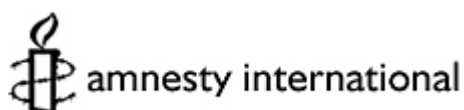


Title	Amnesty International Annual Report 2012 - Gambia
Publisher	Amnesty International
Country	Gambia
Publication Date	24 May 2012
Cite as	Amnesty International, <i>Amnesty International Annual Report 2012 - Gambia</i> , 24 May 2012, available at: http://www.unhcr.org/refworld/docid/4fbe393b37.html [accessed 30 May 2012]
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Amnesty International Annual Report 2012 - Gambia

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

Death penalty: **abolitionist in practice**

Population: **1.8 million**

Life expectancy: **58.5 years**

Under-5 mortality: **102.8 per 1,000**

Adult literacy: **46.5 per cent**

Gambia continued to restrict freedom of expression. Government opponents, human rights defenders and journalists were arbitrarily arrested and detained. Torture and other ill-treatment were carried out by security forces and there were unresolved cases of enforced disappearance.

Background

Presidential elections took place on 24 November. The incumbent, President Jammeh, was declared winner, continuing his 17-year rule. Political parties were given 11 days to campaign.

Arbitrary arrests and detentions

The National Intelligence Agency (NIA), the police and the army unlawfully arrested and detained people. Detainees were rarely informed of their rights or the reason for their arrest or detention and were often held for more than 72 hours without charge, in violation of the Constitution. Torture continued to be used routinely to extract confessions and as punishment.

- In April, graduate student Mouctar Diallo was arrested by the NIA, accused of terrorism and spreading revolution from Egypt to Gambia. After months under house arrest and then several days in detention he was released in July without charge.

Repression of dissent

Human rights defenders, including lawyers and journalists, were unlawfully arrested and detained.

- In March, two family members of exiled opposition leader Mai Fatty were arrested and detained for displaying political campaign materials.
- On 7 June, former Minister of Information and Communication Dr Amadou Scattered Janneh was arrested and detained at Mile 2 Central Prison along with Michael C. Ucheh Thomas, Modou Keita and Ebrima Jallow. They were charged with treason, which carries the death penalty, for printing and distributing T-shirts with the slogan "End to Dictatorship Now". Their trial was ongoing at the end of the year. Human rights defender Ndey Tapha Sosseh was also charged but she was out of the country at the time.
- On 19 September, Moses Richards, a lawyer and former High Court judge, was convicted of "giving false information to a public servant" and "sedition" and sentenced to two and a half years' imprisonment with hard labour. He was released in October under a presidential pardon.
- Edwin Nebolisa Nwakaeme, a Nigerian human rights defender sentenced to six months in prison for giving false information to a public officer, was released on 14 January and deported after serving his sentence.

Freedom of expression

Journalists and other media workers were routinely subjected to harassment, arrests and threats of closure, making it extremely difficult for them to carry out their work.

- In January, state security agents temporarily shut down Teranga FM, one of the last independent radio stations operating in Gambia. It was later allowed to reopen reportedly on condition that it stopped reviewing newspapers.
- In July, Nanama Keita was detained and charged with giving "false information" after he petitioned President Jammeh over his alleged wrongful dismissal from the *Daily Observer* newspaper, where he was sports editor. He fled the country after receiving death threats he believed to be from the government. Journalist Seikou Ceesay was detained in October for acting as a guarantor for Nanama Keita. Seikou Ceesay's wife was also arrested and briefly detained.
- No payment was made by the government in the case of Musa Saidykhan, who was awarded US\$200,000 damages by the ECOWAS court in December 2010. Musa Saidykhan, former editor-in-chief of *The Independent*, was tortured after state security agents raided the newspaper's offices in 2006, shut it down and imprisoned its staff.

Enforced disappearances

In October, Justice Minister Edward Gomez stated during an interview with the *Daily News* newspaper that disappeared journalist Ebrima Manneh was still alive "somewhere". A journalist with the government-owned newspaper *Daily Observer*, Ebrima Manneh was arrested by members of the NIA at the newspaper's offices on 11 July 2006. He was last seen in hospital under police custody in July 2007. The government had yet to comply with a July 2008 ECOWAS court judgement, ordering it to immediately release Ebrima Manneh from unlawful detention and pay US\$100,000 in damages to his family. The government continued to deny any involvement in his arrest and disappearance.

Death penalty

Thirteen death sentences were passed in 2011, bringing the number of people on death row to 44.

In April, the government passed the Drugs Control (amendment) Act 2011, which replaced the death penalty with life imprisonment for possession of more than 250g of cocaine or heroin. The death penalty had been in place since October 2010 for this offence, but was repealed to bring sentencing in line with the 1997 Constitution. Amendments removing the death penalty were also reportedly made to the Criminal Code Act and the Trafficking in Persons Act 2007 to make them compatible with the 1997 Constitution.

Also in April, the Court of Appeal dismissed the appeal of seven of the eight people sentenced to death in June 2010 following a grossly unfair trial for allegedly plotting to overthrow the government.

Prison conditions

Conditions in Gambia's prisons were appalling. The harsh conditions of detention in Mile 2 Central Prison – overcrowding, poor sanitary conditions and inadequate food – constituted cruel, inhuman and degrading treatment.

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