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“Freedom Day” in The Gambia is a travesty

As Gambia celebrates its national holiday today, called “Freedom Day” by President Yahya Jammeh, hundreds of activists representing over eighty seven non-governmental organisations participated in protests and other activities in fourteen countries. On this “Day of Action,” activists in 14 different countries worldwide will draw attention to the appalling human rights record of President Yahya Jammeh’s government in The Gambia.

Naming Gambia’s national holiday ‘Freedom Day’ is a shameful travesty: President Yahya Jammeh’s government has cracked down on political freedom and commits widespread human rights violations with total impunity. Freedom remains an illusion for most Gambians, who live in fear of arbitrary arrest, torture, incommunicado detention, unfair trials, rape, disappearance, and extra-judicial executions.

Unfair trials and prison conditions

Hundreds were incarcerated and held incommunicado in appalling conditions after waves of arrests in November of 2009 and in March 2010. Only eight have been tried, in a so-called treason trial where they are accused of fomenting a coup. The eight men were accused of procuring arms, equipment, and mercenaries to stage a coup against President Yahya Jammeh’s government. Judge Emmanuel Amadi found them guilty of treason and sentenced them all to death last week.

The trial violated a host of international fair trial standards. Detainees had little or no access to their lawyers or even their families. Sources indicate that the accused have been tortured, while others were pressured to provide false testimony at the trial, under threat of imprisonment and torture. The government persecuted those who refused to give false testimony, allegedly going to far as to make death threats.

Conditions in Gambian prisons, especially in Mile 2 Central Prison and other secret detention centres, military barracks, secret quarters in police stations, police stations in remote areas, and warehouses are appalling. They amount to a violation of the right not to be subjected to inhuman and degrading treatment and punishment.

Arbitrary detentions

Gambia’s human rights situation deteriorated after 1994, when Lieutenant Yahya Jammeh came to power and banned all political parties or political activities. Since March 2006, when President Jammeh claimed to have uncovered an attempted coup plot, the situation has gotten steadily worse.

Members of the President’s own personal protection guard – who are under his direct control – carry out the most egregious abuses, as do certain units in the National Intelligence Agency (NIA) often referred to as green boys, ninjas, or drug boys. However, the army and police also commit serious human rights violations.

The security services routinely detain people without charge (during which time they are often tortured or ill-treated), or unlawfully imprisons them after unfair trials. Several individuals are known to have disappeared, died in custody, or died shortly after release – and unconfirmed

allegations of additional deaths have been impossible to corroborate due to the government's refusal to provide any information on their cases.

Journalists at serious risk

Freedom of expression is severely limited: journalists are arbitrarily arrested if suspected of leaking critical information or writing stories unfavourable to the authorities. Newspapers have been closed down or had their websites hacked into. Journalists and members of the opposition are harassed, threatened, and unlawfully killed.

Two cases involving Gambian journalists have been brought to the attention of the ECOWAS Community Court of Justice since 2006. One case concerns *Daily Observer* journalist Chief Ebrima Manneh – a victim of enforced disappearance for four years despite the Court's ruling that he be released and damages be paid to his family.

In another case, former editor of *The Independent* newspaper Musa Saidykhan alleges he was tortured by the NIA in 2006. Moreover, the 2004 murder of Deydra Hydara, former editor of *The Point* newspaper, who was allegedly killed by government operatives, has never been solved. Since 1994, at least 27 journalists have left The Gambia in fear for their lives.

President Yahya Jammeh has also expelled the Unicef envoy, threatened to kill human rights defenders, warned that he will cut off the heads of all gays in Gambia, and announced that he will start executing those sentenced to death in order to counter rising crime.

Witch hunts

In March 2009, a state-sponsored witch-hunt led to approximately 1,000 people being snatched from their villages and taken to secret detention centres by "witch hunters." Amnesty International reported that after being kidnapped, they were forced to drink hallucinogenic concoctions in secret detention centres, and tortured to confess to witchcraft. The liquid they were forced to drink appeared to lead to kidney problems and to at least six deaths from kidney failure. A well-known opposition leader, Halifa Sallah, criticised the government's 'witchcraft' accusations in the main opposition newspaper in Gambia. He was detained, charged with treason and held in Mile 2 Central Prison. After significant outside pressure, all charges were dropped and he was released.

Migrants at risk

Migrants and visitors are also subject to unlawful arrests, torture and ill-treatment by security forces. In July 2005 a group of 50 foreigners, including 44 Ghanaians, was reportedly killed by members of the Gambia security forces. A report carried out jointly by ECOWAS and the UN determined that rogue security forces were responsible. So far, the Gambian government has not taken any steps to bring the perpetrators to justice.

The death penalty

The death penalty is the ultimate violation of human rights. It violates the right to life and the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment. The Gambia has explicitly accepted obligations in regard to these rights in the international and regional human rights treaties which it has ratified, including the International Covenant on Civil and Political Rights (ICCPR), the African Charter on Human and Peoples' Rights and the Convention Against Torture (CAT).

Action

The undersigned civil society groups join together and call on The Gambia to:

- Stop human rights violations and comply with obligations under the African Charter with regard to the right to liberty, freedom from torture, right to fair trial, freedom of expression and of association;
- Take immediate measures to improve the human rights situation in the Gambia;
- End incommunicado detention and enforced disappearances, and ensure that security personnel who engage in these practices are brought to justice in fair trials;

- Investigate all allegations of torture and extrajudicial executions;
- Grant access to all prisoners;
- End the harassment and intimidation of independent media institutions;
- Stop politically motivated trials of people peacefully exercising their freedom of expression, association and assembly;
- Establish an independent and international commission of inquiry to investigate the whereabouts and fate of victims of enforced disappearance and ensure that those responsible for these human rights violations are brought to justice in fair trials;
- Establish an independent and international commission of inquiry to investigate the poisoning and killing of people suspected of being witches, and ensure that those responsible for these human rights violations are brought to justice in fair trials;
- Establish an adequately resourced independent human rights commission;
- Publicly acknowledge the importance and valuable work undertaken by human rights defenders;
- Ensure the rule of law and comply with court decisions, including determinations made by the ECOWAS court.
- To immediately establish a moratorium on executions with a view to abolishing the death penalty as provided by UN General Assembly resolution 62/149, adopted on 18 December 2007 and resolution 63/168 adopted on 18 December 2008;
- To commute without delay all death sentences to terms of imprisonment;
- To ensure rigorous compliance in all death penalty cases with international standards for fair trial

END/

Gambia Day of Action Co-Signing Organisations

No.	Organisation	Country
1	Amnesty International Benin	Benin
2	Amnesty International Burkina Faso	Burkina Faso
3	Amnesty International Cote d'Ivoire	Cote d'Ivoire
4	Amnesty International Ghana	Ghana
5	Commonwealth Human Rights Initiative	Ghana
6	Human Rights Advocacy Centre	Ghana
7	Media Foundation for Human Rights	Ghana
8	Regional Watch for Human Rights	Liberia
9	Liberia Council of Churches	Liberia
10	Mano River Union Peace Forum	Liberia
11	Liberia Prisoners Assistance Program	Liberia
12	Mussunama, Inc.	Liberia
13	West Africa Network for Peacebuilding	Liberia
14	Liberia Vernacular Inc.	Liberia
15	Liberia Muslim Women Association	Liberia
16	Zorzor Women for Development	Liberia
17	Movement for Policy and Reconciliation	Liberia
18	Women Advocates Research and Documentation Center (WARDC)	Nigeria
19	Civil Society Legislative Advocacy Centre (CISLAC)	Nigeria
20	Centre for Environment, Human Rights and Development (CEHRD)	Nigeria
21	Socio-Economic Rights and Accountability Project (SERAP)-Lagos	Nigeria
22	Zero Corruption Coalition (ZCC)	Nigeria
23	Transparency in Nigeria (TIN) North Central Zone	Nigeria
24	Centre for Development of Civil Society (CDCS)	Nigeria
25	National Procurement Watch Platform (NPWP)	Nigeria
26	Budget Transparency Network	Nigeria

27	Public and Private Development Centre (PPDC)	Nigeria
28	The Alliance for Credible Election (ACE-Nigeria)	Nigeria
29	Centre for Social Justice	Nigeria
30	Centre for Democracy and Development (CDD)	Nigeria
31	Community Action for Popular Participation (CAPP)	Nigeria
32	Federation of Muslim Women	Nigeria
33	Transition Monitoring Group (TMG)	Nigeria
34	CLEEN FOUNDATION	Nigeria
35	West African Civil Society Forum (WACSOF)	Nigeria
36	Civil Liberty Organisation (CLO)	Nigeria
37	Advocacy in Nigeria	Nigeria
38	International Federation of Women Lawyers (FIDA)	Nigeria
39	Women's Rights Advancement and Protection Alternatives (WRAPA)	Nigeria
40	Trade Network Initiatives	Nigeria
41	Women in Nigeria	Nigeria
42	Amnesty International Mali	Mali
43	Association pour le progresl et la defense des femmes (APDF)	Mali
44	Conseil National de la Societe Civile	Mali
45	COMITE DE COORDINATION DES ASSOCIATIONS ET ONG (CCAONG)	Mali
46	Confédération des Syndicats des Travailleurs du MALI (CSTM)	Mali
47	ASSOCIATION DES FEMMES JURISTES DU MALI (AJM)	Mali
48	AVOCATS SANS FRONTIERE -Mali (ASF)	Mali
49	ASSOCIATION DES CONSOMMATEURS DU MALI (ASCOMA)	Mali
50	ASOPROFEN	Mali
51	ASSOCIATION SYNERGIE DEVELOPPEMENT (ASID)	Mali
52	TEMEDT	Mali
53	ASSOCIATION POUR LA PROMOTION DE LA FEMME ET DE L'ENFANT DE NIAMACORO (APROFEM)	Mali
54	ASSOCIATION DEMOCRATE GOUVERNANTE	Mali
55	Réseau des journalistes pour la protection des Droits humains (RJPRODH)	Mali
56	SYNDICAT Autonome DE LA magistrature (SAM)	Mali
57	Réseau d'Action sur les Armes Légères en Afrique de l'Ouest du Mali (RASALO Mali)	Mali
58	Association pour le Développement Socio-économique et technologique des Jeunes (ADEJ Mali)	Mali
59	Coordinations des Associations des Maliens expulsés de Côte d'Ivoire (CAMARCI)	Mali
60	AMICALE DES ANCIENS MILITANTS ET SYMPATHISANTS DE L'UNION NATIONALE DES ELEVES ET ETUDIANTS DU MALI (AMS-UNEEM)	Mali
61	COORDINATIONS DES ASSOCIATIONS et ONG FEMININES DU MALI (CAFO)	Mali
62	Amnesty International Senegal	Senegal
63	FAMEDEV	Senegal
64	RADDHO	Senegal
65	Coalition for Human Rights in The Gambia	Senegal
66	Réseau des Journalistes Parlementaires du Sénégal (REPPAS)	Senegal
67	Syndicat des Professionnels de l'Information et de la Communication du Sénégal (SYNPICS)	Senegal
68	Amnesty International Sierra Leone	Sierra Leone
69	National Forum Human Rights	Sierra Leone
70	Coalition for Justice and Accountability	Sierra Leone

71	Center for Democracy and Human Rights	Sierra Leone
72	Women's Action for Human Dignity	Sierra Leone
73	United for the Protection of Human Rights	Sierra Leone
74	Women Against Violence and Exploitation	Sierra Leone
75	NGOYELA Agricultural Development Association	Sierra Leone
76	Coordination of Active Peace	Sierra Leone
77	National Youth Advocacy Network (NAYNET)	Sierra Leone
78	Humanist Wateh Salon	Sierra Leone
79	Resource Centre for Adult Literacy	Sierra Leone
80	Amnesty International Togo	Togo
		United
81	Gambia Coalition of Human Rights	Kingdom
		United
82	Exile Journalists Network	Kingdom
		The
83	Amnesty International Netherlands	Netherlands
84	World Organisation Against Torture (OMCT)	International
85	Gambia Press Union	International
86	West African Journalists Association (WAJA)	International
87	Article 19	International