in custody in late October, apparently as a result of severe beatings and torture inflicted on him at Diouloulou Gendarmerie station;

- expressing concern at the numerous reports of torture inflicted on people suspected by the armed forces of being in collusion with the armed insurgents;
- urging the government to order a full, independent and impartial inquiry into reports of use of torture and to make public the findings of any such inquiry;
- asking the government to issue clear instructions to the security forces indicating that the torture of prisoners is forbidden in all circumstances.

To the Gambian authorities (in ENGLISH if possible):

- expressing concern at reports of forcible expulsion of Senegalese asylum-seekers, particularly the case of Sékou Mary, adding that he is reported to have died as a result of torture, shortly after his forcible return to Senegal;
- urging the Gambian Government to respect its international obligations for the protection of refugees, most essentially Article 33.3 of the 1951 Convention relating to the Status of refugees which states:

"No contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion";

- requesting assurances that no further asylum-seeker who would be at risk of torture, extrajudicial execution or imprisonment as a prisoner of conscience will be expelled to Senegal;
- urging that all Senegalese asylum-seekers be given a full opportunity to present their request for asylum and to have it examined by the relevant authorities;
- seeking clarification about the Minister of Foreign Affairs' recent statement concerning the forcible expulsion of nine Senegalese asylum seekers, inquiring particularly about the legal grounds for the expulsion and urging the Gambian authorities to ensure that, apart from Sékou Mary, the others who were expelled have not been subjected to human rights violations.

APPEALS TO:

Son Excellence President Abdou DIOUF
Président de la République
Avenue Roume
Dakar, Sénégal

Telegrams: President DIOUF, Dakar, Senegal

Telexes: 537 PRESID SG; 258 PRESID SG (not confirmed)

Monsieur Famara Ibrahima SAGNA
Ministre de l'Intérieur
Minsitère de l'Intérieur
Rond Point de la République
Dakar, Sénégal

Telegrams: Ministre Interieur, Dakar, Senegal

Telexes: 61351 MINSUNA SG

Mr Sérigne Lamine DIOP
Ministre de la Justice
Immeuble administratif
Dakar, Sénégal

Telegrams: Ministre Justice, Dakar, Senegal

Telexes: 21650 MINAFET SG

His Excellency Alhaji Sir Dawda Kairaba JAWARA
State House
Banjul, The Gambia

Telegrams: President JAWARA, Banjul, The Gambia.

Telexes: 2204

Mr Lamin Kitty JABANG
Minsiter of Interior

71 Dobson Street
Banjul, The Gambia

Telegrams: Interior Minister, Banjul, The Gambia

Telexes: 2254

Mr Hassan JALLOW
Attorney General
Marina Parade
Banjul, The Gambia

Telegrams: Attorney General, Banjul, The Gambia

Telexes: 2254

COPIES TO: - Walfadjri, Sicap Sacré coeur no 8542, BP 572, Dakar, Sénégal
- Topic/Gambia Magazine, 20 Picton Street, Banjul, The Gambia
and to diplomatic representatives of Senegal and the Gambia in your country.
Please bring this action to the attention of the Refugee Coordinator in your section.

PLEASE SEND APPEALS IMMEDIATELY. Check with International Secretariat, or your section office, if sending appeals after 26 December 1990.