



The Gambia: One year after the arbitrary executions of 9 prisoners, still no justice

Joint Statement

Dakar 08.23.2013

Today marks the first anniversary of the brutal executions of 9 prisoners (Dawda Bojang; Malang Sonko; Ex-Lieutenant Lamin Jarjou; Ex-Lieutenant Alieu Bah; Ex-Sergeant Lamin F. Jammeh; Buba Yarboe; Lamin B.S Darboe; Gebe Bah and Tabara Samba) in the Gambia following President Yahya Jammeh's announcement to carry out the first executions in nearly 30 years.

This fateful day of August 23rd 2012 when the nine (9) death row inmates were dragged out of their cells and executed by a firing squad is a vivid reminder of the utter lack of respect for human rights in the Gambia. After a year, families still do not know where their beloved ones have been buried as the corpses of those executed have not been returned to their families, nor has the place of burial been disclosed. Today marks also a year of cruel psychological torment for the remaining death row inmates who live in fear of arbitrary execution as it happened with the 9 inmates on August 23rd 2012.

We the undersigned reaffirm our condemnation of this act and the continued deterioration of the human rights situation in the Gambia.

We call on President Jammeh to establish a permanent moratorium on the death penalty as the moratorium he declared following the executions last year is dependent on the rise and fall of the crime rate. The National Assembly must also carry out the overdue review, set out in Section 18(3) of the Gambian Constitution, of the desirability of the death penalty with the view to abolition.

Furthermore, we recall that the executions are part of a chain of serious violations and abuses of human rights in the Gambia stretching back for years.

Freedom of expression and opinion are systematically repressed in the Gambia, through cases of disappearance, unlawful killings, indiscriminate arrest and illegal detention of journalists, and arbitrary closures of media houses.

For instance, last year alone three independent and prominent media houses (*Taranga FM, Daily News, The Standard*) have been closed with no explanation; numerous journalists have been arbitrarily arrested (more than once for some of them); human rights defenders have been subjected to harassment by state agents. The five-month enforced disappearance of religious leader, Imam Baba Leigh after he expressed his opposition to the executions exemplifies the ruthless crackdown on human rights defenders.



Over the years, websites have been blocked and several legal amendments have been passed to further suppress critical voices. A new Internet law passed in July 2013 stipulates that internet users, journalists and bloggers alike, guilty of spreading false news are punishable by 15 years in prison and may be fined up to 3 million Dalasi. We consider this Internet law as an attempt to silence critical and dissenting voices and urge the Gambian government to immediately repeal it. As a result of the state's repression of dissenting voices, there is a general atmosphere of fear prompting journalists, human rights defenders and ordinary citizens to self-censor and to flee the country.

We are further concerned that the systematic violations by the Gambian government of its international human rights obligations require additional attention from the African Commission on Human and Peoples' Rights (ACHPR), based in Banjul.

Consequently, we urge

- **the Gambia government to**
 - immediately put a stop to violations of its human rights obligations contained in its own constitution and in international law freely ratified;
 - establish a permanent moratorium on death penalty; commute all sentences to terms of imprisonment; and provide information about the August 2012 executions, including disclosure of the location of the place of burial to the families of the victims.
 - allow media professionals and human rights defenders to operate freely in the country;
 - ensure safe conditions for the return of all those forced to flee the country due to repression of freedom of expression;
 - investigate and punish all perpetrators of human rights violations and comply with decisions from international human rights bodies including the ECOWAS court which found the Gambia in violation of its human rights obligations;
 - fully cooperate with international human rights bodies in order to improve the human rights situation in the country and allow special rapporteurs of the African Commission on Human and Peoples' Rights (ACHPR) and the UN to visit the country.
- **The Africa Union/ ACHPR to:**
 - undertake missions in the Gambia to evaluate the human rights situation and investigate serious human rights violations like the brutal killing of journalist Deyda Hydara, the disappearance of the journalist Ebrima Manneh, as well as the arbitrary execution of nine death row inmates and the present situation of the remaining prisoners under sentence of death, among others;
 - Urge the Gambian government to fully comply with its human rights obligations as a host country of the continental human rights body, the ACHPR.
- **Civil society organizations, groups to**
 - Continue to mobilise against the human rights abuses in the Gambia and break the culture of silence and fear that has hampered protection of victims.



Signatories

- Africa Freedom of Information Centre (AFIC)
- Amnesty International
- ARTICLE 19
- African Editors Forum (TAEF)
- African Media Initiative (AMI)
- Association de la Presse en Ligne du Sénégal
- Center for Media Studies and Peace Building (CEMESP)
- Cicodev-Africa The pan African Institute for Consumer Citizenship and Development
- Civil Associations Gambia (CSAG)
- Club Union Africaine Côte d'Ivoire
- Coalition for Change in Gambia (CCG)
- Fasozone
- Forum des Responsables de Médias de l'Afrique de l'Ouest (FORMAO)
- Gambian Association for the Restoration of Democracy and Human Rights (MRDG)
- International Press Centre (IPC)
- Ligue Sénégalaise des Droits de l'Homme (LSDH)
- Media Foundation for West Africa
- Media Institute for Southern Africa (MISA)
- Panos Institute for West Africa (IPA)
- South African Editors Forum (Sanef)
- Société des Editeurs de la Presse Privée du Burkina
- Rencontre Africaine pour les Droits de l'Homme (RADDHO)
- West Africa journalist Association (WAJA)