

# URGENT ACTION

## DROP CHARGES AGAINST HUMAN RIGHTS DEFENDER

In May 2022, the Gambian President accused human rights defender, Madi Jobarteh of being a “troublemaker” who wants to bring violence into the country. Since then, he has been receiving online threats, harassment and intimidation from the Gambian authorities (including unlawful surveillance) and was arbitrarily arrested and detained. On 9 November 2023, he was charged with seditious intention, incitement to violence, false broadcasting and information. Amnesty International is concerned that the charges against Madi Jobarteh are politically motivated as they are based on his activities as a human rights defender, in violation of his rights to freedom of expression and association.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

*President of Gambia*  
Adama Barrow  
State House of the Gambia  
Banjul, The Gambia  
Email: [info@op.gov.gm](mailto:info@op.gov.gm)  
X/Twitter: @BarrowPresident

Your Excellency,

*I am writing to express my concern about the intimidation, harassment, threats and attacks against human rights defender **Madi Jobarteh**. On 2 May 2022, Your Excellency accused Madi Jobarteh of being “a troublemaker” who wants to bring violence and burn down the country, putting his safety and security at risk. Madi Jobarteh has since faced online intimidation, harassment, threats and attacks.*

*On 6 October 2023, four officers from the State Intelligence Unit and the Criminal Intelligence Unit raided Madi Jobarteh’s house and questioned him about his Facebook posts. They advised he reports to the nearest police station when they left, which Madi Jobarteh refused. Subsequently, police vehicles were seen loitering around his neighbourhood. He posted about the incident on Facebook on 8 October 2023. The next day, on 9 October 2023, Madi Jobarteh was arrested and placed in judicial custody. The police also seized his phone and that of his daughter. While in custody, he was denied access to his lawyer. On 15 October 2023, he was released on a bail bond of 100,000 Dalasis (approximately 1,500 USD) and was required to report to the police. On 9 November 2023, he was charged with seditious intention, incitement to violence, false publication and broadcasting. If convicted for these charges, Madi Jobarteh could face up to six years in prison. On 23 November 2023, his case was sent to the Attorney General’s office for advice.*

*Amnesty International is concerned that the charges against Madi Jobarteh are in connection with his human rights work. The authorities are using criminal charges to prevent him from freely exercising his rights to freedom of expression and association and carrying out his human rights activities. In so doing, the Gambian authorities violate their international human rights obligations under both the African Charter on Human and Peoples’ Rights and the International Covenant on Civil and Political Rights that guarantee the rights to freedom of opinion and expression and association.*

***In light of the above, I urge you to ensure that the baseless charges against Madi Jobarteh are immediately dropped and that he is allowed to freely exercise his human rights. I also urge you to ensure all allegations of intimidation, harassment, threats and attacks against Madi Jobarteh and his family are promptly, thoroughly, independently, impartially, transparently and effectively investigated and suspected perpetrators are brought to justice in fair trials. Finally, I urge you to ensure that Madi Jobarteh is able to freely carry out his human rights work without any reprisals, and ensure that his right to privacy is respected including by returning his phone and that of his daughter.***

Yours sincerely,

## ADDITIONAL INFORMATION

Madi Jobarteh is a Gambian human rights defender. He is the former executive director of the Association of Non-Governmental Organizations in Gambia (TANGO) and is also a member of the Foundation for Legal Aid Research and Empowerment (FLARE).

He has recently been the subject of harassment, intimidation and threats from the Gambian authorities. On 6 October 2023, he received a call from the police headquarters “inviting” him to their office. As Madi Jobarteh was unwell, he was unable to comply. On the same day, four officers – believed to be from the State Intelligence Unit (SIU) and the Criminal Intelligence Unit (CIU) – arrived in a glass tinted pickup truck, raided his house, and questioned Madi Jobarteh about some of his Facebook posts. They told Madi Jobarteh to report at the nearest police office as soon as he gets better, which Madi Jobarteh refused.

On 8 October 2023, the human rights defender denounced in a Facebook post the authorities for putting him under unlawful surveillance. According to him, after the raid, police vehicles were “loitering around his neighborhood, and officers walking up and down the street”.

The following day, on 9 October 2023, Madi Jobarteh was arrested and placed in judicial custody. The police also seized both his and his daughter’s phones without a warrant. While in custody, Madi Jobarteh’s brother was the only person that was allowed to visit him, and for a duration of only five minutes. On 15 October 2023, he was released on bail, but the police kept his and his daughter’s phones and later refused to return them to him.

On 9 November 2023, he was charged with seditious intention, incitement to violence, false broadcasting, and information. His bail was extended to 23 November 2023, when he was informed that his case had been sent to the Attorney General’s Office “for advice” and that he no longer has to report for bail until the Attorney General’s advice. His and his daughter’s phones are still with the police.

Madi Jobarteh’s case has drawn the attention of the Special Rapporteurs on the situation of human rights defenders, on the promotion and protection of the right to freedom of opinion and expression and on the right to privacy. In a [letter](#) to the Gambian government dated from 10 November 2023, the Rapporteurs requested additional information and comments on the case of the human rights defender, especially on the legal and factual basis of his interrogation, arrest, detention, surveillance and the confiscation of his phone and that of his daughter. In the letter, the Rapporteurs also expressed their concerns about the legal basis of the charges “that may be viewed as an attempt to intimidate Mr. Madi Jobarteh (...) and prevent him to exercise his legitimate human rights activities and exercising his freedom of expression. Moreover, the confiscation of his phone and that of his daughter would constitute a violation of the right to privacy”.

The Gambian authorities have not responded to the correspondence. They also ignored a previous [letter](#) on the case, from the Special Rapporteur on the situation of human rights defenders and on the promotion and protection of the right to freedom of opinion and expression, dated from 10 June 2022.

This is not the first time that Madi Jobarteh has faced harassment, intimidation, threats and attacks. On 30 June 2020, he was arrested and charged with false information and broadcasting under section 181A of the Criminal Code. On that occasion, he had stated during a Black Lives Matter protest he had organized that the government failed to investigate the killings of three Gambian citizens by police officers. The charges were dropped the following month.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** English

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 April 2024**

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Madi Jobarteh (he/him)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/afr27/5568/2022/en/>