

## **Schnellrecherche der SFH-Länderanalyse vom 24. August 2016 zu Gambia: Verfolgung von Mitgliedern der Oppositionspartei United Democratic Party (UDP)**

Fragen an die SFH-Länderanalyse:

- Werden Parteimitglieder der United Democratic Party (UDP) politisch verfolgt durch die Regierung?
- Werden Online Medien und Online Journalistinnen und Journalisten von der Regierung zensuriert?

Die Informationen beruhen auf einer zeitlich begrenzten Recherche (Schnellrecherche) in öffentlich zugänglichen Dokumenten, die uns derzeit zur Verfügung stehen.

### **1 Die Verfolgung von Mitgliedern der United Democratic Party (UDP) durch die Regierung**

**Hartes Vorgehen gegen politisch Oppositionelle und Verhaftungen von UDP-Mitgliedern.** Der Bericht des *US Department of State* (USDOS) über die Menschenrechtspraxis in Gambia vom 13. April 2016 hält fest, dass die Regierung Zivilisten aufgrund ihrer politischen Ansichten oder ihrer Mitgliedschaft in Vereinigungen festnimmt und einige von ihnen in Isolationshaft hält. Unter Berufung auf einen Beitrag von *Radio France Internationale* (18. April 2016) und den Bericht des *UNO Sicherheitsrates* (23. Juni 2016) schreibt ACCORD in einer Anfragebeantwortung zur UDP vom 22. Juli 2016, dass im April 2016 55 Mitglieder der UDP, darunter deren Anführer Ousainou Darboe, verhaftet worden seien. 25 von ihnen haben am 14. April Wahlreformen gefordert und 30 Personen sind am 16. April in Serrekunda auf die Strasse gegangen, nachdem bekannt wurde, dass Solo Sandeng, ein führendes Mitglied der UDP, in Haft getötet worden sei.

Weyermannsstrasse 10  
Postfach 8154  
CH-3001 Bern

T++41 31 370 75 75  
F++41 31 370 75 00

info@fluechtlingshilfe.ch  
www.fluechtlingshilfe.ch

Spendenkonto  
PC 30-1085-7

Die Artikel in der *Stuttgarter Zeitung* vom 22. Juni 2016 und im *Wilmington Journal* vom 28. Juni 2016 bestätigten kurze Zeit später, dass Solo Sandeng nach seiner Verhaftung im April 2016 in Polizeigewahrsam gestorben ist. *Jollofnews* und *BBC News* berichteten am 20. respektive am 21. Juli 2016 davon, dass der Oppositionsführer Ousainou Darboe sowie 18 weitere Personen wegen ihrer Teilnahme an einer unbewilligten Demonstration zu einer dreijährigen Haftstrafe verurteilt worden sind.

Mitte Juli 2015 wurden laut USDOS (2016) neben Militärangehörigen und einem Zivilisten, welche wegen der Beteiligung am misslungenen Putschversuch im Dezember 2014 beschuldigt werden, auch drei Anhänger der oppositionellen UDP im Sicherheitsflügel des Mile 2 Gefängnisses festgehalten.

Laut dem Bericht von *Amnesty International* vom 24. Februar 2016 liess Präsident Yahya Jammeh im Juli 2015 200 Gefangene aus dem Gefängnis Mile 2 frei. Oppositionspolitiker, Medienschaffende und gewaltlose politische Gefangene blieben je-



doch weiterhin inhaftiert; so z.B. der Schatzmeister der UDP Amadou Sanneh sowie die UDP Mitglieder Alhagie Sambou Fatty und Malang Fatty.

Das *Immigration and Refugee Board of Canada* dokumentierte in seinem Bericht vom 29. August 2013 weitere Übergriffe auf die politische Opposition und insbesondere auf Mitglieder der UDP im Zeitraum von 2010 bis 2013.

**Verhaftung von UDP «Youth Leaders».** Verschiedene Quellen deuten darauf hin, dass «Youth Leader» der UDP in der Vergangenheit extralegalen Verhaftungen ausgesetzt waren. *Panapress.com*, eine afrikanische Nachrichtenagentur mit Hauptsitz in Dakar, Senegal, berichtete in ihrem Artikel vom 10. Dezember 2013, dass Ebrima Solo Sandeng, damals noch in der Position des «Youth Leader», am Tag zuvor aus unbekanntem Gründen von der National Intelligent Agency verhaftet worden sei. Sandeng und vier weitere «Youth Leader» der UDP seien dann von Polizeikräften beschuldigt worden, eine rechtswidrige Versammlung abgehalten zu haben. Die *Kairo News* berichtete am 14. Februar 2014 von der Festnahme von vier UDP «Youth Leader», die an einem privaten Ort in Madiana Hunderte von UDP Anhängern des Kombo South Districts hätten treffen sollen. Die Aktivisten seien dabei von einem Konvoi von Polizeioffizieren umzingelt worden, zur Tujeran Polizeistation gebracht und später in die Bundung Polizei Station transferiert worden. Die *Africa Review* bestätigte diese Ereignisse in ihrem Bericht vom 18. Februar 2014.

**Versammlungs-, Meinungs-, und Pressefreiheit stark eingeschränkt – auch UDP betroffen.** Obwohl das Recht auf Versammlungsfreiheit in der Verfassung verankert ist, beobachtet USDOS (2016) eine systematische Verweigerung der Polizei bei der Ausstellung von Bewilligungen für Demonstrationen und politischen Versammlungen («rallies») der Oppositionsparteien.

ACCORD berichtet über Auflösungen von Versammlungen und Inhaftierungen: So fingen Einheiten der paramilitärischen *Police Intervention Unit* (PIU) und andere Sicherheitskräfte in Kampfmontur im April 2015 ein Team von Funktionären und Unterstützerinnen und Unterstützern der UDP ab, weil sie für ihre Kampagne keine Erlaubnis der Polizei hatten und hinderten sie daran, eine Versammlung in Fass Niaga abzuhalten. Nach einer Pattstellung von vier Tagen hat die Polizei der UDP schliesslich eine Genehmigung zur Fortsetzung der Tour ausgestellt.

Das Recht auf Meinungs- und Pressefreiheit wird theoretisch ebenfalls vom Gesetz garantiert. USDOS (2016) hält jedoch fest, dass in der Praxis auch diese Rechte stark beschnitten werden. USDOS erwähnt in diesem Zusammenhang den Fall des UDP Mitgliedes Lansana Jobarteh, der 2013 verhaftet und während acht Tagen festgehalten wurde, weil er ohne die nötige Lizenz oppositionelle politische Kundgebungen über iPod und Skype ins Ausland übertragen habe.

USDOS, 2016:

**«Political Prisoners and Detainees**

***During the year there were credible reports the government held civilians based on their political views or associations and held some incommunicado for prolonged periods. International and domestic NGOs estimated the president pardoned***

more than a dozen political prisoners on July 22 (see section 1.d.). Most of the political incarcerated persons were former military personnel accused of involvement in plots to overthrow the government. **Political prisoners in detention at year's end included the six military personnel convicted of involvement in the December 2014 failed coup; one civilian, Hamadi Sowe, arrested after the failed coup; and three supporters of the opposition United Democratic Party (UDP).** Authorities held these prisoners in the security wing of Mile 2 Prison; they occasionally were allowed visits from family members. The government did not allow international human rights organizations, local NGOs, civil society organizations, or the International Committee of the Red Cross regular access to these detainees. (...)

#### **Freedom of Assembly**

**The constitution and law provide for freedom of assembly; however, police systematically refused requests for permission to hold demonstrations, including peaceful ones, and occasionally refused to issue permits to opposition parties wishing to hold political rallies.**

**On April 16, officers from the paramilitary Police Intervention Unit (PIU) and other security agencies armed with riot gear intercepted a team of officials and supporters of the opposition UDP, including leader Ousainou Darboe.** The group arrived at the village of Fass Njaga, Choi, in the North Bank Region, on the first day of a 10-day campaign tour. The UDP decided to embark on the tour despite lacking a police permit for use of a public address system. Under the Public Order Act, political parties planning to hold public meetings must apply for a permit allowing them to use a public address system and must provide details of place, date, and time of each rally. The PIU prevented the UDP team from holding a meeting in Fass Njaga or proceeding on the campaign tour. A tense four-day standoff continued until April 20, when police finally issued a permit allowing the UDP to continue its tour. (...)

**In 2013 the Special Criminal Court convicted and sentenced Alieu Lowe to 20 years' imprisonment for "concealment of treason and perjury."** The court acquitted and discharged his codefendant, Abdoulie Njie. Officials arrested Lowe and Njie following disclosure of the abortive 2006 coup plot and detained the men for over five years before formally charging them. Officials released Lowe, a nephew of fugitive coup leader Ndure Cham, on July 23 as part of a prisoner pardon announced by the president. The trial of a third detainee, Hamadi Sowe, also charged with concealment of treason relating to the 2006 coup plot, continued at year's end. (...)

#### **Freedom of Speech and Press**

**The constitution and law provide for freedom of speech and press; however, the government restricted these rights. A Freedom in the World 2015 report by Freedom House stated, "The government does not respect freedom of the press. Laws on sedition give authorities discretion in silencing dissent, and independent media outlets and journalists are subject to harassment, arrest, and violence."**

**Freedom of Speech and Expression: Individuals who publicly or privately criticized the government or the president risked government reprisal.**

*In 2013 police arrested and detained an activist of the opposition UDP, Lansana Jobarteh, for eight days. Police accused Jobarteh of using an iPod and Skype to facilitate the foreign broadcast of two opposition political rallies. In July 2014 a magistrate in Bundung convicted him on charges of “broadcasting without a license” and fined him 50,000 dalasi (\$1,250), or in default thereof to serve one year in prison. Jobarteh paid the fine but appealed the verdict. The matter was still before the court at year’s end.»*

Quelle: USDOS – US Department of State: Country Report on Human Rights Practices 2015 – The Gambia, 13. April 2016:  
[www.ecoi.net/local\\_link/322484/461961\\_de.html](http://www.ecoi.net/local_link/322484/461961_de.html).

AI, 2016:

*«Am 25. Juli 2015 ließ Präsident Jammeh mindestens 200 Gefangene aus dem Gefängnis Mile 2 frei, darunter auch mehrere Personen, die wegen Hochverrats inhaftiert waren, sowie mehrere Regierungsvertreter wie den früheren Direktor des NIA Lamin Bo Badjie und den ehemaligen Polizeipräsidenten Ensa Badjie. **Andere Oppositionspolitiker, Journalisten und gewaltlose politische Gefangene blieben jedoch in Haft, wie z. B. der nationale Schatzmeister der UDP Amadou Sanneh sowie die UDP-Mitglieder Alhagie Sambou Fatty und Malang Fatty.**»*

Quelle: Amnesty International, Amnesty Report 2016 – Gambia, 24. Februar 2016:  
[www.amnesty.de/jahresbericht/2016/gambia?destination=node%2F2919](http://www.amnesty.de/jahresbericht/2016/gambia?destination=node%2F2919).

ACCORD, 2016:

*«Radio France Internationale (RFI), der französische Auslandsrundfunk, berichtet im April 2016, dass laut Angaben des stellvertretenden Verwaltungssekretärs der UDP, Alhaji Darboe, etwa **55 Mitglieder der UDP während friedlicher Demonstrationen verhaftet worden seien, darunter der Anführer der UDP, Ousainou Darboe. Die Partei verfüge laut Alhaji Darboe über die Namen von 25 Personen, die am 14. April 2016 verhaftet wurden, weil sie zu Wahlreformen aufgerufen hätten, und über die Namen von 30 weiteren Personen, die am 16. April 2016 in Serrekunda auf die Straßen gegangen seien, nachdem bekannt geworden sei, dass Solo Sandeng, ein altgedientes führendes Mitglied der UDP („veteran UDP executive member“) in Haft getötet worden sei. Der Anführer der UDP, Ousainou Darboe, befinde sich im Gefängnis:***

*„Some 55 members of the United Democratic Party have been arrested during peaceful demonstrations, including leader Ousainou Darboe, UDP Deputy Administrative Secretary Alhaji Darboe told RFI. The party has 25 names of people who were arrested on Thursday [14 April 2016] while calling for electoral reforms, and another 30 who went out on the streets of Serrekunda, near Banjul, the capital, on Saturday after news that veteran UDP executive member Solo Sandeng was killed in custody, said secretary Darboe. Darboe spoke to RFI on Monday from inside Ousainou Darboe’s house, where party members were present to show their solidarity with the leader’s family and their party while the UDP leader is in jail.“ (RFI, 18. April 2016)*

*Laut einem im Juni 2016 veröffentlichten Artikel der US-amerikanischen Wochenzeitung Wilmington Journal, die über Themen, die die afro-amerikanische Bevölkerung*

betreffen, berichtet, **sei in Gambia eine führende Persönlichkeit der Opposition kurz nach ihrer Verhaftung wegen der Teilnahme an einer Demonstration örtlichen Berichten zufolge tot in ihrer Zelle aufgefunden worden.** Die Ursache des Todes von Solo Sandeng sei in einer medizinischen Todesurkunde mit „Schock und Versagen der Atmung“ angegeben worden. Ebrima Solo Sandeng, der Nationale Organisationssekretär der oppositionellen UDP, habe an einer Demonstration teilgenommen, bei der vor den Präsidentschaftswahlen im Dezember 2016 Wahlreformen gefordert worden seien:

„A leading opposition figure in the Gambia was found dead in a cell shortly after his arrest for taking part in a protest, according to local reports. The cause of death of Solo Sandeng was listed as ‘shock and respiratory failure,’ according to a medical certificate of death. Ebrima Solo Sandeng, the National Organizing Secretary of the opposition United Democratic Party (UDP), had been taking part in a protest demanding electoral reforms ahead of December’s presidential polls.” (The Wilmington Journal, 28. Juni 2016)

Laut einem Bericht des UNO-Generalsekretärs zu den Aktivitäten des Büros der Vereinten Nationen für Westafrika und den Sahel vom Juni 2016 seien Proteste von Mitgliedern der Opposition am 14. und 16. April 2016, bei denen zu Wahlreformen aufgerufen worden sei, gewaltsam von der Polizei und Sicherheitskräften unterdrückt worden. **Mehrere Personen, darunter der Anführer der oppositionellen UDP, Ousainou Darboe, seien inhaftiert worden. Es habe weitere Berichte gegeben, dass einige Inhaftierte, die seit dem Zeitpunkt ihrer Verhaftung nicht mehr gesehen worden seien, in Haft getötet worden seien.** Um diese Entwicklungen und andere umstrittene Themen die Wahlen betreffend anzusprechen, habe ein parteiübergreifendes Komitee („inter-party“) am 20. April 2016 nach zehnjähriger Inaktivität sein erstes Treffen abgehalten. VertreterInnen der vereinten Nationen, der Europäischen Union und der USA seien als BeobachterInnen anwesend gewesen. Beim Treffen hätten die regierenden und oppositionellen Parteien vereinbart, ein Ad-Hoc-Komitee für den Dialog einzurichten, mit Teilnahme der Zivilgesellschaft und der Sicherheitsbehörden, um politische Spannungen anzusprechen:

„On 14 and 16 April, protests by members of the opposition calling for electoral reforms were violently suppressed by police and security forces. Several people, including the leader of the opposition United Democratic Party, Ousainou Darboe, were detained. There were subsequent reports that some detainees, who had not been seen since the time of their arrest, had been killed in State custody. To address these developments and other contentious issues relating to the elections, an inter-party committee held its first meeting on 20 April, after having been dormant for 10 years. Representatives of the United Nations, the European Union and the United States of America were present as observers. At the meeting, the ruling and opposition parties agreed to establish an ad hoc committee for dialogue, with the participation of civil society and security authorities, to address political tensions.” (UN Security Council, 23. Juni 2016, S. 3)

Die deutsche Stuttgarter Zeitung erwähnt in einem Artikel vom Juni 2016 ebenfalls die Vorfälle in Gambia im April 2016:

*„‘Ein Demonstrant wie Solo Sandeng hat einen hohen Preis für seinen friedlichen Protest bezahlt’, sagt Alioune Tine, die Amnesty-International-Direktorin von West- und Zentral-Afrika. Solo Sandeng, Führer der Oppositionspartei United Democratic Party, war im April nach einer Demonstration verhaftet worden und ist in Polizeigewahrsam gestorben. Insgesamt, so Amnesty, seien nach Protesten im April und Mai noch 51 Menschen in Haft. In einem Interview im vergangenen Monat hatte Jammeh gesagt, es sei doch ‚normal‘, dass Menschen in Haft oder beim Verhör stürben. Amnesty und UN-Generalsekretär Kofi Annan, die eine Untersuchung forderten, sollten ‚zur Hölle gehen‘.“ (Stuttgarter Zeitung, 22. Juni 2016)*

***BBC News schreibt in einem Artikel vom Juli 2016, dass der Oppositionsführer, Ousainou Darboe, und 18 weitere Personen zu einer dreijährigen Haftstrafe verurteilt worden seien, weil sie an einer nicht genehmigten Demonstration teilgenommen hätten.** Sie hätten im April 2016 als Teil einer Gruppe gegen den mutmaßlichen Tod während der Haft eines oppositionellen Aktivisten protestiert. Darboe und viele seiner UnterstützerInnen von der UDP seien am 16. April 2016 in Serrekunda auf die Straßen gegangen und hätten die Freilassung ihres Kollegen Solo Sandeng „tot oder lebendig“ gefordert. Dieser sei zwei Tage zuvor gemeinsam mit weiteren AktivistInnen verhaftet worden und sei, mutmaßlich nachdem er geschlagen worden sei, in Haft verstorben:*

*„The Gambia's opposition leader Ousainou Darboe and 18 others have been jailed for three years for taking part in an unauthorised demonstration. In April, they were part of a group protesting about the alleged death in custody of an opposition activist. [...]*

*Mr Darboe and many of his supporters from the United Democratic Party (UDP) took to the streets in Serrekunda, near the capital, Banjul, on 16 April, demanding the release of their colleague Solo Sandeng ‘dead or alive’. He had been arrested, along with other activists, two days earlier, and it was alleged that he had died in custody after being beaten.“ (BBC News, 21. Juli 2016)*

*Jollofnews, eine Nachrichtenwebsite mit Schwerpunkt der Berichterstattung auf Senegal und Gambia, die ihren Sitz im Vereinigten Königreich hat, **erwähnt im Juli 2016, dass die wichtigste oppositionelle Partei Gambias, die UDP, die gegen ihren Anführer und 18 weitere Mitglieder verhängte dreijährige Haftstrafe verurteilt habe. Ousainou Darboe, Femi Peters, Lamin Dibba, Kemesseng Jammeh, Lamin Jatta, Babucarr Camara, Fakebba Colley, Ismaila Ceesay, Momodou Fatty, Dodou Ceesay, Samba Ceesay, Mamud Kinteh, Mfamara Kuyateh, Fanta Darboe, Lamin Njie, Juguna Suso, Momodou LK Sanneh, Yaya Jammeh und Masanneh Lalo Jawla seien wegen Teilnahme an einer unrechtmäßigen Versammlung, Randalierens, aufrührerischen Eingreifens in den Verkehr, Abhaltens eines Umzugs ohne Genehmigung und Missachtung einer Anordnung, einen unrechtmäßigen Umzug aufzulösen, schuldig gesprochen worden:***

*„The Gambia’s main opposition United Democratic Party (UDP) has strongly condemned the three year jail term given to its leader and 18 members by the high court in Banjul. Ousainou Darboe, Femi Peters, Lamin Dibba, Kemesseng Jammeh, Lamin Jatta, Babucarr Camara, Fakebba Colley, Ismaila Ceesay, Momodou Fatty, Dodou Ceesay, Samba Ceesay, Mamud Kinteh, Mfamara Kuyateh, Fanta Darboe, Lamin Njie, Juguna Suso, Momodou LK Sanneh, Yaya Jammeh and Masanneh Lalo Jawla*

were Wednesday found guilty by Nigerian born judge, Justice Eunice Dada for taking part in an unlawful assembly, riot, riotously interfering with traffic, holding a procession without a license and disobeying an order to disperse from an unlawful procession. They were arrested in April after they took to the street to demand justice for their party's organising secretary, Solo Sandeng, who was arrested a day earlier and beaten to death by state security agents." (Jollofnews, 20. Juli 2016) »  
Quelle: ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Anfragebeantwortung zu Gambia: Allgemeine Informationen zur United Democratic Party (UDP); aktuelle Lage von einfachen Mitgliedern/ Funktionären [a-9730], 22. Juli 2016: [www.ecoi.net/local\\_link/327322/467922\\_de.html](http://www.ecoi.net/local_link/327322/467922_de.html).

Panapress, 10. Dezember 2013:

« *Banjul, Gambia (PANA) - The youth leader of the opposition United Democratic Party (UDP) in the Gambia, Ebrima Solo Sandeng, was arrested Monday by officials of the National Intelligent Agency (NIA), PANA reported, quoting UDP leader, Lawyer Ousainou Darboe. "We do not know the reason for his arrest and where they have taken him to. I was only contacted last night by his wife, Saili Sonko, that officers of the NIA went to their home and asked for him and when he came out the officers arrested him," Darboe told PANA in Banjul, the Gambian Tuesday. (...) Sandeng and four other youth leaders of the opposition UDP and three militants were last week charged by the Gambia Police Force with "unlawful assembly" following their meeting in Tanjie which organizers said was not a rally but a 'special youths get-together'.* »  
Quelle: Panapress, Opposition UDP youth leader arrested in Gambia, 10. Dezember 2013: [www.panapress.com/Opposition-UDP-youth-leader-arrested-in-Gambia--13-889241-0-lang1-index.html](http://www.panapress.com/Opposition-UDP-youth-leader-arrested-in-Gambia--13-889241-0-lang1-index.html).

Kairo News, 14. Februar 2014:

«*Members of the United Democratic Party (UDP's) Task Force were arrested in the Kombo South village of Madiana while on an engagement tour. Party militants are said to be determined to continue their efforts of engaging the grassroots youth supporters. The opposition activists were invited to meet over 500 Kombo South party supporters in the task force effort to sensitize more people on the state of affairs in the country. The activists, who were legally meeting party supporters in a compound, were surrounded by a convoy of police officers, and taken to Tujeran police station. The arrested UDP militants were later moved to the Bundung police station, with the Bundung police Station Officer heading the convoy. The arrested youths leaders include: Jerre Fatty, Fakeba Kolly, Falang Sonko, Baby Sonko, Maimuna Darboe, Lang Marong, among others were arrested at Madiyana village, later taken to Tujerang police station before being transferred to Bundung police station where they are currently detained. The UDP youth Secretary Mr Solo Sandeng who arrived late at the scene had his mobile phone confiscated by the police in his attempt to alert family members of the arrested female militants. At the time of going to press Mr Solo Sandeng is said to be at the Tujerang police station where Baby Sonko and Maimuna Darboe are still being held.* »

Quelle: Kairo News, 14. Februar 2014: [www.kaironews.com/breaking-news-over-dozen-udp-youth-leaders-arrested-this-afternoon/](http://www.kaironews.com/breaking-news-over-dozen-udp-youth-leaders-arrested-this-afternoon/).

Africa Review, 23. August 2016:

**«Gambian police officers have rounded up about a dozen United Democratic Party (UDP) members and supporters at Madiana village in Kombo South district, some 27 km from Banjul. The opposition political activists were charged with holding an "illegal gathering" and were released on Monday, though it is not yet clear when they will be brought to court. Prominent among the arrested activists were Baby Sonko and Maimuna Darboe Falang Sonko, Jerreh Fatty, Fakebba Kolly and Lang Marong, all youth leaders of the opposition party. The youth secretary of UDP, Solo Sandeng, had his mobile phone seized when he attempted to pass information about the arrest of two female youth leaders, Baby Sonko and Mariama Darboe. The youth leaders were arrested at a private compound at Madiana where they were meeting. The disrupted gathering was expected to attract hundreds of supporters from different parts of Kombo South district, one of the activists told AfricaReview. UDP party leader Ousainou Darboe criticised the police action as a provocation, stressing the activity of his supporters was legal as it is the right of the youths to gather and discuss their party matters.»**

Quelle: Africa Review, Gambian opposition activists arrested, charged and released, 18. Februar 2014: [www.africareview.com/news/Gambian-opposition-activists-arrested-charged-and-released/979180-2211162-heagk8/index.html](http://www.africareview.com/news/Gambian-opposition-activists-arrested-charged-and-released/979180-2211162-heagk8/index.html).

Immigration and Refugee Board of Canada, 2013:

*«1. Treatment of Political Opposition*

**Amnesty International's Annual Report 2012 noted that "[g]overnment opponents, human rights defenders and journalists were arbitrarily arrested and detained" in the Gambia (AI 2012). The Freedom House Countries at the Crossroads report for 2012 observes that "[o]pposition political parties and their leaders are subject to frequent arrests, intimidation, and legal harassment." The US Department of State's Country Reports on Human Rights Practices for 2012 stated that President Jammeh accused "some journalists of being the 'mouthpiece of opposition parties'" and declared that he would prosecute "any journalist who offended him" (19 Apr. 2013, 14).**

**A press release prior to the 24 November 2011 presidential elections issued by the Economic Community of West African States (ECOWAS) stated that the fact-finding mission they conducted paint[ed] a picture of intimidation, an unacceptable level of control of the electronic media by the party in power, [a] lack of neutrality of state and para-statal institutions, and an opposition and electorate cowed by repression and intimidation. (22 Nov. 2011)**

**Freedom House reported in Freedom in the World 2013 that six of the seven opposition parties boycotted the legislative elections of 29 March 2012 after their request to postpone the election to "ensure a level playing field" was denied. Similarly, US Country Reports 2012 reported that as a protest against the**



"government intervention and intimidation of opponents," six of the seven opposition parties boycotted the parliamentary elections of 29 March 2012 (US 19 Apr. 2013, 1, 19).

**The United Democratic Party (UDP) is described as the main opposition party (Freedom Newspaper 17 May 2010; Daily News 24 Jan. 2011; Freedom House 2012).** The UDP was one of the parties that boycotted the election (IPU 26 Apr. 2012; US 13 Aug. 2013). US Country Reports 2012 observed that the UDP leader Ousainou Darboe received 17 percent of the vote in the November 2011 presidential election, coming in second (US 19 Apr. 2013, 19).

#### 1.1 Treatment of UDP Members and Supporters

**According to Country Reports 2012, UDP supporter Kanyiba Kanyi was arrested and held without charge in 2006 by "men appearing to be state security agents" (US 19 Apr. 2013, 12).** He was still in prison at the end of 2012 (*ibid.*). The report also states that neither his lawyer nor human rights organizations have been allowed access to Kanyi (*ibid.*). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

**According to Freedom Newspaper, a US-based online newspaper reporting on the Gambia (Freedom Newspaper n.d.), in June 2012, the UDP leader Ousainou [or Ousainanou] Darboe "was arrested by plain cloth[es] security operatives, following a Presidential directive to detain the politician on allegations of tax evasion" (8 June 2012).** He was released from custody after posting bail (Freedom Newspaper 8 June 2012). Kibaaro News, an online Gambian news and radio website (6 May 2012), also reported that in June 2012, Darboe "spent few hours in detention before being released on bail" (Kibaaro News 9 June 2012). The article also reported that a UDP insider believed the arrest was an attempt to "smear" Darboe's name (*ibid.*). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

**Amnesty International (AI) reported that Femi Peters [the UDP's campaign manager at the time (AI 16 Dec. 2010; Daily News 13 Dec. 2010)] was arrested on 25 October 2009 in Serekunda during a "peaceful demonstration" organized by the UDP (16 Dec. 2010).** Charged under the Public Order Act with "control of procession and control of use of loud speakers in public," Peters was convicted on 1 April 2010 and sentenced to a year in prison and a fine of 10,000 Dalasis [approximately C\$298 (XE 22 Aug. 2013)] (AI 16 Dec. 2010; Daily News 13 Dec. 2010). Sources reported that Peters was released early from prison on 10 December 2010 (*ibid.*; AI 16 Dec. 2010). Freedom Newspaper similarly reported on 11 December 2010 that Peters had been released early after nearly a year in prison. **According to the article, he was "jailed by the Government over the issue of using a public broadcasting system without permit" during a UDP political rally that was held without police approval (Freedom Newspaper 11 Dec. 2010).** The same source also noted in a separate article on 17 May 2010 that the UDP's requests for a permit had been refused by the office of the Inspector General on "numerous" occasions, which "led to the arrest and conviction of Femi Peters."

An article published on 8 April 2010 by Freedom Newspaper reported that the UDP held a "well attended press conference" one week after Peters' imprisonment, during which the UDP leader Darboe stated that four applications to hold a rally had been rejected by the Inspector General of the police. **US Country Reports 2012 reported that the police "occasionally" denied permits to opposition parties wanting to hold political rallies** (US 19 Apr. 2013, 17). The same report also observed that "[u]nlike in previous years, there were no reports that opposition leaders were imprisoned for organizing political rallies without permits" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Foroyaa Newspaper, a Gambian newspaper founded in 1987 that aims to provide unbiased nonpartisan news (Foroyaa Newspaper n.d.), reported that the UDP held a rally on 9 February 2013 in Serekunda (ibid. 11 Feb. 2013). The article reported that Darboe stated "it would have been better to be on the radio and television but since they can't access the state media, conducting it on the ground is the only option" (ibid.).

Sources reported that Ousman Rambo Jatta [a former UDP member and critic of the government (PHW 2012; The Point 9 Jan. 2012; Daily Observer 18 Jan. 2011)] was arrested in 2006 and detained for a year following his arrest (Daily News 24 Jan. 2011; Kibaaro News 20 Mar. 2013). It was reported that Rambo defected in January 2011 to the president's party, the Alliance for Patriotic Reorientation and Construction (APRC) (PHW 2012; The Point 9 Jan. 2012; Daily Observer 18 Jan. 2011). An article published by the Gambian newspaper Daily News reported that Rambo's defection to the APRC was not "by his free will" and that "Rambo was threatened to switch allegiance to the ruling party, but it is unclear what sort of threat" (24 Jan. 2011). The Daily News article also noted that Rambo denied this, stating "that is not a fact" (ibid.). Corroborating and further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. »

Quelle: Canada: Immigration and Refugee Board of Canada, Gambia: Treatment of members and supporters of the United Democratic Party (UDP) (April 2010-August 2013), 29. August 2013: [www.refworld.org/docid/537216894.html](http://www.refworld.org/docid/537216894.html).

## **2 Was ist der Tätigkeitsbereich von «Freedom Webonline»? Gibt es eine Zusammenarbeit zwischen der UDP und «Freedom Webonline»?**

Zu *Freedom Webonline* konnten im Rahmen der zeitlich begrenzten Recherche keine Informationen gefunden werden.

**Blockierung oppositioneller Webseiten, Inhaftierung von Online-Journalistinnen und -Journalisten.** Freedom House schreibt in seinem Bericht «Freedom of the Net Report 2015» vom 27. Januar 2016 über Gambia, dass oppositionelle Webseiten blockiert werden und verweist auf Beispiele von Medienschaffenden, Aktivisten und Bloggern, welche aufgrund von regimekritischen Äusserungen

Drohungen ausgesetzt waren und Opfer von aussergerichtlichen Verhaftungen wurden. Inhaftiert werden auch Personen, die angeblich Informationen an im Exil lebende Medienschaffende weiterleiten. Diese menschenrechtswidrigen Praktiken resultierten im Jahr 2014 und 2015 in einer wachsenden Anzahl von Online-Journalistinnen und -Journalisten, die ins Ausland flüchteten.

Amnesty International schreibt im Bericht vom 2. Juni 2016, dass regierungskritische Online-Newsportale meist von der gambischen Diaspora oder im Exil lebenden Journalistinnen und Journalisten betrieben werden und oft der Zensur zum Opfer fallen. Langsame Internetverbindung und blockierte Webseiten limitieren den Zugang zu entsprechenden Informationen erheblich. Selbst wenn die Webseiten zugänglich sind, getrauen sich die Leute laut AI (2016) nicht immer, diese zu besuchen, da in der Vergangenheit mehrere angebliche Informantinnen und Informanten inhaftiert worden sind.

Freedom House, 2015:

- *«Sporadic internet blackouts ensued throughout 2014 and 2015, which included a week-long outage in April 2015 (see Restrictions on Connectivity).*
- *While the popular Voice over Internet Protocol (VoIP) platform Viber was unblocked in July 2014, **dozens of opposition and news websites remained blocked** (see Blocking and Filtering).*
- ***Anecdotal reports indicated an increasing trend of politically sensitive content “disappearing” from the internet due to intimidation from government authorities** (see Content Removal).*
- ***Digital activism led to the release of an activist and blogger, who was detained without charges for his work with the survey research firm, Gallup** (see Digital Activism).*
- ***In July 2014, a supporter of the main opposition party was prosecuted and fined US\$1,250 for using Skype to send live coverage of an opposition political rally to the Freedom Newspaper online outlet based abroad** (see Prosecutions and Arrests).*
- *A former online journalist was arrested in August 2014 on accusations of sending sensitive information to “enemies” of the government based abroad. Tortured while in detention, he was released without charges and subsequently fled the country. Extra-legal detention and harassment led at least two other online journalists to flee the country in exile (see Prosecutions and Arrests and Intimidation and Violence).*

***Under the repressive rule of President Yahya Jammeh, who has been in power since overseeing a military coup in 1994, political rights and civil liberties are severely restricted in The Gambia, with conditions for press freedom and freedom of expression particularly tenuous. As access to information via information and communication technologies (ICTs) has proliferated over the past two decades, the government has proactively applied its notably harsh media censorship tactics to the internet, beginning as early as 2006 with the blocking of two critical online news outlets.***

***In the past few years, the growing popularity of independent online news outlets, most of which are based abroad and operated by exiled Gambian journalists, has prompted the government to intensify its crackdown against critical voices by blocking dozens of news and opposition websites and arresting indi-***

**viduals suspected of disseminating information to exiled journalists. In 2014 and 2015, at least 20 news and opposition websites were blocked, while anecdotal reports indicated an increasing trend of politically sensitive content “disappearing” from the internet due to intimidation from government authorities. The popular Voice over IP (VoIP) platform, Viber, was blocked from March to July 2014.**

**Meanwhile, access to the internet was hampered by frequent internet blackouts lasting several hours throughout the coverage period. In April 2015, internet service was shut down completely for one week, which providers blamed on technical issues with the ACE submarine communications cable, though some local observers believed the disruptions were a result of the government’s increasing efforts to test new ways and means of controlling access to the internet and critical content.**

**Arrests, extralegal detentions, and threats against online journalists were common in 2014 and 2015, resulting in a growing number of online journalists fleeing the country in exile. In July 2014, an opposition supporter, Lansana Jorbar-teh, was prosecuted for allegedly broadcasting an opposition political rally in December 2013 without a license. Jobarteh was using Skype on his iPad to transmit coverage of the rally to the Freedom Newspaper online outlet based abroad. He was found guilty under restrictive ICT-specific amendments to the 2009 Information and Communications Act enacted in 2013 and sentenced to one year in prison or a fine of GMD 50,000 (about US\$1,250), the latter of which was paid with support from members of his opposition party. The government unblocked Viber shortly after Jobarteh’s conviction. According to local legal experts, the timing of the two incidents suggests that the government may be shifting its restrictions on internet freedom away from blocking certain ICT tools and in favor of using restrictive legal measures to punish “perceived” enemies of the state. »**

Quelle: Freedom House, Freedom of the Net 2015 – The Gambia, 27. Januar 2016:  
[www.freedomhouse.org/sites/default/files/resources/FOTN%202015\\_Gambia%2C%20The.pdf](http://www.freedomhouse.org/sites/default/files/resources/FOTN%202015_Gambia%2C%20The.pdf)

AI, 2016:

**«There are several online news sites run mainly by Gambians in the diaspora or exiled journalists which provide a forum for news critical of the government. However, some of these sites have been subjected to censorship, while limited internet access and slow internet speeds mean access is in any case limited for the majority of people in the country. Freedom House reported in 2014 that 20 webpages, many of which were news and opposition websites critical of the government, were blocked. Even when access is possible, people do not always feel free to openly view such sites in public places or internet cafes, especially given the arrest of several people perceived to be “informants” for diaspora media.»**

Quelle: Amnesty International, Dangerous to Dissent – Human Rights under Threat in Gambia, 2. Juni 2016, S. 16-17:  
[www.amnesty.org/en/documents/afr27/4138/2016/en/](http://www.amnesty.org/en/documents/afr27/4138/2016/en/)