

PUBLIC

AI Index: AFR 27/006/2006

31 May 2006

Further Information on UA 69/06 (AFR 27/001/2006, 28 March 2006) and follow-up (AFR 27/002/2006, 6 April 2006; AFR 27/003/2006, 10 April 2006; AFR 27/005/2006, 25 April 2006) - Incommunicado detention/fear of torture or ill-treatment and new concern: Prisoners of conscience

**GAMBIA**      **Major Sang Pierre Mendy (m)**  
**Captain Muhammed Jah (m)**  
**Captain Bunja Darboe (m)**  
**Lt Wassa Camara (m)**  
**Mariam Denton (f), lawyer**  
**Ngorr Secka (m), acting Deputy Director General, National Intelligence Agency (NIA)**  
**Abdoulie Kujabi (m), former NIA Director**  
**Lamin Fatty (m), reporter with *The Independent***  
**Kemo Balajo (m), former NIA senior officer**

**New names:**    **Lt Colonel Vincent Jatta (m), former chief of staff**  
                      **Foday Barry (m), NIA Director of Operations**  
                      **Buba Saho (m), NIA official**

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Sixteen of those detained in connection with the alleged coup attempt of 21 March have been charged with treason and conspiracy, which carry the death penalty. They were brought before the High Court on 10 May, but the trial was adjourned, first to 26 May and then to 2 June. Eight others are detained without charge, some of them incommunicado, and are at risk of torture.

Among those who appeared in court were four who had featured on this UA - Capt. Pierre Mendy, Capt. Bunja Darboe, Captain Muhammed Jah and Lt. Wassa Camara. Two of the 16 reportedly still do not have legal representation.

At least eight others are reportedly still detained without charge, some of them incommunicado, in either the headquarters of the National Intelligence Agency (NIA) or the Mile 2 central prison. They are: former chief of staff Lt Colonel Vincent Jatta; senior lawyer Mariam Denton; former NIA acting deputy director general Ngorr Secka; NIA Director of Operations Foday Barry; former NIA senior officer Kemo Balajo; and NIA official Buba Saho. They are at serious risk of torture. Abdoulie Kujabi is reportedly still in hospital, and so is Ngorr Secka.

Lawyers acting for Mariam Denton are now able to meet with her. Other lawyers have been denied access to their clients, or cannot meet with them in private. Amnesty International considers Mariam Denton a prisoner of conscience, detained solely for carrying out her legitimate professional activities as a lawyer.

On 14 May, reporter Lamin Fatty was charged with publishing false information, but he has not yet appeared in court. He was charged despite his newspaper having published an apology to correct the story that gave rise to the charge. This seems to have been an article he wrote which suggested that a high-ranking official was among those arrested for the alleged coup attempt in March. Amnesty International considers him a prisoner of conscience, detained solely for exercising his right to freedom of expression.

The *Independent* has not yet been allowed to resume production.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- asking the authorities to release Lamin Fatty and Mariam Denton immediately and unconditionally, as they are prisoners of conscience;
- expressing concern that at least eight people are still detained without charge, some of them held incommunicado, for their supposed involvement in an attempted coup;
- urging the authorities to order independent and impartial investigations into all reports of torture and cruel, inhuman and degrading treatment;
- urging the authorities to give all the detainees regular access to their families, lawyers and any medical attention they may require;
- urging the authorities to release those held without charge immediately, unless they are to be charged with a recognizably criminal offence;
- if they are charged, asking for details of the charges against them and when they are to be put on trial;
- urging the authorities to ensure that all those charged with crimes that carry the death penalty have adequate legal representation at all stages of the proceedings against them.

**APPEALS TO:**

President and Minister of Defence

Captain (retd.) Alhaji Yahya A. J. J. Jammeh  
Office of the President  
State House, Banjul  
Republic of the Gambia

**Fax: + 220 4227 034**

**Salutation: Your Excellency**

Minister of Interior

M. Baboucarr Jatta  
Ministry of Interior  
71 Dobson Street, Banjul  
Gambia

**Fax: +220 420 1320**

**Salutation: Dear Minister**

Attorney General and Secretary of State for Justice

M. Sheikh Tijan Hydera  
Department of State for Justice and Attorney General's Chambers  
Marina Parade  
Banjul  
Republic of the Gambia

**Fax: + 220 4225 352**

**Salutation: Dear Secretary of State**

**COPIES TO:** diplomatic representatives of Gambia accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 12 July 2006.