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Freedom of the Press 2012 - Gambia, The

2012 Scores

Press Status: Not Free

Press Freedom Score: 81

Legal Environment: 26

Political Environment: 35

Economic Environment: 20

Conditions for press freedom and freedom of expression in 2011 remained largely unchanged from the previous year. The press continued to operate in a climate of fear due to legal and extralegal pressure, while the government ignored calls for accountability regarding past cases of murder and abuse targeting journalists.

Although Article 34 of the constitution provides for freedom of the press and freedom of expression, the government does not respect these rights in practice. Constitutional protections are undermined by other legislation, primarily the 2004 Newspaper Amendment Act, which requires newspapers to reregister and imposes excessive bonds on media institutions, as well as a 2004 criminal law that mandates stiff penalties for offenses including publication of false information, sedition, and libel. These provisions give the authorities great power to silence dissent. A 2005 press law guarantees the right of citizens to obtain information and prohibits censorship, but there are broad restrictions on any content that is considered contrary to the principles of Islam or offensive to other religions. Media outlets are sometimes fined and journalists are occasionally arrested for disseminating "un-Islamic material," leading to self-censorship.

Efforts to hold the government accountable for past mistreatment of journalists have borne little fruit. In December 2010, in a case brought in 2008 by the Ghana-based Media Foundation of West Africa, the Economic Community of West African States (ECOWAS) Court of Justice ordered the Gambian government to pay \$200,000 in compensation to exiled Gambian journalist Musa Saidykhan, who had been detained and tortured for three weeks by state security agents in 2006. At the time of his arrest, Saidykhan was editor in chief of the *Independent*, a weekly that has since been banned. Upon his release, he fled to the United States. The government ignored the court's ruling in 2011. In 2008, the ECOWAS court ordered the Gambian government to release and compensate "Chief" Ebrimah Manneh, who was arrested in 2007 by state security agents and has been missing since then. The government rejected that decision in April 2009, with the attorney general and justice minister formally declaring that Manneh was not in government custody. In October 2011, Justice Minister Edward Gomez claimed in an interview with the *Daily News* that Manneh was alive, though he did not reveal more information about his whereabouts. Manneh's arrest and disappearance came after he published a report in

the independent *Daily Observer* that was critical of President Yahya Jammeh and his government's failure to investigate the 2004 assassination of journalist and press freedom activist Deyda Hydara. Inquiries into the Hydara case had stalled in early 2005 following a leaked intelligence report that smeared the slain journalist.

As Gambians went to the polls in November 2011 to reelect Jammeh to a fourth five-year term, he publicly vilified journalists who were demanding more press freedom. Reporters from news outlets that are perceived to be critical of the government are routinely denied access to public information and excluded from official events.

Arrests and intimidation of journalists did not ease in 2011. In January, community radio station Taranga FM, the only private radio station broadcasting news in local languages, was ransacked and forcibly closed by security agents. The station was reopened one month later on the condition that it refrain from airing reviews of opposition newspapers. In August, the National Intelligence Agency forced Taranga FM to drop its local language news and current affairs programs under threat of closure. Other cases of intimidation included that of Nanama Keita, former sports editor of the *Daily Observer*, who was arrested in July and charged with giving false information to a public servant. He fled the country while on bail. His bond holder, Saikou Ceesay of the *Daily News*, was arrested in November and forced to pay a \$3,500 fine before being released. In a separate case in March, journalist Dodou Sanneh was arrested after petitioning the president to be reinstated at Gambia Radio and Television Services, the public broadcaster, having been dismissed in 2006; he was convicted of giving false information to a public servant and fined in September. Another journalist, former Gambian Press Union president N'dey Tapha Sosseh, was charged – along with former information minister Amadou Scattred Jannet and two others – with treason and sedition in July for distributing t-shirts that called for an end to the dictatorship. At their trial in December, the accused refused to mount a defense. A verdict was pending at year's end.

The government owns *The Gambia Info* newspaper, a national radio station, and the only national television station. Political news coverage at these outlets generally toes the official line. There are eight private newspapers and nine private radio stations. Private media outlets are subject to official pressure, and many have toned down coverage of the opposition. Most businesses avoid advertising with private media outlets for fear of government reprisals. A premium television network operates as a locally based satellite station. Foreign news services are rebroadcast on several local radio stations. The government did not interfere with access to foreign cable or satellite television news broadcasts in 2011, which were generally available to most citizens.

About 11 percent of the population had access to the internet in 2011. The online news sites *Freedom* and *The Gambia Echo*, both based in the United States, have periodically been blocked by the authorities.

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