

URGENT ACTION

AT LEAST 38 PRISONERS AT RISK OF EXECUTION

The Gambian government has confirmed the execution of nine death row prisoners by firing squad. The individuals were taken from their cells the evening of 23 August and executed shortly after. The Gambian government should immediately halt any further executions and impose an official moratorium on executions.

There are growing fears that at least 38 people remaining on death row are at imminent risk of execution following the Gambian government's confirmation that nine death row prisoners were executed by firing squad and its public commitment that executions will continue.

Many inmates have been convicted after unfair trials where they may not have had access to lawyers or a full appeal process. Some were convicted on politically-motivated charges and/or were subjected to torture or other ill-treatment to force confessions. Others have been convicted of "treason" – an offence that does not meet the international law requirement that death sentences can only be imposed for crimes with lethal consequences.

On 19 and 20 August the President of The Gambia has stated that all death row prisoners will be executed by mid September. This statement was followed by the execution of eight men and one woman. The executions were carried out in secret and neither the individuals nor their families were informed of the executions in advance.

Conditions on death row are believed to be appalling and reports indicate that they have been made even worse by increased security since last week's executions, with all prisoners reported to be on virtual lockdown.

Please write immediately in English or your own language:

- Expressing your deep concern about the executions and the fact that they were carried out in secret, without the prisoners themselves or their families being informed in advance, which violates international law on the use of the death penalty;
- Expressing your concern that many death row prisoners have been convicted after unfair trials where they may not have had access to lawyers or a full appeals process; and urging the government to halt any further executions;
- Urging the Minister of Justice to recommend that the government implement an official moratorium on executions with a view to abolishing the death penalty;
- Urging the Minister of Justice to ensure a comprehensive review of all death penalty cases to ensure fair trials of all death row inmates.

PLEASE SEND APPEALS BEFORE 15 SEPTEMBER 2012 TO:

Minister of Justice and Attorney General

Hon. Lamin A. M. S. Jobarteh
Ministry of Justice
Attorney General's Chambers
Marina Parade Banjul, The Gambia
Email: info@moj.gov.gm
Salutation: Dear Attorney General

And copies to:

Minister of Foreign Affairs, International
Cooperation and Gambians Abroad
Dr Mamadou Tangara
Ministry of Foreign Affairs
4, Marina Parade, Banjul, The Gambia
Email: info@mofa.gov.gm
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

name address 1 address 2 address 3 address 4 fax: fax number email: email address salutation: salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 247/12. Further information:
<http://amnesty.org/en/library/info/AFR27/005/2012/en>

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ADDITIONAL INFORMATION

On the evening of Thursday 23 August eight men and one woman were taken from their cells on The Gambia's death row in Mile 2 prison near the capital city, Banjul, and shortly after executed by firing squad. Amnesty International believes the executions were carried out between Thursday night and Friday morning. The Government, in a statement released on Monday 27 August, claimed they were carried out on Sunday 26 August.

The statement reiterated the government's intention that "all sentences prescribed by the law would be carried out to the letter, including the death penalty". This appears to confirm that The Gambia will go ahead with further executions despite the international outcry.

Seven of the executed were Gambian nationals, two were Senegalese.

Neither family members nor lawyers were told of the executions in advance. Amnesty International understands that the prisoners themselves were not told until they were taken from their cells. Family members of those who remain on death row have been unable to access the prison, or communicate with the inmates.

Amnesty International has noted that in the past two years the number of death sentences handed down in The Gambia has increased.

The United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has stated that "to conceal from someone the facts of their preordained fate" and "[r]efusing to provide convicted persons and family members advance notice of the date and time of execution is a clear human rights violation. ... These practices are inhuman and degrading and undermine the procedural safeguards surrounding the right to life." The Human Rights Committee has stated that the failure to notify the family and lawyers of the execution of prisoners on death row is incompatible with the International Covenant on Civil and Political Rights.

Following the executions, Amnesty International has reclassified the Gambia as retentionist (from abolitionist in practice). This means that worldwide, now 97 countries are abolitionist for all crimes; 8 are abolitionist for ordinary crimes only; and 35 are abolitionist in practice. Therefore 140 countries are in total abolitionist in law or practice, whereas 58 are retentionist. On the regional level, 37 of the 54 member states of the African Union are now abolitionist in law (16) or practice (21),

Name: at least 38 on death row
Gender m/f: Both

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