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Republic of the Gambia

Head of state and government: **Yahya Jammeh**

The December 2014 attempted coup led to arrests and further human rights violations. The authorities continued to repress dissent and display a lack of willingness to co-operate with UN and regional human rights mechanisms or comply with their recommendations.

BACKGROUND

In April, Gambia rejected 78 of the 171 recommendations at the UPR, including removing restrictions on freedom of expression, ratifying the International Convention against enforced disappearance, and abolishing the death penalty.[1]

The government ignored calls by the international community to conduct a joint independent investigation into the aftermath of the 2014 attempted coup, most notably disregarding the African Commission on Human and Peoples' Rights resolution in February seeking an invitation to conduct a fact-finding mission.

In June, Gambia expelled the EU's Chargée d'Affaires, asking her to leave within 72 hours with no explanation.

Plans for a Human Rights Commission were developed. In November, President Jammeh announced that female genital mutilation (FGM) would be banned and a bill criminalizing FGM was passed in December by the National Assembly.

ENFORCED DISAPPEARANCES

In January, dozens of friends and relatives of people accused of involvement in the 2014 attempted coup were detained incommunicado. The authorities refused to acknowledge their detention or to provide information on their whereabouts. Those detained included women, elderly people and a child. They were released in July after six months in detention without charge, in violation of Gambia's Constitution. Some of those detained were tortured at the National

Intelligence Agency (NIA) headquarters, including with beatings, electric shocks, waterboarding or being detained in confined holes in the ground.

FREEDOM OF EXPRESSION – JOURNALISTS AND HUMAN RIGHTS DEFENDERS

Journalists and human rights defenders were arbitrarily arrested and detained and restrictive laws continued to curb the right to freedom of expression.

On 2 July, Alagie Abdoulie Ceesay, director of Teranga FM radio station, was detained and held incommunicado for 12 days. A few days after his release, Alagie Abdoulie Ceesay was again detained, beaten, charged with several counts of sedition and denied bail. He remained in detention; his trial was ongoing at the end of the year.[2]

In June, a well-known rapper, Killa Ace, fled Gambia after receiving death threats following the release of a song accusing the government of repression and extrajudicial executions.

In June, Lamin Cham, a radio show host and music promoter, was arrested in the capital, Banjul, and detained at NIA headquarters and released without charge 20 days later.

Human rights activist Sait Matty Jaw, who was arrested in Banjul in December 2014 and tried over work done on a survey for Gallup on good governance and corruption, was finally discharged in April.

FREEDOM OF ASSEMBLY

In April, police obstructed a nationwide tour by the opposition United Democratic Party with roadblocks. The tour was granted permission to continue after a four-day stand-off.

In November, police arrested over 40 people during and after a protest by young people and community members in Kartong against sand mining. Witnesses reported excessive use of force by the police with some people injured. Thirty-three were charged with various offences including conspiracy, breach of the peace, riot, causing malicious injuries and riotously interfering with a vehicle. They were unconditionally released eight days later, following a statement by the President ordering their release.[3]

TORTURE AND OTHER ILL-TREATMENT

The UN Special Rapporteur on torture issued a report in March citing that torture was "prevalent and routine", particularly by the NIA in the early stages of detention. The report expressed concerns over prison conditions and the lack of an effective complaints mechanism to address allegations of torture and other ill-treatment. He noted that "the nature of the torture is brutal and includes very severe beatings with hard objects or electrical wires; electrocution, asphyxiation by placing a plastic bag over the head and filling it with water and burning with hot liquid".[4]

On 25 July, at least 200 prisoners were released by President Jammeh from Mile 2 prison, including several detained for treason and several government officials, such as the former director of the NIA, Lamin Bo Badjie, and former police chief, Ensa Badjie. Despite the releases, other political opponents, journalists and prisoners of conscience remained in detention, including the national treasurer of the opposition United Democratic Party, Amadou Sanneh, as well as party members Alhagie Sambou Fatty and Malang Fatty.[5]

DEATH PENALTY

On 30 March, a military court at the Fajara barracks in Bakau, near the capital, handed down death sentences on three soldiers and sentenced three others to life imprisonment for their involvement

in the 2014 coup. The trial was held in secret, with media and independent observers barred from observing.[6]

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Three men suspected of being gay were put on trial for "unnatural acts". Two were acquitted in August while the remaining man was still facing trial at year's end. They had been arrested in November 2014, a month after Gambia introduced life sentences for the offence of "aggravated homosexuality". Many LGBTI people fled the country.

IMPUNITY

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions issued a report in May, documenting a handful of state investigations into police abuse, none of which resulted in convictions. It stated that citizens were "reluctant to denounce abuses, engage legal services or seek redress, even for the most serious violations, including disappearances, torture or probable executions."

The authorities made no progress towards implementing the judgments of the ECOWAS Court of Justice in the enforced disappearance of journalist Ebrima Manneh (2010), the torture of journalist Musa Saidykhan (2010) and the unlawful killing of Deyda Hydara (2014).

[1] Gambia: Sharp deterioration of human rights in 21st year of President Jammeh's rule (News story, 22 July)

[2] Gambia: Further information: radio director rearrested, held incommunicado: Alagie Abdoulie Ceesay (AFR 27/2155/2015)

[3] Gambia: Release peaceful protesters and community members arbitrarily detained (News story, 30 November)

[4] Gambia must take immediate steps to address concerns of UN Special Rapporteurs on torture and extrajudicial executions: Amnesty International's written statement to the 28th session of the UN Human Rights Council (AFR 27/1100/2015)

[5] Gambia: Prisoner release should include all those detained for expressing dissent (News story, 24 July)

[6] Gambia: Soldiers sentenced to death in secret trial must not be executed (News story, 1 April)

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