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Freedom on the Net 2022 - The Gambia

PARTLY FREE

56

/ 100

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LAST YEAR'S SCORE & STATUS

53 / 100 Partly Free

Scores are based on a scale of 0 (least free) to 100 (most free). See the [research methodology](#) and [report acknowledgements](#).

Overview

The online environment has markedly improved in The Gambia since 2017, when President Adama Barrow succeeded Yahya Jammeh, who had ruled for more than two decades and consistently violated political rights and civil liberties. Gambians now take to the internet to express views on many sensitive issues. Arrests and harassment of internet users for their online activity have steadily declined. Although the Barrow administration's crackdown on Three Years Jotna (TYJ) protest movement in 2020 raised fears of a return to Jammeh-era repression, social media has nevertheless been widely used for campaigning during post-Jammeh electoral periods. The Barrow administration also ensured users' right to government information through new legislation that the president signed into law in August 2021.

Jammeh came to power in a military coup in 1994 and was succeeded by Barrow, who secured a surprise victory in the 2016 election. Respect for fundamental freedoms including the rights to free assembly, association, and expression initially improved under the Barrow administration, but it has faced criticism for continued corruption. Among other ongoing concerns, LGBT+ people face severe discrimination and violence against women remains a serious problem.

Key Developments, June 1, 2021 - May 31, 2022

- Online users are taking to the internet to express criticism and views on many sensitive issues (see B4).
- Online mobilization allowed individuals from previously underrepresented populations to participate in the 2021 presidential and 2022 National Assembly election campaigns (see B8).
- In August 2021, President Barrow signed the Access to Information Act, which guarantees users' right to government information, into law (see C1).
- Online journalists and activists continue to face intimidation and harassment for their online reporting (see C7).

A Obstacles to Access

A1 0-6 pts

Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections? 2 / 6

More than half of The Gambia's population has internet access. DataReportal's Digital 2022 report places The Gambia's internet penetration rate at 51 percent as of January 2022,¹ a 27.3 percent improvement over the January 2021 rate.² DataReportal, citing data from Ookla, also reported that Gambian internet users saw median fixed-line internet speeds of 7.2 megabits per second (Mbps), a 1.8 Mbps improvement from a year before.³

The government has pursued a number of initiatives to improve internet access. In late June 2019, the Gambia Telecommunications Company (Gamtel), in collaboration with Chinese technology firm Huawei, launched the National Broadband Network (NBN) initiative to improve internet speed and access across the country.⁴ In 2020, the government approved a national broadband policy which aims to ensure "at least 75 percent of homes have affordable access to high speed internet connectivity by 2022."⁵

The Gambia has one of the highest mobile phone penetration rates in Africa, standing at 167.3 percent of the total population as of January 2022,⁶ though one individual may have more than one subscription and not all phone plans include data use.⁷ Nevertheless, most Gambians who access the internet do so via mobile devices, with less than 20 percent of users subscribing to fixed-line broadband services.⁸

The government launched the country's first internet exchange point (IXP) in July 2014 to boost the speed and security of internet services across the country, though the IXP runs slowly.⁹

During the coverage period, The Gambia experienced several internet disruptions attributed to technical problems. In line with a broadband policy approved in January 2021, which aimed to find an "alternative backup" to the Africa Coast to Europe (ACE) cable, ¹⁰ Gamtel announced that it would use two international gateways operated by a Senegalese provider.¹¹ However, in January 2022, when traffic was rerouted while the ACE cable was undergoing repairs, the backup gateways failed; Gamtel blamed that failure on faulty equipment. This resulted in a nationwide internet blackout lasting more than eight hours.¹² Gamtel further experienced periodic network disruptions due to vandalism and construction-related mishaps.¹³

During the previous coverage period, The Gambia experienced several internet disruptions, most of which were blamed on technical problems with the ACE cable.¹⁴ Between January and February 2021, the country saw at least four nationwide disruptions each lasting between two and eight hours.¹⁵ The Gambian telecommunications regulator, the information and communication technologies (ICT) ministry, and service providers blamed these disruptions on “fishing activities on a rocky area that the cable is laid.”¹⁶

In June 2020, the government validated a series of policy documents as part of the “ICT for Development Policy 2018–2028,” which aims to increase internet access across the country and bolster the ICT sector by 2024.¹⁷ The government secured European Union funding to support this project.¹⁸

A2 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of 1 / the population for geographical, social, or other reasons? 3

High cost remains a primary hindrance to internet access in The Gambia, where 48.6 percent of individuals live in poverty according to 2015 World Bank data.¹⁹ High prices for internet services are attributed to the high costs of accessing and building internet infrastructure in The Gambia, as well as the high taxes imposed on internet service providers (ISP).²⁰ High levels of poverty and food insecurity limit access to the internet.²¹

The introduction of third- and fourth-generation (3G and 4G) mobile networks has made the internet more accessible, albeit for a small subset of the population who can afford data packages. The IXP introduced in July 2014 (see A1) aimed to make internet services more affordable, but it remains unclear whether the IXP succeeded in doing so. ISPs generally sell data bundles. Since the COVID-19 pandemic began in March 2020, there are few monthly unlimited access packages available. Generally, prices range from 8 Gambian dalasi (15 cents) for 20 megabytes (MB) to 1,620 dalasi (\$31) for 13 gigabytes (GB) of data.²²

As schools transferred classes online and workers connected from home during the pandemic, demand for internet connectivity increased, which in turn led to increased demand for lower data prices. For instance, an outcry followed the University of The Gambia’s decision to cancel a plan to offer free data to its students after a cost dispute with mobile service provider Africell in April 2020.²³ Some schools have redirected their budgets to provide high-speed internet access to communities during the pandemic.²⁴

Limited access to telecommunications services in The Gambia is compounded by a significant urban-rural divide, as well as by occasional interruptions to the power supply. In general, rural areas suffer from poor or virtually nonexistent infrastructure, a lack of affordable electricity, and frequent power cuts.²⁵ In addition, network coverage of rural areas has not been an investment priority for most service providers.²⁶ The government has identified “closing the digital divide” as a goal of the NBN (see A1), though as of May 2022, no progress towards this was noted.²⁷ In March 2020, the government launched its Digital Terrestrial Transmission (DTT) infrastructure project, which aims to ensure The Gambia’s analog-to-digital transition.²⁸ DTT is expected to foster an increase in internet access.

In May 2019, the government announced the introduction of a new tax on GSM (global system for mobile communication) operators across the country.²⁹ Reports indicate that the levy, which took

effect in June 2019, raised millions of dalasi for the government.³⁰

A3 0-6 pts

Does the government exercise technical or legal control over internet infrastructure for the purposes of restricting connectivity? 4 / 6

The Gambian government's monopoly over the main telecommunications infrastructure enables it to restrict access to the internet and mobile phone services with little to no oversight or transparency. However, the current post-Jammeh government has not used these capabilities.

There were several brief nationwide connectivity interruptions in January 2020, January and February 2021, and January 2022 attributed to technical problems with undersea cables and backup internet gateways (see A1). The 2020 interruptions also overlapped with mass protests calling for President Barrow's resignation, prompting speculation of government interference with internet connectivity.³¹

Gamtel owns the fiber-optic cable that runs across the country and thus controls the country's connection to the international internet via the ACE submarine cable system. The government began liberalizing gateway services in May 2013 by granting international data transmission licenses to private telecommunications operators.³² Details are vague as to how many new licenses have been issued. The administration has expressed willingness to further liberalize the sector.³³

The authorities last placed restrictions on connectivity on the eve of the 2016 presidential election. Ahead of the polls, authorities ordered ISPs to shut down internet services,³⁴ international calls, and short-message service (SMS) access across the country for over 48 hours.³⁵

A4 0-6 pts

Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers? 4 / 6

A state-owned and operated company, Gamtel has a monopoly on the internet gateway, though it has granted other service providers permission to operate international data links.³⁶

The Gambia's ICT market is relatively small. There are at least four ISPs: state-owned Gamtel and privately owned QuantumNet, Netpage, and Airtip.³⁷ The country has four mobile service providers: Gamcel, a Gamtel subsidiary, and privately owned Qcell, Africell, and Comium.³⁸ In January 2022, the government also issued a license to a new mobile service provider, Giraffe Telecom Africell; there are few reports on the new provider.³⁹ is by far the largest mobile service provider, controlling over 60 percent of the market.⁴⁰ All mobile service providers offer 2G, 3G, and in some places, 4G data service.

The Barrow administration has pledged to improve the regulatory environment and liberalize the telecommunications sector; while its approach represents a reprieve from the highly restrictive environment that characterized the Jammeh era, progress has been slow. As in many other sectors, businesses still must contend with inefficient bureaucracies coupled with nepotistic and preferential practices by government officials.⁴¹ Registration for ISPs and mobile service providers remains an onerous and expensive process.⁴²

Internet cafés, which are much less common than in the past, contend with regulatory obstacles. Moreover, Gamtel has reduced funding to the internet cafés and telecenter hubs it operates.⁴³

A5 0-4 pts

Do national regulatory bodies that oversee service providers and digital technology fail to 1 / operate in a free, fair, and independent manner? 4

Serious concerns persist regarding the independence and efficacy of the Public Utilities Regulatory Authority (PURA), The Gambia's telecommunications regulator. The telecommunications sector is regulated under the Public Utilities Regulatory Authority Act 2001, which established PURA in 2004 to regulate the activities of telecommunications providers and other public utilities.⁴⁴ However, PURA is largely an advisory body, and both its board of governors and managing director are appointed by the president on the recommendation of the finance minister—in effect undermining the body's independence. ⁴⁵

In a rare move, PURA also fined Gamcel for manipulating international voice termination rates in September 2020, during the previous coverage period. PURA ordered the provider to pay a fine of 250,000 dalasi (\$4,860) and settle existing payment obligations of 11.4 million dalasi (\$221,500), along with compounding fines should Gamcel continue its anticompetitive practices. PURA also recommended that the ICT ministry suspend Gamcel's license. ⁴⁶ In October 2021, PURA and the ICT ministry suspended Comium because it failed to pay overdue licensing fees.⁴⁷ Later that month, a court lifted the suspension after Comium had settled most of its outstanding dues.⁴⁸

In May 2021, Yusupha Jobe was appointed PURA's director general after Jobe's predecessor died. Jobe is reportedly Finance Minister Mamburay Njie's cousin, raising concerns of nepotism.⁴⁹ Sources at the regulatory body said the entire department of legal affairs had resigned as of December 2020 in protest against favoritism, nepotism, and government interference.⁵⁰

PURA regulates not only telecommunications but also media licensing and content, sewage, electricity, and petroleum.⁵¹ Observers and some PURA officials believe this mandate is untenable and stretches the authority's limited resources. Ultimately, decisions on telecommunications are in the hands of the ICT minister.⁵² Despite persistent calls for reform, the Barrow administration has not signaled any intent to reform PURA. Though PURA's mandate includes regulating media content, the Media Council of The Gambia (MCG), an industry self-regulatory body, was established in 2018 and is hearing cases (see B3).

B Limits on Content

B1 0-6 pts

Does the state block or filter, or compel service providers to block or filter, internet content, 6 / particularly material that is protected by international human rights standards? 6

There have been no reports of blocking or filtering of websites or apps under the Barrow administration.

Over 20 sites were blocked under the former administration,⁵³ most of them independent news and opposition websites that were known for criticism of the government⁵⁴ and were operated from abroad by exiled Gambian activists and journalists. All blocked websites and apps, including those containing pornographic material, became accessible when Barrow assumed office in January 2017.⁵⁵

Social media platforms and communications apps were unrestricted during the coverage period but were frequently targeted under the previous administration. Apps were last restricted in August 2016, when the authorities blocked popular communications platforms WhatsApp, Viber, IMO, and

Skype.⁵⁶ Analysts believed the blocks came in response to the growing reliance on WhatsApp group messaging among opposition groups and candidates in advance of the 2016 presidential election.⁵⁷

B2 0-4 pts

Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards? 2 / 4

While forced content deletion does not occur systematically, activists and journalists have reported receiving informal requests from senior government officials for content removal, including on the public broadcaster.⁵⁸

No Gambian content was removed from Facebook products, Google products, or Twitter at the government's request during the coverage period.⁵⁹

In January 2020, the government suspended two private radio stations, Home Digital FM and King FM, along with their online services, on charges of incendiary messages and inciting violence,⁶⁰ and arrested four affiliated individuals (see C3). Both radio stations reported on protests calling for President Barrow's resignation (see B8).⁶¹ The government permitted the stations to reopen one month later following mediation led by the National Human Rights Commission (NHRC).⁶²

B3 0-4 pts

Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process? 2 / 4

Though online content is not systematically restricted in The Gambia, Gamtel remains state-controlled and has retained the ability to restrict access to internet content without oversight. There is no process through which site administrators can appeal content-restriction decisions.⁶³

Experts believe that the former government blocked specific internet protocol (IP) addresses and domain names at the internet gateway level.⁶⁴ According to former officials, the Jammeh administration intentionally avoided issuing written orders for website blockings and internet shutdowns to maintain a degree of plausible deniability.⁶⁵

The MCG, a self-regulatory body tasked with arbitrating complaints about media reports, began adjudicating proceedings in May 2020.⁶⁶ The MCG has successfully arbitrated five cases, three of which relate to online content, as of May 2022.⁶⁷ The MCG was established by the Gambia Press Union (GPU) in December 2018 to regulate the media industry, including complaints about content, without relying on state intervention. The MCG's formation is a result of collaborative efforts between government and civil society actors working for media reform under the Barrow administration.⁶⁸

B4 0-4 pts

Do online journalists, commentators, and ordinary users practice self-censorship? 3 / 4

Score Change: The score improved from 2 to 3 because self-censoring is not as prevalent under the Barrow administration.

Activists, journalists, bloggers, and ordinary internet users have posted content more openly since the 2017 political transition, and a number of independent journalists have reemerged after decades of severe self-censorship or exile.⁶⁹ According to the Gambia Press Union, self-censorship is not as prevalent as it was under the Jammeh administration.⁷⁰

However, some topics, including female genital mutilation (FGM) and issues affecting LGBT+ people, are still considered by many to be taboo and are often discussed online only by pseudonymous users. Social media has seen a proliferation of hate speech in recent years.

Some local activists, particularly Jammeh sympathizers, also post critical content anonymously to evade potential legal repercussions or other offline retaliation.⁷¹ A handful of detentions under the Barrow administration, including one in 2017 involving claims of offline defamation against Barrow, initially reinforced citizens' unease with speaking freely online (see C3).⁷²

B5 0-4 pts

Are online sources of information controlled or manipulated by the government or other 2 / powerful actors to advance a particular political interest? 4

The current government seeks to promote its image through a variety of well-resourced press and public-relations offices, but there is no evidence it proactively employs progovernment trolls or bots, or otherwise seeks to covertly manipulate the information landscape.

The National People's Party (NPP) of President Barrow sponsors several media outlets with online presences,⁷³ and Barrow has complained that other media outlets are biased against him. NPP officials have also sought to manipulate government announcements to reflect favorably on the party. For example, between November 2020 and May 2021, NPP operatives targeted various ministries to share communication projects that present Barrow's success stories. These stories were later published by the party's social media.⁷⁴

The Barrow administration has also appointed information officers across almost all government ministries with the objective of disseminating information to the public.⁷⁵ Interviews with senior government officials, who remained anonymous, indicate that the information officers are tasked with framing the government more positively in the media, particularly in state-owned media outlets, as part of a larger strategy to bolster President Barrow's successful 2021 reelection bid.⁷⁶ Many of these information officers are former journalists, including some who were critical of the government.

FactCheck Gambia, an independent online fact-checking platform, was launched to counter disinformation and misinformation and covered statements around the December 2021 presidential elections and the COVID-19 pandemic among other issues.⁷⁷

During the 2018 local council elections, there was a noticeable increase in content manipulation across the political spectrum, including a proliferation of purportedly false news intended to harm particular candidates that was apparently disseminated by opposing party loyalists. While there is no evidence linking these activities directly to political parties, they were largely spearheaded by party members and party youth groups; this detracted from the civility of the preelection environment, which saw some cases of political violence, particularly between members of the former ruling Alliance for Patriotic Reorientation and Construction (APRC) and the United Democratic Party (UDP).⁷⁸ WhatsApp groups were among the most common platforms for spreading misinformation, including distorted videos that smeared politicians.

B6 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish 2 / content online? 3

Small media businesses, especially online platforms, have expanded in recent years and have a growing impact on the media landscape.⁷⁹ Such operations are supported in part by advertising from government and private businesses; some programs offered by these online outlets, such as news and current events coverage, conferences, and talk shows, are similarly sponsored. Under the previous administration, private businesses avoided advertising with critical outlets for fear of government reprisal.⁸⁰ Nevertheless, economic sustainability for independent online media outlets remains a serious challenge.

As part of a COVID-19 relief package in 2020, the parliament approved a government allocation of 15 million dalasi (\$291,400) to support the economic sustainability of media outlets. A multistakeholder committee including journalists was formed to coordinate the allocation and distribution of the approved funds to both private and public media outlets. As of December 2020, most media outlets received their funds.⁸¹

The government's position on net neutrality provisions, which would ensure that ISPs treat internet traffic equally, remains unclear.

B7 0-4 pts

Does the online information landscape lack diversity and reliability? 3 / 4

The online information landscape has become increasingly pluralistic as the highly restrictive environment for bloggers and internet users that existed during the Jammeh era has eased. Online outlets and platforms including Kerr Fatou, the Fatu Network, Gambia Talents Promotion, and Eye Africa TV provide useful and diverse information to Gambians both within and outside the country.⁸²

In the lead up to 2021 presidential election, the GPU conducted several "sensitization workshops" to train online, print, and television journalists to identify and debunk hate speech in their reporting.⁸³

B8 0-6 pts

Do conditions impede users' ability to mobilize, form communities, and campaign, 4 / 6 particularly on political and social issues?

Score Change: The score improved from 3 to 4 as Gambians more frequently used social media to mobilize and campaign ahead of the December 2021 presidential election and April 2022 legislative elections.

Mobilization platforms and websites are freely available. While a January 2020 ban on an anti-Barrow protest movement and a coronavirus-related lockdown appeared to have slowed online mobilization, online campaigning resumed during the coverage period.

During the 2021 presidential campaign period, several opposition candidates benefited from online crowdfunding events and diaspora fundraisers.⁸⁴ Political parties also used WhatsApp to send messages to rural communities who were typically excluded from online campaigning efforts.⁸⁵ Under the "Digital inclusion: Not without our rural women" effort, one organization encouraged women living in rural areas to participate in the campaign by sharing the political opinions via WhatsApp voice recordings.⁸⁶

Online mobilizing also took place ahead of the April 2022 National Assembly elections. One organization's "Not Too Young to Run" Campaign, for example, succeeded in getting some young Gambians to run for, and in some cases win, parliamentary seats.⁸⁷

In January 2020, the government banned the TYJ movement, which mobilized protesters calling for Barrow's resignation after he reneged on a campaign promise to resign that month. The ban stated that no individual or entity should conduct any form of business with the organization and its members. Security forces arrested at least 137 protesters during the crackdown, including prominent journalists and movement leaders.⁸⁸ Protesters promoted the use of the #ThreeYearsJotna hashtag online, though its use declined after the movement was banned.⁸⁹ The organization remained banned as of January 2022,⁹⁰ though the attorney general discontinued the prosecution of the movement's leaders in May 2021.⁹¹

C Violations of User Rights

C1 0-6 pts

Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence? 3 / 6

Score Change: The score improved from 2 to 3 due to the government's passage of the Access to Information Act, which guarantees users' right to government information.

The 1997 constitution guarantees freedom of speech and of the press, though fundamental freedoms were severely restricted in practice under former president Jammeh, who once stated that he would "not compromise or sacrifice the peace, security, stability, dignity, and the well-being of Gambians for the sake of freedom of expression."⁹²

The Constitutional Review Commission (CRC) released a constitutional draft in March 2020.⁹³ The draft enshrined freedom of expression, media freedom, and access to information as fundamental human rights, following strong public support for protections of fundamental rights and freedoms.⁹⁴ Ultimately, it did not receive a necessary two-thirds majority in the parliament over a disagreement about term limits for President Barrow.⁹⁵ Mediation efforts between Barrow and the opposition for a compromise on the draft were unsuccessful.⁹⁶ After his reelection in December 2021, President Barrow promised to introduce a new constitution with term limits.⁹⁷

In August 2021, President Barrow signed the Access to Information Act, after it was passed by the National Assembly in July 2021.⁹⁸ The bill, which guarantees the right to information and is understood as an improvement in government transparency, was drafted by a civil society-led coalition.⁹⁹

In March 2020, President Barrow declared a state of public emergency, restricting certain rights to mitigate the COVID-19 pandemic.¹⁰⁰ The 1997 constitution authorizes the government to declare a state of emergency, but it may not derogate certain rights, including freedom of speech and the press.¹⁰¹ The government extended the state of emergency in early April, late May, and again through June and July 2020.¹⁰²

In February 2020, the Supreme Court ruled against an executive order revoking the nomination of a lawmaker by the president, signaling a degree of judicial independence.¹⁰³ Previously, the Supreme Court has deferred to executive authority, as with a decision on criminal sedition that privileged the president over other officials (see C2).

C2 0-4 pts

Are there laws that assign criminal penalties or civil liability for online activities, particularly 1 / those that are protected under international human rights standards? 4

While some of the worst Jammeh-era restrictions have been overturned by courts, several restrictive media laws remain on the books, with some being recently upheld.

The criminal code prescribes a two-year prison term for the publication or reproduction of false information which could cause “fear and alarm to the public peace.”¹⁰⁴ In May 2018, the Supreme Court ruled that the provisions were consistent with the constitutional provisions on freedom of expression.¹⁰⁵

Comments by President Barrow in August 2021 raised concerns that the government may pass new laws to restrict speech, including online speech, during or after the December 2021 presidential election. In a meeting with civil society groups, Barrow reportedly said he would seek to limit political activities after winning the election. In a subsequent statement clarifying that the government would not limit political activities, a spokesperson noted that “the president hopes to eventually come up with legislation to bring a lasting solution to the abuse and insults innocent citizens are subjected to daily on social media platforms.”¹⁰⁶

In a landmark May 2018 decision, the Supreme Court declared parts of the infamous Information and Communication Act 2013 (ICA) unconstitutional, including provisions on criminal defamation. It also invalidated sections that had criminalized use of the internet to criticize, impersonate, or spread false news about public officials.¹⁰⁷

However, in the same ruling, the court upheld criminal code sections prohibiting “false publication and broadcasting.”¹⁰⁸ While the definition of sedition was narrowed, sedition against “the person of the president” and “administration of justice” remains a crime. The previous definition of sedition had included the entire government of The Gambia.¹⁰⁹

C3 0-6 pts

Are individuals penalized for online activities, particularly those that are protected under 4 / international human rights standards? 6

Under the previous administration, arrests and prosecutions of journalists and others for their online activities were common, with users frequently prosecuted on “false information” charges under the ICA. Despite improvements under the Barrow administration, dubious prosecutions over online activity have continued.

In July 2022, after the coverage period, Gainako Online editor in chief Yusef Taylor was arrested after he went to a police station to report on the detention of two members of a medical charity that was involved in a land dispute with the government. Taylor was charged with “obstructing a police officer in the execution of his duty” and detained for four hours before being released.¹¹⁰

In February 2021, TYJ leader Yankuba Darboe was arrested and charged with sedition for criticizing President Barrow and the judiciary in relation to the trials against TYJ leaders (see B8). Darboe’s comments were shared in a video that was posted to UPD social media sites,¹¹¹ which appeared to motivate the arrest. Darboe was apparently detained for less than a day before being released on bail; charges were dropped shortly after.¹¹²

In June 2020, prominent human rights activist Madi Jobarteh was briefly detained by local police at a Black Lives Matter protest and was charged with publishing false information. The charges were based on an interview with Jobarteh broadcast by local media, including online, where he criticized the government's response to the police killings of Ousman Darboe in the United States and Kebba Secka and Haruna Jatta in The Gambia.¹¹³ The charges against Jobarteh were dropped in July 2020.¹¹⁴

In late January 2020, the government shut down two private radio stations, Home Digital FM and King FM, along with their online services (see B2); two journalists and two technicians, both of them working at King FM, were arrested. Both radio stations covered the protests demanding President Barrow's resignation. Pa Modou Bojang of Home Digital FM was detained for three days and was charged with incitement before he was released on bail. Gibbi Jallow, a reporter and general manager at King FM, was detained for the same period, and was charged with inciting violence.¹¹⁵ The technicians were released without charge. After the NHRC intervened, the charges against the journalists were dropped in February 2020.¹¹⁶

C4 0-4 pts

Does the government place restrictions on anonymous communication or encryption? 2 / 4

The ability to communicate anonymously is hampered by procedures surrounding SIM-card and local-domain-name registration.¹¹⁷ In February 2018, PURA fined two mobile service providers for noncompliance with SIM-card registration regulations.

It is not clear if Gambian law forbids the use of encryption. Under the ICA, users can be compelled to reveal a message by ministerial order.¹¹⁸ The ICA also requires ISPs to maintain capabilities to intercept and retain data from users (see C6).¹¹⁹

C5 0-6 pts

Does state surveillance of internet activities infringe on users' right to privacy? 2 / 6

Legal and technological frameworks put in place by the former administration still allow unchecked government surveillance of ICTs. Article 138 of the ICA gives sweeping powers to national security agencies and investigative authorities to monitor, intercept, and store communications in unspecified circumstances while also giving PURA the authority to "intrude communication for surveillance purposes," all without judicial oversight.¹²⁰

In December 2019, the attorney general and the justice minister introduced amendments to the ICA to provide judicial oversight, but the parliament rejected the amendments. The GPU voiced its disappointment over the parliament's rejection, saying parliamentarians lacked clear understanding of what they were voting on.¹²¹

Observers believe the former administration actively monitored and intercepted citizens' communications, particularly the communications of activists and independent journalists who were perceived as threats to national security.¹²² Intercepted phone and email communications were often used as evidence in trials against government critics. However, the scope of the government's current technical surveillance capabilities remains unknown, and it is uncertain whether the current government has continued to carry out the same surveillance practices.

In July 2020, human rights activist Madi Jobarteh alleged that he and others were being targeted by security agencies with surveillance, including of their communications devices.¹²³

The level of transparency for communication surveillance remains low. The director of the then infamous National Intelligence Agency—now the State Intelligence Services—warned in early 2018 that social media may “affect security,” exacerbating concerns about the potential for online surveillance and user restrictions.¹²⁴

C6 0-6 pts

Does monitoring and collection of user data by service providers and other technology companies infringe on users’ right to privacy? 1 / 6

The Gambia’s legal infrastructure grants authorities broad access to user data. Article 138 of the ICA requires ISPs to “implement the capability to allow authorized interception of communications” at the direction of the information minister. Article 141 of the ICA imposes onerous data retention requirements, obliging service providers to retain metadata for up to three years.¹²⁵

In practice, technology companies frequently assist the government in monitoring the communications of users.¹²⁶ According to insider sources, investigative authorities need only cite suspicious activity in such requests to technology companies.

The implementation of capabilities to allow authorized interception of communications is included in the preconditions for the issuance or renewal of ISP licenses. It is not clear if any licenses have been denied or revoked as a result of lack of those capabilities.¹²⁷

In August 2021, the 7th National Internet Governance Forum of The Gambia passed a resolution calling for the enactment of a data protection and privacy law that aligns with international standards, specifically noting the Economic Community of West African States (ECOWAS) Supplementary Act on Data Protection and the Malabo Convention.¹²⁸ This legislation has not been enacted as of May 2022.¹²⁹

C7 0-5 pts

Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities? 4 / 5

Online journalists and activists sometimes face risks of intimidation and harassment in the course of their work.

In a May 2022 address, President Barrow accused Madi Jobarteh of wishing “to burn this country down,” stating that his administration “must look into his case.”¹³⁰ Jobarteh had published an article on Facebook criticizing the government’s land allocation and calling for the firing of the local-government minister.¹³¹

In December 2021, Lamin Dumbuya, a freelance photojournalist whose work features on some online media platforms, was physically attacked by UPD supporters and had some of his equipment temporarily stolen as he attempted to cover a protest on the results of the presidential election.¹³²

In June 2021, an aide to President Barrow physically attacked Buba Gagigo, a Kerr Fatou reporter. Gagigo was reporting on Barrow’s voter registration.¹³³ During the previous coverage period, Yankuba Jallow, a reporter with the opposition-linked Forayaa outlet, which also publishes online, was attacked by a prison warden in April 2021 while reporting on a trial.¹³⁴

Members of minority religious groups, including the Ahmadiyya Muslim Jama’at¹³⁵ and Ndigal,¹³⁶ have reported harassment both online and offline. Conservative Muslims often consider

members of these groups non-Muslims, and sometimes incite hatred or violence against them. Such incidents increased after members of these groups testified in front of the Truth, Reconciliation, and Reparations Commission in early 2020.¹³⁷

Women routinely experience online harassment in The Gambia. LGBT+ people do not regularly identify as such openly online, in part because same-gender sexual activity remains criminalized in The Gambia.

Under the previous administration, violence and property confiscation against Gambian journalists for their independent and critical reporting was a serious risk, and numerous media workers, bloggers, and online journalists fled the country as a result of the unsafe environment for independent voices. Overall, such incidents have decreased under the new administration, and scores of online journalists and activists returned to the country following Jammeh's fall from power.

C8 0-3 pts

Are websites, governmental and private entities, service providers, or individual users 3 / subject to widespread hacking and other forms of cyberattack? 3

Technical attacks against politicians, opinion leaders, and journalists have occurred in recent years. Although most of these attacks are not publicly reported, the Cybersecurity Alliance of The Gambia has documented an increase in technical attacks.¹³⁸

The last publicly reported incidents occurred during the 2016 election and subsequent political impasse that reached into early 2017.¹³⁹ A few websites that published election results indicating Jammeh's defeat were hacked to have the results removed, including sites run by a pro-Jammeh newspaper and the Independent Electoral Commission.¹⁴⁰ Numerous journalists, bloggers, activists, and internet users separately reported that their social media accounts had been hacked.¹⁴¹ Activists suspected that the Jammeh administration initiated or supported the attacks in order to counter growing antigovernment sentiment online.¹⁴²

Footnotes

- 1 Simon Kemp, "Digital 2022: The Gambia," February 15, 2022, <https://datareportal.com/reports/digital-2022-gambia>
- 2 Simon Kemp, "Digital 2021: The Gambia," February 15, 2022, <https://datareportal.com/reports/digital-2021-gambia>
- 3 Simon Kemp, "Digital 2022: The Gambia," February 15, 2022, <https://datareportal.com/reports/digital-2022-gambia>
- 4 "Gambia National Broadband Network launched," The Point, June 27, 2019, <https://web.archive.org/web/20190731213339/https://thepoint.gm/africa/g...>
- 5 @DOIS.gov.gm, "New National Broadband Policy: Gambia to have alternative backup to ACE Cable by the end of 2021, and at least 75% of homes to have affordable access to high speed internet connectivity by 2022. Source: Cabinet Meeting, Jan 21st 2021.," Facebook, January 21, 2021, <https://www.facebook.com/111764656987984/posts/new-national-broadband-p...>
- 6 Simon Kemp, "Digital 2022: The Gambia," February 15, 2022, <https://datareportal.com/reports/digital-2022-gambia>
- 7 World Bank Group, "Fixed broadband subscriptions (per 100 people) - Gambia, The (2020) <https://data.worldbank.org/indicator/IT.NET.BBND.P2?locations=GM>

- 8International Telecommunication Union “Fixed (Wired)-Broadband Subscriptions, 2000-2017,” June 2019, <https://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.
- 9African Union, “AU Launches Internet Exchange Point in Gambia: ‘Contributing to a faster, secure and affordable internet in Africa’,” July 17, 2014, <https://au.int/en/newsevents/27273/au-launches-internet-exchange-point-....>
- 10@DOIS.gov.gm, “New National Broadband Policy: Gambia to have alternative backup to ACE Cable by the end of 2021, and at least 75% of homes to have affordable access to high speed internet connectivity by 2022. Source:Cabinet Meeting, Jan 21st 2021.,” Facebook, January 21, 2021, <https://www.facebook.com/111764656987984/posts/new-national-broadband-p...>
- 11How The Gambia lost access to the Internet for more than 8 hours, January 5, 2021 <https://blog.cloudflare.com/the-gambia-without-internet/#:~:text=On%20t....>
- 12How The Gambia lost access to the Internet for more than 8 hours, January 5, 2021, <https://blog.cloudflare.com/the-gambia-without-internet/#:~:text=On%20t....>
- 13Gamtel Press Release, March 26, 2022, <https://twitter.com/Gamtel/status/1507657490682494979>; Gamtel update, February 16, 2022, <https://twitter.com/Gamtel/status/1493864881384210432>
- 14“Gambia says its ACE cable connecting the country to the world is down,” Freedom Newspaper, January 2, 2021, <https://www.freedomnewspaper.com/2021/01/02/gambia-says-its-ace-cable-c...>; Arfang M.S. Camara, “Gamtel reveals cause of internet outage,” The Point, February 5, 2021, <https://thepoint.gm/africa/gambia/headlines/gamtel-reveals-cause-of-int...>
- 15Yusef Taylor, “The Gambia’s Internet Shuts Down for over 14 hours on First Day of 2021,” Gainako, January 2, 2021, <https://gainako.com/the-gambias-internet-shuts-down-for-over-14-hours-o...>; @D_Kandeh, “The Gambia experienced the second internet outage in 2021 and it is still January. Internet connection no longer a luxury, it is a necessity. Disruptions should be treated as national emergency. #KeepItOn everyone. #Gambiam,” Twitter, January 28, 2021, https://twitter.com/D_Kandeh/status/1354796973182869504; “President Barrow MISSES ECOWAS summit, triggered by internet outage,” The Fatu Network, February 3, 2021, <https://fatunetwork.net/president-barrow-misses-ecowas-summit-triggered...>; Mamour M. Mbenga, “Gambia Hit With A General Internet Blackout For 12 Hours,” The Chronicle, February 9, 2021, <https://www.chronicle.gm/gambia-hit-with-a-general-internet-blackout-fo...>; “IODA Signals for Gambia,” CAIDA IODA, January 1, 2021 to January 31, 2021, <https://ioda.caida.org/ioda/dashboard#view=inspect&entity=country/GM&la...>; “IODA Signals for Gambia,” CAIDA IODA, February 1, 2021 to February 28, 2021, <https://ioda.caida.org/ioda/dashboard#view=inspect&entity=country/GM&la...>
- 16Pura explains frequent fibre cuts and plans to explore securing second fibre cable and extra backup facilities, accessed February 27, 2022, <https://pura.gm/pura-explains-frequent-fibre-cuts-and-plans-to-explore-...>
- 17Ministry of Information and Communication Infrastructure - MOICI, “The Ministry of Information and Communication Infrastructure held the first of a series of virtual Validation Workshops of the Pillars of the ICT for Development Policy 2018-2028,” Facebook, June 30, 2020, https://www.facebook.com/permalink.php?story_fbid=1379908258872191&id=3...
- 18“Digitalising The Gambia – Technical assistance to strengthen the ICT sector,” October 9, 2020 <https://ec.europa.eu/trustfundforafrica/region/sahel-lake-chad/gambia/d...>

- 19World Bank Data "Gambia," accessed August 1, 2017, <http://data.worldbank.org/country/gambia-the>.
- 20Madi Ceesay, "High Cost of Internet Services Triggers Misery in The Gambia", The Daily News, May 11, 2021, <https://dailynewsgm.com/high-cost-of-internet-services-triggers-misery-...>
- 21Kebba Jeffrang, "Big Growth, Big Price: The High Cost of Internet in The Gambia," The Chronicle, March 28, 2019, <https://www.chronicle.gm/big-growth-big-price-the-high-cost-of-internet...>;
- 22Africell, "Africell Services" <https://www.africell.gm/main-services/#Offers>; Gamcel, "#Gamcel Data Diyarlingho," Facebook, March 19, 2021, <https://www.facebook.com/gamcelgm/photos/a.10155103676731991/101574053...>; ; Internet Packages, "Gambia Internet Packages & Data Plan of 2021" <https://internetpkg.com/gambia-internet-packages/>
- 23Antouman Jagne, "Gambia College deserves better," The Point, June 10, 2020, <https://thepoint.gm/africa/gambia/opinion/gambia-college-deserves-better>; Sulayman Waan, "Gov't offers unlimited free online classes to UTG students," The Point, April 16, 2020, <https://thepoint.gm/africa/gambia/national-news/govt-offers-unlimited-f...>; University of the Gambia Special Implementation Task Force, April 25, 2020, email to all students discussing internet connectivity.
- 24Multiple Interviews with Heads of Schools at various places in Greater Banjul Area, January/February, 2021.
- 25The World Bank, "World Bank Boosts Energy Supply to Support Regional Trade and Integration in West African Countries," April 29, 2015, <http://www.worldbank.org/en/news/press-release/2015/04/29/world-bank-en...>
- 26Interviews by Freedom House with several customers of the national GSM operator, GAMCEL, April 2016.
- 27Henry Lancaster, "Gambia – Telecoms, Mobile and Broadband", BuddeComm, May 26, 2015, <https://www.budde.com.au/Research/Gambia-Telecoms-Mobile-and-Broadband-....>
- 28Ministry of Information and communication Infrastructure, "Gambia launches first phase of the DTT infrastructure", March 5, 2020, <http://www.moici.gov.gm/gambia-launches-first-phase-dtt-infrastructure>
- 29The Gambia Public Utilities Regulatory Authority – PURA, "Public Notice: Introduction of New Sports Levy in The Gambia," May 16, 2019, <https://www.facebook.com/PURAGAMBIA/posts/2277609819165977>.
- 30"Youth And Sports Get D113.3m ... another D120M from sports levy", The Standard, December 12, 2019, <https://standard.gm/youth-and-sports-get-d113-3m-another-d120m-from-spo...>; "NSC meets Sports Associations, assess Covid-19 pandemic effect", The Standard, July 10, 2020, <https://standard.gm/nsc-meets-sports-associations-assess-covid-19-pande...>
- 31Freedom House consultant interviews, February 2020
- 32Michael Malakata, "Gambia opens up international gateway for data," PC Advisor, May 23, 2013, <https://www.techadvisor.co.uk/feature/network-wifi/gambia-opens-up-inte...>
- 33Consultant Interview with Senior ICT Policy Advisor, Ministry Information and Communication Infrastructure (MoICI), at GRTS Building, Kanifing, February 2021.

- 34Sidi Sanneh, "Gambia's Information Minister orders shut-down of the internet as protests against Jammeh spread," (blog), April 16, 2016, <https://sidisanneh.blogspot.nl/2016/04/gambias-information-minister-ord...>
- 35Freedom House consultant interviews, February 2017; Ruth Maclean and Emma Graham-Harrison, "The Gambia bans international calls and internet as voters go to polls," The Guardian, December 1, 2016 <https://www.theguardian.com/world/2016/dec/01/the-gambia-bans-internati...>
- 36"Gambia looking at full international gateway liberalisation next year," Telegeography, November 6, 2017, <https://www.telegeography.com/products/commsupdate/articles/2017/11/06/...>
- 37Access Gambia, "Information Technology in Gambia," Access Gambia, accessed August 8, 2014, <http://www.accessgambia.com/information/information-ict.html>.
- 38Henry Lancaster, "Gambia – Telecoms, Mobile and Broadband," BuddeComm, May 26, 2015, <https://www.budde.com.au/Research/Gambia-Telecoms-Mobile-and-Broadband-...>
- 39<https://itweb.africa/content/LPwQ5MI6JAWvNgkj>
- 40Business Wire, "Gambia Telecoms, Mobile and Broadband Statistics and Analyses 2019", August 19, 2019, <https://www.businesswire.com/news/home/20190819005438/en/Gambia-Telecom...>
- 41Interviews by Freedom House consultant, January 2017.
- 42For example, when Qcell, one of the leading GSM companies in country, was forced to suspend its mobile money service known as QPOWER in 2013, it reportedly gifted two new cars to Gambian President Yahya Jammeh for his birthday, which led to a subsequent resumption of the QPOWER service; Modou S. Joof, "QPOWER service is back," Front Page International (blog), June 14, 2013, <https://frontpageinternational.wordpress.com/2013/06/14/qpower-service-...>
- 43Interviews by Freedom House Consultant, April 2017.
- 44"PURA Act," Public Utilities Regulatory Authority (PURA), accessed September 29, 2019, <http://www.pura.gm/wp-content/uploads/2018/01/Pura-Act-2001.pdf>.
- 45Public Utilities Regulatory Authority (PURA), "PURA Organizational Structure," <http://www.pura.gm/organizational-structure>.
- 46"PURA fines Gamcel, urges minister to suspend its gateway licence," The Standard, September 25, 2020, <https://standard.gm/pura-fines-gamcel-urges-minister-to-suspend-its-gat...>
- 47The Voice, "Pura updates public on comium suspension" 7 October 2021, <https://www.voicegambia.com/2021/10/07/pura-updates-public-on-comium-su...>
- 48CommsUpdate, "High Court supports Comium in suspension dispute" 4 November 2021, <https://www.commsupdate.com/articles/2021/11/04/high-court-supports-com...;>
- 49"Letter to the Editor: Finance Minister Mamburay Njie has lobbied for his cousin Yusupha Jobe to be appointed PURA Director General!," Freedom Newspaper, May 21, 2021, <https://perma.cc/8WU2-CLR6>; "Organizational Structure," Public Utilities Regulatory Authority, accessed August 19, 2021, <https://www.pura.gm/organizational-structure/>; @PURAGM, "PURA DG PASSES AWAY The Board and Management of Public Utilities Regulatory Authority(PURA) of The Gambia regrets to inform the public that its Director General Momodou B. Jallow has passed away. This sad news occurred today Tuesday 30th March, 2021 in the U.S of America.," Twitter, March 30, 2021, <https://twitter.com/PURAGM/status/1376933794738020358>.

- 50Interviews by Freedom House consultant with regulatory officials, February 2021
- 51Public Utilities Regulatory Authority (PURA), <http://www.pura.gm/>.
- 52Public Utilities Regulatory Authority (PURA), "PURA: Overview", <http://www.pura.gm/overview-of-mandate/>.
- 53Interviews by Freedom House consultant, January 2017.
- 54Baboucarr Ceesay, "Gambia: Government's internet phobia and censorship," Africa Review, March 29, 2014, <https://web.archive.org/web/20171123161754/africareview.com/News/Gambia....>
- 55Abdur Rahman Alfa Shaban, "Gambia lifts whatsapp restriction as Jammeh exits," Africa News, January 21, 2017, , <http://www.africanews.com/2017/01/21/gambia-lifts-whatsapp-restriction-....>
- 56Muhammed S. Bah, "Are social networking applications blocked?" Foroyaa, August 23, 2016, <http://allafrica.com/stories/201608240945.html>.
- 57Sanna Camara, "Gambia: Social Media Overwhelms a 20-Year Dictator," World Policy Journal, December 9, 2016, <http://worldpolicy.org/2016/12/09/gambia-social-media-overwhelms-a-20-y...>
- 58Interviews with Freedom House consultant, March 2019; Interviews with Gambia Radio & Television Service journalists, April 2021.
- 59"Requests by the numbers: Gambia," Google Transparency Report, accessed July 22, 2022, <https://transparencyreport.google.com/government-removals/government-re...>; "Gambia," Facebook Transparency Center, accessed July 22, 2022, <https://transparency.fb.com/data/content-restrictions/country/GM/>; "Twitter Transparency Center," Twitter, accessed July 22, 2022, <https://transparency.twitter.com/>.
- 60"The Gambia Government Bans 'Operation 3-Years Jotna' with Immediate Effect," Foroyaa, January 27, 2020, <https://web.archive.org/web/20200128154047/https://foroyaa.gm/the-gambi...>
- 61"Gambian radio journalists arrested, outlets shut down over protest coverage," CPJ, January 31, 2020 <https://cpj.org/2020/01/gambian-radio-journalists-arrested-outlets-shut...> ; "Two radio stations shut down, 4 journalists arrested in Gambia," January 27, 2020, https://www.panapress.com/Two-radio-stations-shut-down-4-j-a_630625153-...
- 62"Gov't drops charges against journalists, opens 2 radio stations", The Point, February 26, 2020 <http://archive.thepoint.gm/africa/gambia/article/govt-drops-charges-aga...>
- 63Freedom House consultant interviews, February 2019
- 64Interviews by Freedom House consultant, February 2017.
- 65Interviews by Freedom House consultant, March 2017.
- 66Jeffang, Kebba, "A Self-Regulatory Body to Hold Gambian Journalists to Account Commences Work", The Chronicle, June 1, 2020, <https://www.chronicle.gm/a-self-regulatory-body-to-hold-gambian-ethics-...>
- 67Interview with Chairman, Media Council of The Gambia in Fajara, May 2022; also see IFEX, New Executive Secretary appointed to Gambia's Media Council, 19 October 2021, <https://ifex.org/new-executive-secretary-appointed-to-gambias-media-cou...>
- 68Junkung Jorbarteh, "Address on the State of The Media Council", June 4, 2020, <https://www.gunjuronline.com/post/address-on-the-state-of-the-media-cou...>
- 69Interviews with editors by Freedom House consultant, February 2016.

- 70 Interview conducted by Freedom House consultant, September 2022
- 71 Interviews by Freedom House consultant, March 2017.
- 72 Amnesty International, "Gambia 2017/2018", February 22, 2018, <https://www.amnesty.org/en/countries/africa/gambia/report-gambia/>.
- 73 @NPPTV, Facebook, accessed August 19, 2021, <https://www.facebook.com/NPPTV/>; @BarrowMediaEmpowerment, Facebook, accessed August 19, 2021, <https://www.facebook.com/BarrowMediaEmpowerment/>.
- 74 Interview with procurement officials, the Quadrangle, Banjul, April 2021.
- 75 Interview with senior information officer at Ministry of Information and Communication Infrastructure, May 2020.
- 76 Interview with senior policy officials and former officials at the Office of the President, Banjul, February and May 2020.
- 77 UNESCO-supported fact checking platform launched in The Gambia, accessed January 14, 2022, <https://en.unesco.org/news/unesco-supported-fact-checking-platform-laun...>; FactCheck Gambia, "ELECTION 2021: Fact-checking Gambia's first-ever Presidential Debate" December 1, 2021 <https://factcheckgambia.org/election-2021-fact-checking-gambias-first-e...>
- 78 "Another fight breaks out between APRC and UDP supporters in Talinding," Gambiano, March 29, 2017, <http://gambiano.net/breaking-news-another-fight-breaks-out-between-aprc...>
- 79 Gambia Press Union, "Gambia Press Union Activity Report 2015-2018", September 13, 2018, <http://www.gambiapressunion.org/publication/gambia-press-union-activity...>
- 80 Interviews with Industry experts by Freedom House consultant, January 2016.
- 81 Interview with Member of Committee on Covid-19 Relief Fund for Media, January 2021.
- 82 Freedom House consultant interviews with PURA, March 2019
- 83 GPU, "Journalists sensitized on tackling hate speech" Sep, 2021. <https://gpu.gm/News/Details/77>
- 84 Westminster Foundation for Democracy, "Final Report Thematic Election Expert Observation Mission The Gambia Presidential Elections 2021" pg. 7 <https://www.wfd.org/sites/default/files/2022-01/TEEOM%20Gambia%20-%20Fi...>
- 85 Ibid, pg. 14
- 86 APC, "Enabling digital inclusion for the most vulnerable in 2020", Jokkolabs Banjul enabled digital inclusion for rural women in Gambia <https://www.apc.org/en/news/enabling-digital-inclusion-most-vulnerable-...>
- 87 The Point, "Activista Gambia calls on young elected MPs to fulfill campaign promises", April 28, 2022 <https://thepoint.gm/africa/gambia/national-news/activista-gambia-calls-...>
- 88 "The Gambia Government Bans 'Operation 3-Years Jotna' with Immediate Effect," Foroyaa, January 27, 2020, <https://web.archive.org/web/20200128154047/https://foroyaa.gm/the-gambi...>; Jason Burke, "Outcry over crackdown in the Gambia as president refuses to quit", The Guardian, January 28, 2020 <https://www.theguardian.com/world/2020/jan/28/outcry-over-crackdown-in-...>
- 89 #threeyearsjotna, Twitter <https://twitter.com/hashtag/threeyearsjotna>

- 90“Three Years Jotna Leaders Appeared in Court,” The Voice, March 3, 2021, <https://www.voicegambia.com/2021/03/03/three-years-jotna-leaders-appear...>
- 91Sankulleh Gibril Janko, “3 Years Jotna doesn't trust AG's withdrawal charges,” The Point, May 5, 2021, <https://thepoint.gm/africa/gambia/headlines/3-years-jotna-doesnt-trust-...>
- 92Baboucarr Senghore, “President Jammeh meets with the Independent Press,” The Point, March 17, 2011, <http://thepoint.gm/africa/gambia/article/president-jammeh-meets-with-th...>
- 93“Final Draft Constitution Released”, The Gambia Times, March 31, 2020 <https://www.thegambiatimes.com/the-final-draft-constitution-for-the-thi...>
- 94Draft Constitution 2020, Chapter VI, Part II, sections: 46-48. <https://crc220.org/wp-content/uploads/2015/12/CRC-FINAL-DRAFT-CONSTITUT...>) ; Freedom House consultants interviews with GPU, March 2019.
- 95Satang Nabaneh, ‘Attempts at Constitutional Reform in The Gambia: Whither the Draft Constitution?’ IACL-AIDC Blog, September 29, 2020, <https://blog-iacl-aidc.org/2020-posts/2020/9/29/attempts-at-constitutio...>; Abdoulaye Saine, “Shed No Tears for the Failed Draft Constitution,” The Chronicle, September 27, 2020, <https://www.chronicle.gm/shed-no-tears-for-the-failed-draft-constitutio...>
- 96Adama Makasuba, “Mediation talks on draft constitution in Abuja end without any agreement” Gambiana, February 25, 2021 <https://gambiana.com/mediation-talks-on-draft-constitution-in-abuja-end...>
- 97Adama Makasuba, “Barrow to push for term limits and bring back draft constitution” Gambiana December 8, 2021 <https://gambiana.com/barrow-to-push-for-term-limits-and-bring-back-draf...>
- 98“Barrows signs Access to Information Bill into law,” The Point, August 27, 2021, <https://thepoint.gm/africa/gambia/headlines/barrows-signs-access-to-inf...>; “Gambia Press Union Welcomes the Passing of Access to Information Bill 2021,” AFEX, July 2, 2021, : <https://www.africafex.org/access-to-information/gambia-press-union-welc...>
- 99Kebba AF Touray, “Gambia: ‘Access to Information Bill Seeks to Enforce Right to Information’ Justice Minister”, Foroyaa, December 18, 2019: <https://allafrica.com/stories/201912190279.html>; Bakary Ceesay, “Gambia: Cabinet Approves Freedom Of Information Bill, Removes All Gender Discriminatory Laws”, Pan African Visions, November 18, 2019 <https://panafricanvisions.com/2019/11/gambia-cabinet-approves-freedom-o...>
- 100“Second Address to the Nation by President Adama Barrow on COVID-19”, Office of the President, March 27, 2020 <http://www.statehouse.gm/second-address-nation-president-adama-barrow-c...>
- 101Constitution of the Republic of Gambia, “Art 34, 35” <http://hrlibrary.umn.edu/research/gambia-constitution.pdf>
- 102Adam Abu-bashal, “Gambia extends state of emergency to curb coronavirus”, Anadolu Agency, March 7, 2020 <https://www.aa.com.tr/en/africa/gambia-extends-state-of-emergency-to-cu...>; “News Alert Full History—Gambia: Authorities confirm first case of COVID-19 March 17,” GardaWorld, September 18, 2020, <https://www.garda.com/crisis24/news-alert-full-history/Y5kdrZgip6LwMGKS...>
- 103Momodou Jawo, “Barrow loses, Supreme Court rules in favour of Ya Kumba Jaiteh”, The Point, January 29, 2020 <http://thepoint.gm/africa/gambia/article/barrow-loses-supreme-court-rul...>

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|--|--|-------|---------|
| | | Code, | Section |
|--|--|-------|---------|
- 104 Criminal 59, <https://static1.squarespace.com/static/5a7c2ca18a02c7a46149331c/t/5f025...>
 - 105 Gambia Press Union, others v The Attorney General SC Civil Suit No: 1/2014 <https://www.lawhubgambia.com/sc-1-2014>
 - 106 Buba Gagigo, "Upon Victory on 4th December, Barrow Assures To Instruct IGP To Deny Permits For Political Activities," Kerr Fatou, accessed August 19, 2021, <http://www.kerr-fatou.com/upon-victory-on-4th-december-barrow-assures-t...>; "Barrow has no intention of banning political activity – Gov't spokesman," The Standard, August 18, 2021, <https://standard.gm/barrow-has-no-intention-of-banning-political-activi...>
 - 107 Demba Kande, "New Internet Law in The Gambia Puts Gag on Government Criticism," Global Voices, July 12 2013, <https://globalvoices.org/2013/07/12/new-internet-law-in-the-gambia-puts...>
 - 108 "A mixed result as the Supreme Court delivers judgment in important constitutional challenges to free speech laws," MLDI, May 16, 2018, <https://web.archive.org/web/20190626041614/https://www.mediadefence.org...>
 - 109 "Supreme Court declares sedition constitutional, struck out defamation," The Standard, May 10, 2018, <https://standard.gm/supreme-court-declares-sedition-constitutional-stru...>
 - 110 Gambia Press Union, "GPU Statement on the Arbitrary Arrest of Journalist Yusef Taylor," July 8, 2022, <https://www.voicegambia.com/2022/07/08/gpu-statement-on-the-arbitrary-a...>
 - 111 UDP TV & MEDIA TV, "THREE YEARS JOTNA AFTER COURT PRESS CONFERENCE IN BANJUL LISTEN TO YANKS DARBOE," YouTube, February 10, 2021, <https://www.youtube.com/watch?v=ShQKEmRilvl>; @udptvshow, "THREE YEARS JOTNA AFTER COURT PRESS CONFERENCE IN BANJUL," February 10, 2021, https://www.facebook.com/watch/live/?v=1079174732567252&ref=watch_perma...
 - 112 Alagie Baba, "Yankuba Darboe's alleged seditious video played in court," The Point, March 24, 2021, <https://thepoint.gm/africa/gambia/headlines/yankuba-darboes-alleged-sed...>; Buba Gagigo, "Lawyer Yankuba Darboe apologises for his 'Indecent comments,'" Kerr Fatou, accessed August 19, 2021, <http://www.kerr-fatou.com/lawyer-yankuba-darboe-apologises-for-his-inde...>
 - 113 Kebba Jeffang, "Madi Jobarteh Charged with False Publication and Broadcasting", The Chronicle, June 30, 2020 <https://www.chronicle.gm/breaking-madi-jobarteh-charged-with-false-publ...>; Gambian Talents TV, "Another Black Live Matters Protest At The American Embassy 27/6/2020", June 27, 2020 <https://youtu.be/RtUovPDubHc>; Madi Jobarteh, "I am Charged, Bailed and Released and to Report Tomorrow at 10am.", June 30, 2020 <https://www.facebook.com/Kalajula/posts/10157774697369355>
 - 114 "Charges Dropped Against Madi Jobarteh As NHRC, CSOs And Intercede In His Favour," Freedom Newspaper, July 10, 2020 <https://www.freedomnewspaper.com/2020/07/10/charges-dropped-against-mad...>
 - 115 "Gambian radio journalists arrested, outlets shut down over protest coverage," Committee to Protect Journalists, January 31, 2020 <https://cpj.org/2020/01/gambian-radio-journalists-arrested-outlets-shut...>; "Two radio stations shut down, 4 journalists arrested in Gambia," Panafrican News Agency, January 27, 2020, https://www.panapress.com/Two-radio-stations-shut-down-4-j-a_630625153-...
 - 116 "Gov't drops charges against journalists, opens 2 radio stations", The Point, February 26, 2020 <http://archive.thepoint.gm/africa/gambia/article/govt-drops-charges-aga...>

- 117“SIM registration,” PURA, accessed September 29, 2019, <http://www.pura.gm/portfolios/portfolio-item-3/>.
- 118Freedom House interviews with stakeholders, January 2019.
- 119Freedom House interviews with stakeholders, January 2019.
- 120PURA, “Information and Communications Act, 2009”, <http://www.pura.gm/wp-content/uploads/2018/01/IC-Info-Comms-Act-2009.pdf>.
- 121Interview with Jawara, Haddija K, Programme Officer at Gambia Press Union, Fajara. December, 2019.
- 122Freedom House Interviews, January 2017.
- 123Frontline Defenders, “Charges Brought Against Human Rights Defender Madi Jobarteh” <https://www.frontlinedefenders.org/en/case/charges-brought-against-huma...>
- 124Sanna Camara, “Social Media May Affect Gambia’s Security,” The Point, March 28, 2018, <https://web.archive.org/web/20180331072112/http://thepoint.gm/africa/ga....>
- 125PURA, “Information and Communications Act, 2009”, <http://www.pura.gm/wp-content/uploads/2018/01/IC-Info-Comms-Act-2009.pdf>.
- 126Freedom House consultant interviews with Cybersecurity Alliance team members, January 2019
- 127Freedom House consultant interviews with GPU, March 2019
- 128Communique, The 7th National Internet Governance Forum of The Gambia, https://www.intgovforum.org/multilingual/index.php?q=filedepot_download...
- 129Council of Europe, Support for the legislative process on data protection in the Gambia, February 2022 <https://www.coe.int/en/web/data-protection/support-for-the-legislative-...>
- 130MFWA, Gambia: President Barrow’s threats against activist distasteful, May 17, 2022 <https://www.mfwa.org/gambia-president-barrows-threats-against-activist-...> ; see President Barrow meets Banjul elders, May 2, 2022 <https://www.facebook.com/Kalajula/videos/689450528773394>
- 131Article 19, “The Gambia: Stop attacks on human rights defenders and journalists,” May 10, 2022 <https://www.article19.org/resources/the-gambia-stop-attacks-on-human-ri...> ; Madi Jobarteh, Bring back our lands, April 2022 <https://www.facebook.com/Kalajula/posts/pfbid032w86WWf3NXX5hvx142SqV2d...>
- 132Isatou Ceesay-Bah, “GPU condemns UDP supporters attack on journalist” The Point Newspaper <https://thepoint.gm/africa/gambia/national-news/gpu-condemns-udp-supportor...>
- 133@gambiapressunion, “GPU Condemns Physical Assault of Journalist by State House Photographer,” Facebook, June 2, 2021, <https://www.facebook.com/gambiapressunion/posts/4119511094738582/>.
- 134“GPU Appalled by Physical Harassment, Verbal Assault on Foroyaa Reporter,” Foroyaa, April 19, 2021, <https://foroyaa.net/gpu-appalled-by-physical-harassment-verbal-assault-....>
- 135Lamin Njie, “ ‘He Said We Should Be Killed’: Top Ahmadi Leader Testifies That Hate Against Sect Began In 1997 Triggered By Imam Fatty”, The Fatu Network, February 5, 2020 <https://fatunetwork.net/he-said-we-should-be-killed-top-ahmadi-leader-t...>

- [136](#)Pa Modou Cham, "Witness says Ndigal followers should be killed", The Point, February 5, 2020 <http://archive.thepoint.gm/africa/gambia/article/witness-says-ndigal-fo...>
 - [137](#)Yankuba Jallow, "TRRC Witness explains how practising another faith landed them in exile", Foroyaa, January 29, 2020 <https://foroyaa.net/trrc-witness-explains-how-practising-another-faith-...>
 - [138](#)Freedom House interviews with Cybersecurity Alliance team, January 2019.
 - [139](#)Ismail Akwei, "Gambia's government website 'confiscated' by proud computer hacker," Africa News, January 23, 2017 <http://www.africanews.com/2017/01/23/gambia-s-government-website-confis....>
 - [140](#)Sam Phateh, "Government website, pro-Jammeh paper remains offline," SMBC News, December 15, 2016, <https://web.archive.org/web/20180102011638/https://gambia.smbcgo.com/20....>
 - [141](#)Interviews with activists & bloggers by Freedom House consultant, February 2017.
 - [142](#)Interviews with activists & bloggers by Freedom House consultant, February 2016.
-

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