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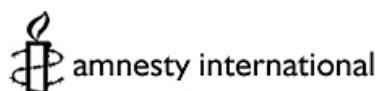
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Amnesty International Report 2007 - Gambia

REPUBLIC OF THE GAMBIA

Head of state and government: Yahya Jammeh**Death penalty:** abolitionist in practice**International Criminal Court:** ratified

More than 70 civilians and members of the military, including prisoners of conscience, were unlawfully detained after an alleged coup attempt in late March. Several journalists and editors were also unlawfully detained for many weeks. At least 12 detainees were reportedly tortured. Trials of suspected coup plotters were continuing in military and civilian courts at the end of the year. Five people who allegedly escaped may have been extrajudicially executed. Repression of the right to freedom of expression intensified.

Background

In September President Jammeh won presidential elections.

Unlawful detentions and torture

After an alleged coup attempt in late March, more than 70 people were unlawfully detained for longer than the 72 hours allowed by Gambian law. Among those held by the National Intelligence Agency (NIA) were prisoners of conscience, lawyers, journalists, editors, civilians, military and security personnel and politicians.

On 27 March suspects reportedly dressed in military uniform appeared on national television "confessing" to involvement in a coup attempt.

Some of the detainees were held incommunicado for several weeks at the NIA headquarters and the Mile 2 prison, where at least 12 were allegedly tortured or ill-treated. The number of those still held at the end of 2006 was not clear.

- Mariam Denton, a lawyer and prisoner of conscience, was detained on 6 April and unlawfully held in Mile 2 prison for over three months. Although her lawyers' application for access was granted by the High Court on 25 April, the prison authorities denied access until after 10 May. She was released without charge on 25 July after a failed attempt by the prosecutor to have her charged with concealment of treason.

At least 12 detainees were allegedly tortured. Some reportedly had their heads covered with plastic bags or were held under water for long periods. Others were reportedly burned with cigarettes or severely beaten.

Trials after alleged coup attempt

Preliminary hearings began in the High Court in Banjul on 10 May for 15 defendants detained in relation to the coup attempt. Charges, including treason and concealment of treason, all of which are capital and non-bailable offences, were made public in late May. One defendant was reportedly released on 8 December. Two other detainees were charged with ancillary crimes, one of whom reportedly had the charges against him dropped in November and was released. On 28 July it was reported that another seven detainees, including Abdoulie Kujabi, a former Director General of the NIA, had been charged with conspiracy to commit treason. Their trial had not started by the end of 2006 and one of them was reportedly released on 8 December.

On 18 July, several defence lawyers reportedly withdrew from one case, citing concerns about the independence of the judge. Some detainees were denied access to their lawyers. At least four military defendants in the treason trial were transferred to a court martial, where their statements suggested that confessions had been obtained under duress or torture.

Suspected extrajudicial executions

The authorities alleged that former NIA Director General Daba Marenga and four soldiers – Ebou Lowe, Alieu Cessay, Alpha Bah and Malafi Corr – escaped during a prison transfer around 4 April. There were fears that they had in fact been extrajudicially executed or become victims of enforced disappearance. No independent investigation into the alleged escape had been initiated by the end of the year.

Freedom of expression

At least nine Gambian and foreign journalists and editors were detained, and some were reportedly tortured. Harassment and threats against journalists, editors and media critical of the government intensified.

- On 28 March, Musa Saidykhan, editor of *The Independent*, and Madi Ceesay, managing director, were arrested and the newspaper's premises were closed. The two men were held incommunicado at the NIA headquarters until 20 April, when they were released without charge and without an official reason for their detention. The newspaper remained closed at the end of the year.
- On 10 April, Lamin Fatty, a reporter with *The Independent*, was detained at the NIA headquarters in connection with the coup attempt. He was held incommunicado for over two months. In May, he was charged with publishing false information. His trial was continuing at the end of the year.
- On 25 May the online *Freedom Newspaper* had its web-site hacked into, and a list of over 300 names of alleged "informers" was published in a pro-government newspaper. At least four journalists were subsequently arrested but were released without charge. One journalist was held incommunicado at the NIA headquarters for almost five months before being released without charge.

Impunity

There were no official investigations into past human rights violations. The government did not bring to justice those responsible for the assassination of journalist Deyda Hydara in December 2004.

AI country reports/visits

Statement

- Gambia: Alleged coup plot must not be used as excuse to violate citizens' human rights (AI Index: AFR 27/004/2006)

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