



Home Office

# **Country Policy and Information Note**

## **Gambia: Political opinion**

**Version 2.0**

**March 2017**

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Policy guidance

Updated: 14 March 2017

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm because of the person's actual or perceived political opinion.
- 1.1.2 Given the December 2016 presidential election has resulted in a change of government, this may fall into different categories:
  - a. Fear of former President Jammeh's regime
  - b. Supporters of former President Jammeh fearing the new government
  - c. Supporters of former President Jammeh fearing societal 'retribution'
  - d. High profile members of former President Jammeh's regime fearing indictment/prosecution.

### 1.2 Points to note

- 1.2.1 Where a claim from a man is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Gambia is listed as a designated state in respect of men only.

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Exclusion

- 2.2.1 During former President Jammeh's regime, there was evidence of human rights violations, including suppression of freedom of speech; detention of political opponents; mistreatment, including torture, of detainees; and extra-judicial killings. For historic/contextual information on that, see the country information section of the country policy and information note on [Gambia: Opposition to the government v1 \(December 2015\)](#).
- 2.2.2 If there are serious reasons for considering that the person has been involved with such human rights abuses – notably high profile members of

former President Jammeh's regime – then decision makers must consider whether one of the exclusion clauses is applicable.

- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Asylum Instruction on Restricted Leave](#).

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## 2.3 Assessment of risk

### a. Fear of former President Jammeh's regime

- 2.3.1 The political environment under former President Jammeh was repressive. However, following the Presidential election and transition of power, Jammeh is no longer in office, having left the country and gone into exile (see [Situation for former President Jammeh and his supporters](#), [Start of Adama Barrow's presidency](#) and [Exile](#)).
- 2.3.2 President Barrow and the coalition government have put human rights reforms – including respect for the rule of law, freedom of expression and other democratic principles – at the heart of their mandate. Political prisoners have been released, as promised. Further reforms are planned (see [Freedom of speech](#), [Human rights reforms](#) and [Release of political prisoners](#)).
- 2.3.3 Although sections of the army and security services were appointed by Jammeh and it remains to be seen how they will transition under the new regime, there is no evidence to suggest that they are acting outside of the new President's control. Security is being maintained – supported, for the time being, by ECOWAS forces (see [Transition](#), [Reform of the security services](#) and [Security](#)).
- 2.3.4 It is not considered reasonably likely that Jammeh has the will or the means to attempt to regain power. As such, those whose claim is based on fear of his regime are unlikely to be able to demonstrate a real risk of persecution or serious harm on the basis of their actual or perceived political opinion.

### b. Supporters of former President Jammeh fearing the new government

- 2.3.5 Whilst President Barrow and the coalition government begin to overhaul the system that has been in place following 22 years of rule by former President Jammeh, the evidence does not suggest that they are seeking to take any retaliatory action against those who were ordinary supporters of Jammeh and/or his party (the Alliance for Patriotic Reorientation and Construction (APRC)) simply on account of the person's political opinion. In February 2017, there were reports that around 50 supporters of President Jammeh were arrested for harassing supporters of President Barrow. However, this appears to be an isolated incident and the arrests made due to the nature of the protests, rather than being politically motivated (see [Start of Adama Barrow's presidency](#) and [Supporters of President Jammeh](#)).
- 2.3.6 As such, a person is unlikely to be able to demonstrate a real risk of persecution or serious harm from the state on the basis of their actual or perceived political opinion because of support for former President Jammeh and/or the APRC.

c. [Supporters of former President Jammeh fearing societal ‘retribution’](#)

- 2.3.7 To date, only isolated incidents have been reported of violence between supporters of Jammeh, or Barrow, or between ethnic groups owing to their perceived political allegiance. Some persons have reportedly been dismissed from the police and security forces due to their association with the Jammeh regime (see [Supporters of President Jammeh](#)).
- 2.3.8 The evidence does not suggest that there is, in general, a real risk to actual or perceived supporters of former President Jammeh from society but each case should be considered on its individual merits. A person being dismissed from their job does not meet the high threshold required to constitute persecution or serious harm.
- d. [High profile members of former President Jammeh’s regime fearing indictment/prosecution](#)
- 2.3.9 In general, high profile members of former President Jammeh’s regime fearing indictment/prosecution are likely to fear prosecution (for e.g. human rights abuses/crimes against humanity), not persecution.
- 2.3.10 In order to bring themselves within the scope of the Refugee Convention, the person must show that they would be flagrantly denied a fair trial or that any punishment resulting from prosecution would be discriminatory or disproportionately applied.
- 2.3.11 At present, the evidence is unclear whether the new government will seek to prosecute high profile members of former President Jammeh’s regime or, if they do, the extent to which this might apply. For example, President Barrow has been quoted as suggesting that a ‘truth and reconciliation commission’ may be necessary in order to establish the facts and that this is different from prosecution (see [Potential prosecution](#)).
- 2.3.12 Any trials, including those limited examples of persons who have been arrested, would likely be at an internationally recognised tribunal (see [Former ministers and high profile officials](#)).
- 2.3.13 Therefore it is not reasonably likely that the person would be flagrantly denied a fair trial or that any punishment resulting from any prosecution would be discriminatory or disproportionately applied. The onus will be on the person to show otherwise.
- 2.3.14 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.4 [Protection](#)

- 2.4.1 In the majority of cases, the person’s fear is likely to be of persecution or serious harm at the hands of the former regime. The evidence does not suggest the new government is unable or unwilling to offer effective protection to those at risk from those former state actors.
- 2.4.2 Where the person’s fear is from non-state actors, e.g. supporters of former President Jammeh fearing societal ‘retribution’, the new government is in general both willing and able to provide effective protection.

- 2.4.3 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Internal relocation

- 2.4.1 Where the person's fear is of persecution/serious harm at the hands of the state, they will not be able to relocate to escape that risk.

- 2.4.2 Where the person's fear is from non-state actors, internal relocation is likely to be reasonable, but decision makers must consider the individual circumstances of the person.

- 2.4.3 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

- 2.5.1 Where a claim based on any of the four categories outlined in the [basis of claim](#) section is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. The reasons are outlined below.

### a. Fear of former President Jammeh's regime

- 2.5.2 In general, the circumstances which gave rise to a fear of persecution or serious harm of former President Jammeh's regime no longer exist and/or effective state protection is likely to be available.

### b. Supporters of former President Jammeh fearing the new government

- 2.5.3 In general, the evidence does not suggest that a fear of the new government because of actual or perceived support for former President Jammeh is reasonably likely to subsist.

### c. Supporters of former President Jammeh fearing societal 'retribution'

- 2.5.4 In general, the evidence does not suggest that there is a real risk to actual or perceived supporters of former President Jammeh from society and/or effective state protection is likely to be available.

### d. High profile members of former President Jammeh's regime fearing indictment/prosecution

- 2.5.5 In general, high profile members of former President Jammeh's regime fearing indictment/prosecution are likely to fear prosecution, not persecution. They are unlikely to be able to show that they would be flagrantly denied a fair trial or that any punishment resulting from any prosecution would be discriminatory or disproportionately applied. The onus will be on the person to show otherwise.

- 2.5.6 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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### 3. Policy summary

- 3.1.1 During former President Jammeh's regime, there was evidence of human rights violations, including suppression of freedom of speech; detention of political opponents; mistreatment, including torture, of detainees; and extra-judicial killings.
- 3.1.2 However, following his defeat in the December 2016 Presidential election – and an initial period of political crisis when he rejected and challenged the result – former President Jammeh eventually went into exile.
- 3.1.3 The new government, led by President Adama Barrow, has made respect for human rights of all and the rule of law central pillars for the 'new Gambia'. These have begun to be realised immediately, e.g. by releasing political prisoners, commencing reforms of the security services, and other announcements.
- 3.1.4 Those fearing former President Jammeh's regime are unlikely to be at risk or in need of international protection.
- 3.1.5 Those members of former President Jammeh's regime fearing indictment/prosecution are likely to fear prosecution, not persecution. It is not reasonably likely that the person would be flagrantly denied a fair trial or that any punishment resulting from any prosecution would be discriminatory or disproportionately applied. The onus will be on the person to show otherwise.
- 3.1.6 Internal relocation is unlikely to be necessary for those fearing former President Jammeh's regime. Where there is a risk of societal retribution, internal relocation is likely to be reasonable, but decision makers must consider the individual circumstances of the person. Internal relocation is unlikely to be an option for supporters of former President Jammeh who have a well-founded fear of persecution from the new government or high profile members of former President Jammeh's regime fearing indictment/prosecution.
- 3.1.7 Cases are likely to be certifiable as 'clearly unfounded'

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# Country information

Updated: 13 March 2017

## 4. Human rights situation prior to December 2016

- 4.1.1 For information on the human rights situation prior to the presidential elections in The Gambia which took place in December 2016, and the impact of the rule of former President Jammeh on actual or perceived political opponents (which includes journalists or human rights defenders), see the country information section of the country policy and information note on [Gambia: Opposition to the government v1 \(December 2015\)](#).

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## 5. December 2016 Presidential election

### 5.1 Lead up to the elections

- 5.1.1 BBC reported that in the lead up to the elections there was '[...] a crackdown on opposition leaders months before the polls, the banning of international observers or post-election demonstrations, and then the switching off of the internet.'<sup>1</sup> In an article dated 23 January 2017, Time magazine reported the arrests of around 100 opposition activists in the run up to the elections.<sup>2</sup>
- 5.1.2 The New York Times also reported that the election results were released 'After more than 24 hours of an internet and phone blackout'<sup>3</sup>, and in an article a day earlier, the same source reported that demonstrations had been banned and cited human rights groups as having 'criticized the circumstances under which the vote took place, especially the blocking of internet service and international calls.'<sup>4</sup>, whilst the same article cited a Human Rights Watch claim that 'All internet service was cut around 8 p.m. on Wednesday [30 November]'<sup>5</sup>, a point reiterated in an article on IRIN news<sup>6</sup>.
- 5.1.3 An All Africa cited the US State Department as having 'voiced concerned about the arrest of opposition supporters, the internet blackout and disruption of phone services.'<sup>7</sup> and the New York Times article cited a deputy

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<sup>1</sup> BBC, 'Gambia's Jammeh loses to Adama Barrow in shock election result', 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38183906>. Accessed: 2 December 2016.

<sup>2</sup> Time, 'Everyone Will Now Be Equal.' Gambia's Adama Barrow Pledges Return to Democracy', 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

<sup>3</sup> New York Times, 'Gambia's President, in Power 22 Years, Loses Election', 2 December 2016, <http://www.nytimes.com/2016/12/02/world/africa/gambia-election.html>. Accessed: 2 December 2016.

<sup>4</sup> New York Times, 'Gambians Choose Between Ruler of 22 Years and a United Opposition', 1 December 2016, <http://www.nytimes.com/2016/12/01/world/africa/gambia-election-yahya-jammeh-adama-barrow.html>. Accessed: 2 December 2016.

<sup>5</sup> New York Times, 'Gambians Choose Between Ruler of 22 Years and a United Opposition', 1 December 2016, <http://www.nytimes.com/2016/12/01/world/africa/gambia-election-yahya-jammeh-adama-barrow.html>. Accessed: 2 December 2016.

<sup>6</sup> IRIN News, 'The challenge of building "New Gambia"', 6 December 2016, <http://www.irinnews.org/feature/2016/12/06/challenge-building-%E2%80%99Cnew-gambia%E2%80%99D>. Accessed: 7 December 2016.

<sup>7</sup> All Africa, 'Gambia: Jammeh Defeated in Landmark Gambian Election', 2 December 2016,

US State Department spokesman as having stated that “In the run-up to the election, we did have some concerns about undue pressure, intimidation” and the disruption of internet access, phone services and other factors that may have limited the flow of information to voters<sup>8</sup>.

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## 5.2 The result

- 5.2.1 BBC noted that the results of the election announced on 2 December 2016 showed ‘Mr [Adama] Barrow won 263,515 votes (45.5%) [...], while President Jammeh took 212,099 (36.7%), according to the electoral commission. A third party candidate, Mama Kandeh, won 102,969 (17.8%).’<sup>9</sup> Al Jazeera reported the same figures for Mr Barrow and Mr Jammeh<sup>10</sup>.
- 5.2.2 News24 cited similar figures, noting that ‘Adama Barrow won 263 515 votes, or 45% of the total, while Jammeh finished in second with 36%, Alieu Momarr Njai said. A third candidate, Mama Kandeh, received 17%’<sup>11</sup>, as did an Agence France Press article (via Modern Ghana)<sup>12</sup>.

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## 5.3 Turnout

- 5.3.1 The AP article via Modern Ghana also put the turnout at around 65%<sup>13</sup>. An article in All Africa cited the United States as saying that the turnout ‘appeared to be high’<sup>14</sup>. Subsequent articles revised the turnout figure down to either 58%<sup>15</sup>, 59%<sup>16</sup> or 59.35%<sup>17</sup>.

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<http://allafrica.com/stories/201612020761.html>. Accessed: 2 December 2016.

<sup>8</sup> New York Times, ‘Gambians Choose Between Ruler of 22 Years and a United Opposition’, 1 December 2016, <http://www.nytimes.com/2016/12/01/world/africa/gambia-election-yahya-jammeh-adama-barrow.html>. Accessed: 2 December 2016.

<sup>9</sup> BBC, ‘Gambia’s Jammeh loses to Adama Barrow in shock election result’, 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38183906>. Accessed: 2 December 2016.

<sup>10</sup> Al Jazeera, ‘Yahya Jammeh loses to Adama Barrow in Gambia election’, 2 December 2016, <http://www.aljazeera.com/news/2016/12/gambia-yahya-jammeh-loses-election-adama-barrow-161202130519550.html>. Accessed: 2 December 2016.

<sup>11</sup> News24, ‘Opposition candidate Barrow wins Gambia election’, 2 December 2016, <http://www.news24.com/Africa/News/opposition-candidate-barrow-wins-gambia-election-20161202>. Accessed: 2 December 2016.

<sup>12</sup> Agence France Press [via Modern Ghana], ‘Gambia’s shock presidential victor hails new era’, 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>13</sup> Modern Ghana, ‘Gambia’s shock presidential victor hails new era’, 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>14</sup> All Africa, ‘Gambia: Jammeh Defeated in Landmark Gambian Election’, 2 December 2016, <http://allafrica.com/stories/201612020761.html>. Accessed: 2 December 2016.

<sup>15</sup> Wikielections, ‘Gambian Presidential election 2016 Results Live Candidates Party Constituency’, 2 December 2016, <http://wikielections.com/africa/gambian-presidential-election-2016-results-live/>. Accessed: 4 December 2016.

<sup>16</sup> Twitter.com, ‘Lamin Jahateh (@LmnJahateh)’, Tweet dated 5 December 2016 at 20:48 UK time, <https://twitter.com/LmnJahateh/status/805876548914085888>. Accessed: 5 December 2016.

<sup>17</sup> Jollof News, ‘Gambia 2016 Election Results’, undated, <https://www.jollofnews.com/gambia-2016-election-results>. Accessed: 4 December 2016.

- 5.3.2 More details of the result and turnout are available via two Independent Electoral Commission results tables linked to a tweet from a Gambian journalist Lamin Jahateh (see <https://pbs.twimg.com/media/Cy7gpRZWgAEhcj-.jpg> and <https://pbs.twimg.com/media/Cy7gqSTXUAAOZyL.jpg>).

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## 5.4 Nature of the elections

- 5.4.1 The BBC noted that ‘Observers from the European Union (EU) and the West African regional bloc Ecowas did not attend the vote. Gambian officials opposed the presence of Western observers, but the EU said before the vote it was staying away out of concern about the fairness of the voting process. The African Union did despatch a handful of observers to supervise the vote, however.’<sup>18</sup>
- 5.4.2 All Africa cited the United States as describing the elections taking place ‘under "generally peaceful conditions."’<sup>19</sup> Freedom House released a statement in which they ‘congratulate[d] the people of The Gambia on a largely peaceful election day,’<sup>20</sup> An Agence France Press article available via Yahoo.com also reported that ‘The regional body ECOWAS, the UN and the African Union all hailed a "free, fair and transparent presidential election”’<sup>21</sup>
- 5.4.3 IRIN also noted that ‘the communications blackout ultimately failed to intimidate voters’<sup>22</sup>.

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## 5.5 Reaction to the result

- 5.5.1 ‘News of Barrow’s victory prompted thousands to take to the streets of Banjul in celebration’<sup>23</sup> was how Al Jazeera described the response to the result.
- 5.5.2 The online news platform Election Pulse tweeted in response to the result that there were ‘Huge jublations in The Gambia as the long serving President Yahya Jammeh is voted out of office.’<sup>24</sup>

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<sup>18</sup> BBC, ‘Gambia’s Jammeh loses to Adama Barrow in shock election result’, 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38183906>. Accessed: 2 December 2016.

<sup>19</sup> All Africa, ‘Gambia: Jammeh Defeated in Landmark Gambian Election’, 2 December 2016, <http://allafrica.com/stories/201612020761.html>. Accessed: 2 December 2016.

<sup>20</sup> Freedom House, ‘The Gambia: Freedom House Applauds Peaceful Elections, Urges Peaceful Transition’, 2 December 2016, <https://freedomhouse.org/article/gambia-freedom-house-applauds-peaceful-elections-urges-peaceful-transition>. Accessed: 2 December 2016.

<sup>21</sup> Agence France Presse, [via Yahoo], ‘Gambia’s shock presidential victor hails new era’, 3 December 2016, <https://www.yahoo.com/news/gambias-jammeh-concedes-defeat-000425562.html>. Accessed: 3 December 2016.

<sup>22</sup> IRIN News, ‘The challenge of building “New Gambia”’, 6 December 2016, <http://www.irinnews.org/feature/2016/12/06/challenge-building-%E2%80%9Cnew-gambia%E2%80%9D>. Accessed: 7 December 2016.

<sup>23</sup> Al Jazeera, ‘Yahya Jammeh loses to Adama Barrow in Gambia election’, 2 December 2016, <http://www.aljazeera.com/news/2016/12/gambia-yahya-jammeh-loses-election-adama-barrow-161202130519550.html>. Accessed: 2 December 2016.

<sup>24</sup> Twitter.com, ‘Pulse Elections (@/PulseGhana)’, Tweet dated 2 December 2016 at 16:35 UK time, <https://twitter.com/PulseGhana/status/804725725924360192>. Accessed: 2 December 2016.

- 5.5.3 The UK Guardian newspaper reported that ‘Outside Barrow’s house, crowds gathered, some celebrating and some in shock. Anger at Jammeh for his decades of repression bubbled up in others.’<sup>25</sup> The same report added ‘Jubilant crowds sang, whistled, cheered and stormed Barrow’s compound in celebration trying to get in and shake his hand.’<sup>26</sup>
- 5.5.4 Modern Ghana, carrying an Agence France Press (AFP) article, noted that ‘In Westfield, a district near the capital, teenagers piled on top of cars, taking selfies and strumming guitars, while others waved flags coloured the grey of the opposition coalition. A hundred horns honked in unison.’<sup>27</sup> It also noted that ‘On the streets of Bakau, on the outskirts of the capital Banjul, Gambians began an impromptu street party.’<sup>28</sup>
- 5.5.5 The same report added that ‘Although the mood was largely ecstatic, some Gambians expressed relief tinged with emotion as they recounted stories of difficult lives spent under constant fear during Jammeh’s rule.’<sup>29</sup>
- 5.5.6 Despite initial uncertainty, later on Friday [2 December] AFP news agency tweeted that President Jammeh had conceded defeat and had congratulated Mr Barrow<sup>30</sup>, and the BBC also reported that Mr Jammeh had confirmed he would step down<sup>31</sup>. The same article reported that Mr Jammeh had stated on state TV that he would “‘help [Mr Barrow] work towards the transition”<sup>32</sup> and that he had ‘vowed not to contest the results after deciding “that [he] should take the backseat”<sup>33</sup>. Al Jazeera also reported on this, citing the same comments<sup>34</sup>. An Agence France Press article available via Yahoo.com also

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<sup>25</sup> Guardian, ‘The Gambia’s President Jammeh to concede defeat in election’, 2 December 2016, [https://www.theguardian.com/world/2016/dec/02/the-gambia-president-jammeh-concede-defeat-in-election?CMP=share\\_btn\\_tw](https://www.theguardian.com/world/2016/dec/02/the-gambia-president-jammeh-concede-defeat-in-election?CMP=share_btn_tw). Accessed: 2 December 2016.

<sup>26</sup> Guardian, ‘The Gambia’s President Jammeh to concede defeat in election’, 2 December 2016, [https://www.theguardian.com/world/2016/dec/02/the-gambia-president-jammeh-concede-defeat-in-election?CMP=share\\_btn\\_tw](https://www.theguardian.com/world/2016/dec/02/the-gambia-president-jammeh-concede-defeat-in-election?CMP=share_btn_tw). Accessed: 2 December 2016.

<sup>27</sup> Agence France Presse [via Modern Ghana], ‘Gambia’s shock presidential victor hails new era’, 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>28</sup> Agence France Presse [via Modern Ghana], ‘Gambia’s shock presidential victor hails new era’, 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>29</sup> Modern Ghana, ‘Gambia’s shock presidential victor hails new era’, 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>30</sup> Agence France Presse [via Twitter.com, ‘AFP News Agency (@AFP)’], Tweet dated 2 December 2016 at 20:52 UK time, <https://twitter.com/AFP/status/804790303265882112>. Accessed: 2 December 2016.

<sup>31</sup> BBC, ‘Gambia’s Adama Barrow says shock win heralds ‘new hope’’, 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38186751>. Accessed: 2 December 2016.

<sup>32</sup> BBC, ‘Gambia’s Adama Barrow says shock win heralds ‘new hope’’, 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38186751>. Accessed: 2 December 2016.

<sup>33</sup> BBC, ‘Gambia’s Adama Barrow says shock win heralds ‘new hope’’, 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38186751>. Accessed: 2 December 2016.

<sup>34</sup> Al Jazeera, ‘Gambia: Yahya Jammeh concedes loss to Adama Barrow’, 3 December 2016, <http://www.aljazeera.com/news/2016/12/gambia-yahya-jammeh-concedes-loss-adama-barrow-161202211013474.html>. Accessed: 3 December 2016.

reported that 'The regional body ECOWAS, the UN and the African Union all hailed [...] Jammeh for "gracefully conceding defeat".'<sup>35</sup>

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## 6. Post-election

### 6.1 Political system

6.1.1 An Agence France Press article published on Modern Ghana suggested that 'If Jammeh's concession is confirmed, Barrow will likely serve a three-year term at the head of a transition reform government'<sup>36</sup>. The BBC also noted that Mr Barrow had 'criticised the lack of a two-term limit on the presidency and says he would introduce a three-year transitional government made up from members of the opposition coalition.'<sup>37</sup>

6.1.2 Reuters noted that Barrow 'promised to revive the economy, one of the region's poorest performers that pushes thousands of Gambians to flee to Europe in search of a better life. He has also pledged to end human rights abuses and to step down after three years as a boost to democracy.'<sup>38</sup>

See also [Start of Adama Barrow's presidency](#).

6.1.3 The same report added

'Karamba Touray, a spokesman for Barrow's UPD [United Democratic Party], said he would "stop plans to leave the ICC and ask to rejoin the Commonwealth immediately". He also said he would annul Jammeh's declaration of Gambia as an Islamic republic in December last year.

"He wants Gambia to remain a secular state and respect the rights of all the people," Touray said of a country that is predominantly Muslim but has a small Christian minority.'<sup>39</sup>

6.1.4 CNN reported that Mr. Barrow had told them "'We will follow the rule of law [...] everything will be done according to the law.'<sup>40</sup>

6.1.5 On Saturday 3 December 2016, Reuters reported that Mr Barrow had told them that he 'was keen to form a new cabinet to get cracking with reforms'<sup>41</sup>.

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<sup>35</sup> Agence France Press [via Yahoo], 'Gambia's shock presidential victor hails new era', 3 December 2016, <https://www.yahoo.com/news/gambias-jammeh-concedes-defeat-000425562.html>. Accessed: 3 December 2016.

<sup>36</sup> Modern Ghana, 'Gambia's shock presidential victor hails new era', 2 December 2016, <https://www.modernghana.com/news/740530/gambias-shock-presidential-victor-hails-new-era.html>. Accessed: 2 December 2016.

<sup>37</sup> BBC, 'Gambia's Jammeh loses to Adama Barrow in shock election result', 2 December 2016, <http://www.bbc.co.uk/news/world-africa-38183906>. Accessed: 2 December 2016.

<sup>38</sup> Reuters, 'Gambians celebrate after voting out 'billion year' leader', 2 December 2016, <http://www.reuters.com/article/us-gambia-election-idUSKBN13R18G>. Accessed: 2 December 2016.

<sup>39</sup> Reuters, 'Gambians celebrate after voting out 'billion year' leader', 2 December 2016, <http://www.reuters.com/article/us-gambia-election-idUSKBN13R18G>. Accessed: 2 December 2016.

<sup>40</sup> CNN, 'After 22 years, Gambia's Jammeh loses in election stunner', 2 December 2016, <http://www.cnn.com/2016/12/02/africa/gambia-yahya-jammeh-defeat/index.html>. Accessed: 5 December 2016.

<sup>41</sup> Reuters, 'Surprise winner of Gambia poll eyes new cabinet, reforms', 3 December 2016, <http://www.reuters.com/article/us-gambia-election-idUSKBN13S0KE>. Accessed: 4 December 2016.

- 6.1.6 On Sunday 4 December 2016, Jollof news cited Ibn Chambas, the UN's west Africa representative, as having said that 'meetings with the opposition had been fruitful, raising expectations of a government that would reverse some of Jammeh's policies'<sup>42</sup>

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## 6.2 Human rights issues

- 6.2.1 IRIN also noted that 'The most immediate change for Gambians is the ability to speak freely. Over the weekend [of 3-4 December], the scenes from former businessman Barrow's victory parade showed partying crowds and people tearing down and stamping on Jammeh's paternally smiling election banners.'<sup>43</sup>
- 6.2.2 Steve Cockburn, Amnesty International Deputy Regional Director for West and Central Africa, tweeted on 7 December that he had 'Met with Pres[ident]-elect Barrow. He said prisoners would be freed, rule of law protected, no one would disappear without trace under him.'<sup>44</sup>

See also [Start of Adama Barrow's presidency](#).

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## 6.3 State of emergency and extension of President Jammeh's term

- 6.3.1 On 17 January 2017, President Jammeh declared a 90-day state of emergency, a day before his official mandate was to end<sup>45 46 47</sup>.
- 6.3.2 The BBC report on the declaration on the same day noted that 'In his televised announcement, Mr Jammeh said "any acts of disobedience to the laws The Gambia, incitement of violence and acts intended to disturb public order and peace" are banned under the state of emergency. He said security forces were instructed to "maintain absolute peace, law and order".'<sup>48</sup>
- 6.3.3 Jollof news reported on the reasons in more detail in an article entitled 'Why

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<sup>42</sup> Jollof News, 'Gambia 2016: Gambia's Political Transition Begins After Election Shock', 4 December 2016, <https://jollofnews.com/2016/12/04/gambia-2016-gambias-political-transition-begins-after-election-shock>. Accessed: 4 December 2016.

<sup>43</sup> IRIN News, 'The challenge of building "New Gambia"', 6 December 2016, <http://www.irinnews.org/feature/2016/12/06/challenge-building-%E2%80%9Cnew-gambia%E2%80%9D>. Accessed: 7 December 2016.

<sup>44</sup> Twitter.com, 'Steve Cockburn (@stevecockburn)', Tweet dated 7 December 2016 at 10:03 UK time, <https://twitter.com/stevecockburn/status/806439076840751106>. Accessed: 7 December 2016.

<sup>45</sup> BBC, 'The Gambia's president declares state of emergency', 17 January 2017, <http://www.bbc.co.uk/news/world-africa-38652939>. Accessed: 17 January 2017.

<sup>46</sup> Al Jazeera, 'Gambia's Yahya Jammeh declares state of emergency', 17 January 2017, <http://www.aljazeera.com/news/2017/01/gambia-yahya-jammeh-declares-state-emergency-170117165356768.html>. Accessed: 17 January 2017.

<sup>47</sup> New York Times, 'Gambia Leader, Pressured to Go, Declares State of Emergency', 17 January 2017, <https://mobile.nytimes.com/aponline/2017/01/17/world/africa/ap-af-gambia-crisis.html>. Accessed: 17 January 2017.

<sup>48</sup> BBC, 'The Gambia's president declares state of emergency', 17 January 2017, <http://www.bbc.co.uk/news/world-africa-38652939>. Accessed: 17 January 2017.

I declared a state of emergency in Gambia<sup>49</sup>

- 6.3.4 On 18 January 2017, Gambia's Parliament extended President Jammeh's term by 90 days<sup>50</sup>.

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## 6.4 Adama Barrow's inauguration as President of The Gambia

- 6.4.1 On 18 January 2017 Adama Barrow was inaugurated as the President of The Gambia at a ceremony in Senegal<sup>51</sup>.

- 6.4.2 The Guardian newspaper reported that on the same day:

'Barrow called on the UN to enforce his electoral win.

'Soon after Barrow's speech, the UN Security Council unanimously backed a resolution that called "upon the countries in the region and the relevant regional organisation to cooperate with President Barrow in his efforts to realise the transition of power" – a statement that lent weight to Barrow but stopped short of explicitly sanctioning military intervention.'<sup>52</sup>

- 6.4.3 Yahya Jammeh was given an ultimatum to leave office or be forced out by UN-backed troops and missed two deadlines to step down<sup>53</sup>. In an announcement on state TV on 21 January 2017 Jammeh finally announced that he would step down, stating that it was "not necessary that a single drop of blood be shed".<sup>54</sup>

- 6.4.4 The BBC further explained that:

'The statement followed hours of talks between Mr Jammeh and West African mediators. He gave no details of what deal might have been struck.

'Troops from several West African nations, including Senegal, have been deployed in The Gambia, threatening to drive Mr Jammeh out of office if he did not agree to go.'<sup>55</sup>

- 6.4.5 On 26 January 2017, Adama Barrow returned to The Gambia<sup>56</sup>. On 18 February 2017 a second inauguration was held for him, this time in The

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<sup>49</sup> Jollof News, 'Why I Declared A State Of Emergency In Gambia', 17 January 2017, <https://jollofnews.com/2017/01/17/why-i-declared-a-state-of-emergency-in-gambia>. Accessed: 17 January 2017.

<sup>50</sup> BBC, 'The Gambia's Yahya Jammeh's term extended by parliament', 18 January 2017, <http://www.bbc.co.uk/news/world-africa-38662000>. Accessed: 27 February 2017

<sup>51</sup> The Guardian, 'Troops enter the Gambia after Adama Barrow is inaugurated in Senegal', 19 January 2017, <https://www.theguardian.com/world/2017/jan/19/new-gambian-leader-adama-barrow-sworn-in-at-ceremony-in-senegal>. Accessed: 27 February 2017

<sup>52</sup> The Guardian, 'Troops enter the Gambia after Adama Barrow is inaugurated in Senegal', 19 January 2017, <https://www.theguardian.com/world/2017/jan/19/new-gambian-leader-adama-barrow-sworn-in-at-ceremony-in-senegal>. Accessed: 27 February 2017

<sup>53</sup> BBC, 'Gambia crisis: Jammeh misses second deadline to step down', 20 January 2017, <http://www.bbc.co.uk/news/world-africa-38686144>. Accessed: 27 February 2017

<sup>54</sup> BBC, 'Yahya Jammeh says he will step down in The Gambia', 21 January 2017, <http://www.bbc.co.uk/news/world-africa-38702787>. Accessed: 27 February 2017

<sup>55</sup> BBC, 'Yahya Jammeh says he will step down in The Gambia', 21 January 2017, <http://www.bbc.co.uk/news/world-africa-38702787>. Accessed: 27 February 2017

<sup>56</sup> BBC, 'Gambia's new President Adama Barrow arrives home, 26 January 2017', <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 February 2017

Gambia, on the same day as the country's independence, in front of a crowd of thousands which included several African heads of state<sup>57</sup>.

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## 7. Impact of the post-election crisis

### 7.1 General security situation

7.1.1 On 13 December 2016, the Guardian reported that extra troops had been deployed on the street<sup>58</sup>.

7.1.2 On 13 January 2017, KORA – the UNHCR's blog dedicated to Refugees, Internally Displaced Persons, and Stateless people in West and Central Africa<sup>59</sup> – noted that

'Several thousand people, mainly children, have crossed into Senegal from the Gambia in the last 10 days to escape growing tension over the results of last month's presidential election. While some people have decided to stay in the Gambia, many have begun sending their children to Senegal as a precautionary measure amid the political impasse, fearing potential unrest.

[...]

'Much of the daily border crossing is regular traffic, but preliminary findings also suggest that several thousand people have crossed to Senegal to seek shelter, mainly in the Ziguinchor, Sédhiou, Kaolack and Kolda areas.'<sup>60</sup>

7.1.3 On 17 January 2017, the BBC reported that 'Thousands of Gambians have also fled to Senegal, and further afield to Guinea-Bissau, amid fears of violence.'<sup>61</sup> The Guardian put the figure at 25,000, half of them children<sup>62</sup>.

7.1.4 On 19 January 2017, Nigeria's Daily Trust cited an eyewitness who had fled the country who claimed there was a 'heavy buildup of military hardware all over the streets of the national capital Banjul and other parts of the country'<sup>63</sup>.

7.1.5 On the same date, Gambia's Freedom Newspaper reported military checkpoints mounted around the city but described Banjul as a "virtual ghost

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<sup>57</sup> Africa News, 'Thousands of Gambians flock Barrow's inauguration and independence day', 18 February 2017, <http://www.africanews.com/2017/02/18/thousands-of-gambians-flock-barrow-s-inauguration-and-independence-day/>. Accessed: 27 February 2017

<sup>58</sup> The Guardian, 'Gambian military takes over offices of electoral commission', 13 December 2016, <https://www.theguardian.com/world/2016/dec/13/gambian-military-takes-over-offices-of-electoral-commissionyahya-jammeh>. Accessed: 13 January 2017.

<sup>59</sup> KORA, 'About KORA', undated, <http://kora.unhcr.org/kora/>. Accessed: 13 January 2017.

<sup>60</sup> KORA, 'Rising number of people cross to Senegal from Gambia amid tension', 13 January 2017, <http://kora.unhcr.org/rising-number-people-cross-senegal-gambia-amid-growing-tension/>. Accessed: 13 January 2017.

<sup>61</sup> BBC, 'The Gambia's president declares state of emergency', 17 January 2017, <http://www.bbc.co.uk/news/world-africa-38652939>. Accessed: 17 January 2017.

<sup>62</sup> The Guardian, 'Troops enter the Gambia after Adama Barrow is inaugurated in Senegal', 19 January 2017, <https://www.theguardian.com/world/2017/jan/19/new-gambian-leader-adama-barrow-sworn-in-at-ceremony-in-senegal>. Accessed: 27 February 2017

<sup>63</sup> Daily Trust, 'Fleeing Gambian says Jammeh's armoured tanks scaring off residents', 19 January 2017, <http://www.dailytrust.com.ng/news/general/fleeing-gambian-says-jammeh-s-armoured-tanks-scaring-off-residents/181533.html>. Accessed: 19 January 2017.

city” at the time of filing the report<sup>64</sup>, whereas on the same day, a BBC correspondent in the capital Banjul said it was "eerily quiet"<sup>65</sup>. On the morning of 19 January 2017, Ruth MacLean (West Africa correspondent for the Guardian) tweeted that ‘Shops, restaurants, even petrol stations closed, and the streets of Serrekunda in #Gambia deserted. Everybody is hiding at home.’<sup>66</sup>

- 7.1.6 On 20 January 2017 the head of the Gambian army, Gen Ousman Badjie, told reporters that he recognised Mr Barrow as commander-in-chief<sup>67</sup>.
- 7.1.7 On 26 January 2017 the BBC reported that ‘Parliament has cancelled the state of emergency declared by Mr Jammeh last week. It also revoked legislation that would have extended its life for a further 90 days.’<sup>68</sup>

See also [Returnees from Senegal](#)

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## 7.2 Politicians in Gambia

- 7.2.1 On 4 January 2017, the BBC – citing a family member – reported that the chief of the Gambia's Independent Electoral Commission (IEC), Alieu Momar Njai, had gone into hiding<sup>69</sup>.
- 7.2.2 On 9 January 2017, Al Jazeera – citing an anonymous foreign ministry source – reported that ‘Jammeh fired 12 ambassadors after they called for him to step aside and allow Barrow to take power [...] Gambia's ambassadors to China, Britain, Turkey, Senegal, and the US, as well as the country's permanent representative to the UN, were among those sacked after sending a letter asking Jammeh to leave in late December.’<sup>70</sup>
- 7.2.3 In a separate article on 10 January 2017, Al Jazeera noted that ‘[on 9 January 2017] Sheriff Bojang, the communications minister, stepped down and fled the country.’<sup>71</sup> They added that ‘Bojang said he resigned because Jammeh's refusal to accept the outcome of the election was disregarding the

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<sup>64</sup> Freedom Newspaper, ‘Gambia: Breaking News: Gambia’s Newest President Says “The New Era Of Gambia Is Here At Last.”’, 19 January 2017, <http://www.freedomnewspaper.com/gambia-gambias-newest-president-says-the-new-era-of-gambia-is-here-at-last/>. Accessed: 19 January 2017.

<sup>65</sup> BBC – Africa Live, 19 January 2017, <http://www.bbc.co.uk/news/live/world-africa-38235054>. Accessed: 19 January 2017.

<sup>66</sup> Twitter.com, Ruth MacLean (@ruthmaclean), tweet dated 19 January 2017 at 11:22 UK time, <https://twitter.com/ruthmaclean/status/822041624746278913>. Accessed: 19 January 2017.

<sup>67</sup> BBC, ‘Gambia crisis: Jammeh misses second deadline to step down’, 20 January 2017, <http://www.bbc.co.uk/news/world-africa-38686144>. Accessed: 27 February 2017

<sup>68</sup> BBC, ‘Gambia's new President Adama Barrow arrives home’, 26 January 2017, <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 February 2017

<sup>69</sup> BBC, ‘Gambia's electoral commission chief has fled the country’, 4 January 2017, <http://www.bbc.co.uk/news/world-africa-38501043>. Accessed: 13 January 2017.

<sup>70</sup> Al Jazeera, ‘African leaders to visit Banjul to push Jammeh to go’, 9 January 2017, <http://www.aljazeera.com/news/2017/01/african-leaders-visit-banjul-push-jammeh-170109155614998.html>. Accessed: 13 January 2017.

<sup>71</sup> Al Jazeera, ‘Gambia: Yahya Jammeh's election challenge postponed’, 10 January 2017, <http://www.aljazeera.com/news/2017/01/gambia-yahya-jammeh-election-challenge-postponed-170110160921961.html>. Accessed: 13 January 2017.

will of the people.<sup>72</sup>

- 7.2.4 On 16 January 2017, Alhagie Jobe, a Gambian journalist/Editor with Fatu Radio and [gambia.smbcgo.com](http://gambia.smbcgo.com)<sup>73</sup>, tweeted to state that the Foreign Minister had resigned, including a picture copy of her resignation letter<sup>74</sup>.
- 7.2.5 On 17 January 2017, Alhagie Jobe tweeted to note that the Minister of Health and the Minister of the Environment had resigned from Jammeh's cabinet<sup>75</sup>.
- 7.2.6 On 17 January 2017, the BBC reported that 'At least three Gambian ministers, including the foreign minister, have resigned in recent days.'<sup>76</sup> while the New York Times, citing 'a political official in Banjul' reported that 'Gambia's foreign affairs minister, along with the ministers of finance, trade and environment, all have resigned [...]The country's information minister earlier went into exile in Senegal.'<sup>77</sup>
- 7.2.7 On 18 January 2017, Gambia's Freedom Newspaper reported that 'reliable sources at the State Guard have said that the Vice President Isatou Njie Saidy has absconded, while attending the "Umra" (pilgrimage) in Mecca.'<sup>78</sup> Reuters also reported that 'Gambia's Vice President Isatou Njie Saidy, who has been in the role since 1997, has quit, a government source and a family member told Reuters on Thursday [19 January 2017].'<sup>79</sup>
- 7.2.8 Uganda's Daily Monitor newspaper also reported on this, adding that her resignation came
- 'along with environment minister Pa Ousman Jarju, the latest in a mass string of cabinet members deserting Jammeh's government.
- 'On the same day, Minister of Higher Education, Research, Science, Technology and Religious Affairs, Abubacar Senghore also resigned,

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<sup>72</sup> Al Jazeera, 'Gambia: Yahya Jammeh's election challenge postponed', 10 January 2017, <http://www.aljazeera.com/news/2017/01/gambia-yahya-jammeh-election-challenge-postponed-170110160921961.html>. Accessed: 13 January 2017.

<sup>73</sup> Twitter.com, 'Alhagie Jobe (@freejobe39)', <https://twitter.com/freejobe39>. Accessed: 17 January 2017.

<sup>74</sup> Twitter.com, 'Alhagie Jobe (@freejobe39)', Tweet dated 16 January 2017 at 22:36 UK time, <https://twitter.com/freejobe39/status/821123993503748096>. Accessed: 17 January 2017.

<sup>75</sup> Twitter.com, 'Alhagie Jobe (@freejobe39)', Tweet dated 17 January 2017 at 20:35 UK time, <https://twitter.com/freejobe39/status/821455844638396416>. Accessed: 17 January 2017.

<sup>76</sup> BBC, 'The Gambia's president declares state of emergency', 17 January 2017, <http://www.bbc.co.uk/news/world-africa-38652939>. Accessed: 17 January 2017.

<sup>77</sup> New York Times, 'Gambia Leader, Pressured to Go, Declares State of Emergency', 17 January 2017, <https://mobile.nytimes.com/aponline/2017/01/17/world/africa/ap-af-gambia-crisis.html>. Accessed: 17 January 2017.

<sup>78</sup> Freedom Newspaper, 'Gambia: Breaking News: Has Gambia's Vice President Absconded?', 19 January 2017, <http://www.freedomnewspaper.com/gambia-breaking-news-has-gambias-vice-president-absconded/>. Accessed: 19 January 2017.

<sup>79</sup> Reuters, 'Gambia's vice president quits after two decades in role: sources', 19 January 2017, <http://www.reuters.com/article/us-gambia-politics-vicepresident-idUSKBN15315W?il=0>. Accessed: 19 January 2017.

totaling to eight, the number of cabinet members to leave the government this month [January 2017].<sup>80</sup>

- 7.2.9 On 19 January 2017, Mr Jammeh's lawyer, Edu Gomez reportedly fled the country to neighbouring Senegal after penning the president a letter to step down from office in the interest of peace<sup>81</sup>.

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### 7.3 Opposition to Jammeh

- 7.3.1 In an article dated 12 January 2017 by Sophie Gallop – a human rights researcher, PhD candidate and Teaching Associate at [Birmingham Law School], and former law lecturer at the University of The Gambia<sup>82</sup> – hosted on the 'RealClearWorld' website, she noted in response to the election crisis:

'There have also been dissenting voices within the country. Numerous national organisations have protested Jammeh's decision [to change his mind on conceding defeat], including several Imams, the Gambian Christian Council, the Gambian Medical Council and the Gambian Bar Association. Staff at the University of The Gambia have been boycotting teaching until Jammeh steps down.'<sup>83</sup>

- 7.3.2 She also added that a civil society initiative (#GambiaHasDecided) had been established but that the founding leaders had '[...] become a target of intimidation and hostility from state security services. Uniformed members of the security services have also destroyed #GambiaHasDecided posters.

'Diab and Salieu Taal, the initiative's chairman, fled the country after credible reports warned of their impending arrest. Others associated with the campaign have been arrested and held incommunicado, allegedly for simply wearing one of the campaign t-shirts.'<sup>84</sup>

- 7.3.3 The article also added, despite this, 'Diab noted that, for the first time since Jammeh came to power, there has been open dissent, and there is a feeling of ownership of the country's future.'<sup>85</sup>

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<sup>80</sup> Daily Monitor, 'Gambia's Vice President resigns', 19 January 2017, <http://www.monitor.co.ug/News/World/Gambia-s-Vice-President-resigns/688340-3523362-10a3hs5z/index.html>. Accessed: 19 January 2017.

<sup>81</sup> Premium Times Nigeria, 'Gambia: Jammeh's lawyer flees, asks him to step down', 19 January 2017, <http://www.premiumtimesng.com/news/headlines/220943-gambia-jammehs-lawyer-flees-asks-step.html>. Accessed: 19 January 2017.

<sup>82</sup> Twitter.com, 'Sophie Gallop (@SophieGTweets)', <https://twitter.com/SophieGTweets>. Accessed: 13 January 2017.

<sup>83</sup> Sophie Gallop via 'The Conversation', 'A Turning Point for The Gambia?', 12 January 2017, <https://theconversation.com/a-turning-point-for-the-gambia-the-smiling-face-of-africa-71229>. Accessed: 13 January 2017.

<sup>84</sup> Sophie Gallop via 'The Conversation', 'A Turning Point for The Gambia?', 12 January 2017, <https://theconversation.com/a-turning-point-for-the-gambia-the-smiling-face-of-africa-71229>. Accessed: 13 January 2017.

<sup>85</sup> Sophie Gallop via 'The Conversation', 'A Turning Point for The Gambia?', 12 January 2017, <https://theconversation.com/a-turning-point-for-the-gambia-the-smiling-face-of-africa-71229>. Accessed: 13 January 2017.

- 7.3.4 Al Jazeera reported that Jammeh had ordered the arrest of army officers that had showed their support of Barrow<sup>86</sup>. Amnesty International similarly reported on 18 January 2017 that ‘Since 15 January, security forces loyal to President Jammeh have arbitrarily detained at least five officers and enlisted men suspected of opposing Jammeh’s bid to remain in office.’<sup>87</sup>
- 7.3.5 No further information could be found to suggest that the post-election situation has manifested itself into mistreatment of those who had not voted for or supported Mr. Jammeh, and in particular those who voted for or are supporters of Mr. Barrow.

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## 7.4 Ethnic groups

- 7.4.1 On 19 January 2017, Gambia’s recently departed Foreign Minister (Sidi Sanneh) told Al Jazeera that Mr Jammeh had divided the military along tribal lines and threatened to kill the Mandinka [perceived to have supported Barrow] one-by-one<sup>88</sup>.
- 7.4.2 In a paper entitled ‘Some Key Considerations in the New Gambia’, Niklas Hultin – an assistant professor in the Global Affairs Program at George Mason University who has done extensive research in the Gambia – noted on 29 January that ‘there are [scattered reports of violence](#) (warning: graphic photo) between Jolas (the minority ethnic group to which Jammeh belongs) and other ethnic groups.’<sup>89</sup>

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## 8. Start of Adama Barrow’s presidency

### 8.1 Security

- 8.1.1 On 26 January 2017, the BBC reported that ‘The UN envoy for West Africa, Mohamed ibn Chambas, has said the UN will help guarantee security in The Gambia.’<sup>90</sup> Time magazine also reported that Mr Barrow was ‘... eager for ECOWAS troops – who are now helping secure the country before the President’s arrival – to help him facilitate "reforms in the army and all other sectors" before withdrawing.’<sup>91</sup>

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<sup>86</sup> Al Jazeera, c.0:50 into the first video contained within the article ‘Thousands flee Gambia as crisis deepens’, 19 January 2017, <http://www.aljazeera.com/news/2017/01/fear-anticipation-gambia-deadline-nears-170118182836499.html>. Accessed: 19 January 2017.

<sup>87</sup> Amnesty International, ‘Gambia: State of Emergency no license for repression’, 18 January 2017, <https://www.amnesty.org.uk/press-releases/gambia-state-emergency-no-licence-repression>. Accessed: 27 February 2017

<sup>88</sup> Al Jazeera, c.1:00 into the video contained within the article ‘Thousands flee Gambia as crisis deepens’, 19 January 2017, <http://www.aljazeera.com/news/2017/01/fear-anticipation-gambia-deadline-nears-170118182836499.html>. Accessed: 19 January 2017.

<sup>89</sup> Niklas Hultin via Nordic Africa News, ‘Some Key Considerations in the New Gambia’, 29 January 2017, <http://www.nanews.net/news/politics/some-key-connections-in-the-new-gambia>. Accessed: 29 January 2017.

<sup>90</sup> BBC, ‘Gambia’s new President Adama Barrow arrives home’, 26 January 2017, <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 January 2017.

<sup>91</sup> Time, ‘Everyone Will Now Be Equal.’ Gambia’s Adama Barrow Pledges Return to Democracy’, 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

- 8.1.2 The BBC added that that the West African troops (from Senegal and Nigeria) numbered 'several thousand'<sup>92</sup> whereas al Jazeera reported it was 'around 4,000' but that 'ECOWAS is ready to muster a force of up to 7,000 troops'<sup>93</sup>.
- 8.1.3 Al Jazeera's article stated that the West African troops were 'charged with ensuring safety'<sup>94</sup> and both articles noted that their presence was due to concerns that 'rogue pro-Jammeh elements are embedded in the country's security forces.'<sup>95</sup> <sup>96</sup> Time magazine's article also explained that 'The strongman's power was sustained for decades by the country's military, which stood by him during a failed coup in 2014. It is not yet clear whether their alliances have entirely shifted to the new president.'<sup>97</sup>
- 8.1.4 The BBC further added that 'The new president has asked for the force to remain in The Gambia for six months.'<sup>98</sup>, whereas Al Jazeera's article cited Marcel Alain de Souza, head of the 15-nation Economic Community of West African States (ECOWAS) commission, as saying that "'President Adama Barrow has asked us to remain for two or three weeks to see if there are arms caches or mercenaries hiding out.'<sup>99</sup>
- 8.1.5 A 27 January 2017 article on Euronews.com reported that 'Reports from Gambia say the West African military presence in the country will gradually diminish in the period following President Barrow's return to the country to take power.'<sup>100</sup>
- 8.1.6 The same article cited news agency AFP as having quoted a Senegalese general from the regional force ECOWAS, François Ndiaye, as saying that they had made a positive assessment of the security situation<sup>101</sup>.

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<sup>92</sup> BBC, 'Gambia's new President Adama Barrow arrives home', 26 January 2017, <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 January 2017.

<sup>93</sup> Al Jazeera, 'President Adama Barrow arrives in The Gambia, at last', 26 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-arrives-capital-banjul-170126133750241.html>. Accessed: 27 January 2017.

<sup>94</sup> Al Jazeera, 'President Adama Barrow arrives in The Gambia, at last', 26 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-arrives-capital-banjul-170126133750241.html>. Accessed: 27 January 2017.

<sup>95</sup> BBC, 'Gambia's new President Adama Barrow arrives home', 26 January 2017, <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 January 2017.

<sup>96</sup> Al Jazeera, 'President Adama Barrow arrives in The Gambia, at last', 26 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-arrives-capital-banjul-170126133750241.html>. Accessed: 27 January 2017.

<sup>97</sup> Time, 'Everyone Will Now Be Equal.' Gambia's Adama Barrow Pledges Return to Democracy', 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

<sup>98</sup> BBC, 'Gambia's new President Adama Barrow arrives home', 26 January 2017, <http://www.bbc.co.uk/news/world-africa-38755897>. Accessed: 27 January 2017.

<sup>99</sup> Al Jazeera, 'President Adama Barrow arrives in The Gambia, at last', 26 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-arrives-capital-banjul-170126133750241.html>. Accessed: 27 January 2017.

<sup>100</sup> Euronews, 'Gambia: West African force 'to be gradually cut' after Barrow return', 27 January 2017, <http://www.euronews.com/2017/01/27/gambia-west-african-force-to-be-gradually-cut-after-barrow-return>. Accessed: 27 January 2017.

<sup>101</sup> Euronews, 'Gambia: West African force 'to be gradually cut' after Barrow return', 27 January 2017, <http://www.euronews.com/2017/01/27/gambia-west-african-force-to-be-gradually-cut-after-barrow-return>. Accessed: 27 January 2017.

8.1.7 In his inaugural press conference as President, Mr Barrow is reported as having said that 'There was "no time set" for the west African force to leave'<sup>102</sup>.

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## 8.2 Human rights reforms

8.2.1 In an article dated 23 January 2017, Time magazine cited Mr Barrow as saying that "'We now have a democratic system, everyone will now be equal'<sup>103</sup>.

8.2.2 Al Jazeera noted that 'After his election victory, Barrow said his top priorities once in office would be to revive the economy and bring in a new electoral law that would stop leaders from hanging on to power for decades.'<sup>104</sup>

8.2.3 The same article also cited a previous interview in which he said

"'We promised to do a lot of things, including electoral reforms"

"'We will look at everything and avoid making any mistake to arrive at a final document. We want the democratic process to be very smooth in the future. We want a level playing field for every politician in the future, that is our goal.

"'We need laws that will favour everybody.'<sup>105</sup>

8.2.4 In a separate article, Al Jazeera cited his aide, Amie Bojang, as having told Reuters that Mr Barrow's priority would be 'putting into place the pillars of reform and human rights'<sup>106</sup>

8.2.5 On 28 January 2017, the AFP news agency reported on President Barrow's inaugural press conference, in which he announced that 'every aspect of his tiny west African state would need an overhaul.' And that "'The rule of the law, that will be the order of the day'<sup>107</sup>

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## 8.3 Release of political prisoners

8.3.1 On Sunday 4 December 2016, Jollof news reported that 'The Gambia's President-elect Adama Barrow held talks with his team Saturday [3

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<sup>102</sup> AFP (via Yahoo.com), 'Gambia president plans massive overhaul, but keeps secret police', 28 January 2017, <https://www.yahoo.com/news/gambia-president-plans-massive-overhaul-keeps-secret-police-160010598.html>. Accessed: 28 January 2017.

<sup>103</sup> Time, 'Everyone Will Now Be Equal.' Gambia's Adama Barrow Pledges Return to Democracy', 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

<sup>104</sup> Al Jazeera, 'Profile: Adama Barrow, The Gambia's new president, 26 January 2017, <http://www.aljazeera.com/news/2017/01/profile-adama-barrow-gambia-president-170123073925370.html>. Accessed: 27 January 2017.

<sup>105</sup> Al Jazeera, 'Profile: Adama Barrow, The Gambia's new president, 26 January 2017, <http://www.aljazeera.com/news/2017/01/profile-adama-barrow-gambia-president-170123073925370.html>. Accessed: 27 January 2017.

<sup>106</sup> Al Jazeera, 'Adama Barrow faces test as he returns to The Gambia', 26 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-faces-test-returns-gambia-170126082916072.html>. Accessed: 27 January 2017.

<sup>107</sup> AFP (via Yahoo.com), 'Gambia president plans massive overhaul, but keeps secret police', 28 January 2017, <https://www.yahoo.com/news/gambia-president-plans-massive-overhaul-keeps-secret-police-160010598.html>. Accessed: 28 January 2017.

December] to plot his transition to power, with the release of political prisoners emerging as a top priority for the new administration.<sup>108</sup>

- 8.3.2 On 5 December 2016, Benjamin Tetteh, a broadcast journalist for West Africa Democracy Radio (WADR) tweeted that '[United Democratic Party (UDP) leader Ousainou] Darboe 18 others jailed in July for leading protests calling for Electoral reform in the Gambia. Now set free.'<sup>109</sup> whereas Sabrina Mahtani, a researcher for Amnesty International tweeted that the 'Court of Appeal rules that oral bail application can be made in case of Darboe & 18 other political prisoners'<sup>110</sup>
- 8.3.3 A Voice of America (VOA) article on 5 December 2016 reported that 'On Monday [5 December], an appeals court in Gambia ordered the release on bail of top opposition politician Ousainou Darboe and 18 other protesters who had been arrested in April under outgoing President Yahya Jammeh.'<sup>111</sup>
- 8.3.4 The same article added that  
'President-elect Adama Barrow has vowed to release more prisoners since winning the election last week.  
"Political prisoners will be released, all of them. If it's politics, you are released," he told the Associated Press.'<sup>112</sup>
- 8.3.5 On 6 December 2016, Reuters reported that 'Gambia's high court released a further 12 political prisoners on Tuesday [6 December 2016]'. It added '[...] Their release comes a day after another court granted bail to a prominent lawyer Ousainou Darboe'<sup>113</sup>.
- 8.3.6 On 22 January 2017, the New York Times reported on three pledges by President Barrow, one of which was to free its political prisoners<sup>114</sup>.
- 8.3.7 On 24 January 2017, Associated Press reported that  
'... after Jammeh's [...] exile, the country's prison doors are starting to swing open

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<sup>108</sup> Jollof News, 'Gambia 2016: Gambia's Political Transition Begins After Election Shock', 4 December 2016, <https://jollofnews.com/2016/12/04/gambia-2016-gambias-political-transition-begins-after-election-shock>. Accessed: 4 December 2016.

<sup>109</sup> Twitter.com, 'Benjamin Tetteh (@benjieluv)', Tweet dated 5 December 2016 at 11:36 UK time, <https://twitter.com/benjieluv/status/805737489075961856>. Accessed: 5 December 2016.

<sup>110</sup> Twitter.com, 'Sabrina Mahtani (@Sabrina\_Mahtani)', Tweet dated 5 December 2016 at 11:37 UK time, [https://twitter.com/Sabrina\\_Mahtani/status/805737761483452416](https://twitter.com/Sabrina_Mahtani/status/805737761483452416). Accessed: 5 December 2016.

<sup>111</sup> VOA, 'New Gambia President Vows to Release Political Prisoners', 5 December 2016, <http://www.voanews.com/a/new-gambia-president-vows-release-political-prisoners/3624598.html>. Accessed: 7 December 2016.

<sup>112</sup> VOA, 'New Gambia President Vows to Release Political Prisoners', 5 December 2016, <http://www.voanews.com/a/new-gambia-president-vows-release-political-prisoners/3624598.html>. Accessed: 7 December 2016.

<sup>113</sup> Reuters, 'Gambia high court frees 12 more prisoners jailed for protest', 6 December 2016, <http://uk.reuters.com/article/uk-gambia-election-trial-idUKKBN13V2N9>. Accessed: 7 December 2016.

<sup>114</sup> NY Times, 'Gambia Is Back Again,' but Its New Leader Is Still in Senegal', 22 January 2017, <https://www.nytimes.com/2017/01/22/world/africa/gambia-president-adama-barrow-yahya-jammeh.html>. Accessed: 27 January 2017.

'On Saturday, as Jammeh departed and a new democratic era began in this tiny West African country, Tijan and a number of others were released. Officials with the incoming government vow that more will follow.

"All political detainees without trial to be released immediately," the spokesman for the coalition backing new President Adama Barrow, Halifa Sallah, announced Tuesday. He did not say how many people might be freed, but he encouraged victims' families to come forward.<sup>115</sup>

8.3.8 On 24 January 2017, Gambia's SMBC Network's website reported that

'Political prisoners in the Gambia are getting reunited with their families, for many, after years being unlawfully detained by the regime of former President Yahya Jammeh.

'Gambia's new President Adama Barrow has vowed to release all political prisoners when he assumes office, a declaration welcomed by rights groups.'<sup>116</sup>

8.3.9 On 3 March 2017, Reuters noted that 'Gambian authorities have released 98 prisoners, mostly from the notorious Mile 2 prison, an Interior Ministry spokesman said on Friday, as the country seeks to turn a page on the authoritarian era of ousted former president Yahya Jammeh. The release follows the freeing of about 170 prisoners two weeks ago.'<sup>117</sup>

8.3.10 The report added that 'Interior Ministry spokesman Lamin Baba Njie said by telephone that 79 people had been released from Mile 2 [prison], and a further 19 from other prisons. "The releases are part of the prisons reform agenda," he said.'<sup>118</sup>

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## 8.4 Freedom of speech

8.4.1 On 28 January 2017, Gambia's SMBC Network reported that 'The Gambia's new leadership is guaranteeing freedom of the press and would move to repeal restrictive media laws put in place by the regime of former President Yahya Jammeh.'<sup>119</sup>

See also [Returnees](#), which references the return of journalists.

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<sup>115</sup> Associated Press, 'In a new Gambia, the prison doors begin to swing open', 24 January 2017, <https://apnews.com/f744f2ea19bc45b49b9f2f33afc5ca56>. Accessed: 27 January 2017.

<sup>116</sup> SMBC, 'Gambia releasing political prisoners', 24 January 2017, <https://gambia.smbcgo.com/2017/01/24/gambia-releasing-political-prisoners/>. Accessed: 27 January 2017.

<sup>117</sup> Reuters, 'Gambia frees nearly 100 prisoners from Jammeh era', 3 March 2017, <http://mobile.reuters.com/article/idUSKBN16A21F>. Accessed: 13 March 2017.

<sup>118</sup> Reuters, 'Gambia frees nearly 100 prisoners from Jammeh era', 3 March 2017, <http://mobile.reuters.com/article/idUSKBN16A21F>. Accessed: 13 March 2017.

<sup>119</sup> SMBC, 'Gambia to repeal restrictive media laws, ensure press freedom', 28 January 2017, <https://gambia.smbcgo.com/2017/01/28/gambia-repeal-restrictive-media-laws-ensure-press-freedom/>. Accessed: 28 January 2017.

## 8.5 Reform of the security services

8.5.1 On 28 January 2017, the Toronto Star reported on President Barrow's inaugural press conference, in which he promised an overhaul of the security forces. They cited Mr Barrow as having said "[The National Intelligence Agency is] an institution that has to continue, but the name will change". The article also noted Mr. Barrow's request for 'countries that are willing to help us in the security realm'<sup>120</sup>.

8.5.2 AFP also reported on the announced reforms, including the retention but re-naming of the National Intelligence Agency, but added that 'training would be given to its operatives.'<sup>121</sup>

8.5.3 In a paper entitled "", Niklas Hultin – an assistant professor in the Global Affairs Program at George Mason University who has done extensive research in the Gambia – argued that

'It is also safe to assume that there will be an attempt to refashion the security services, including possibly disbanding those services most implicated with Jammeh-era human rights abuses. The National Intelligence Agency is high on this list as it was a Jammeh-era invention whose sole purpose appears to have been oppression. It is also possible that there will be attempts to lay off members of the security services that are suspected of having lingering loyalties to Jammeh.'<sup>122</sup>

8.5.4 He added that Gambia's small Armed Forces may have a reassessment and that 'It is unclear if the change in government will have a significant impact on the Gambian Police Force (GPF). While the GPF, most notably its Police Intervention Unit, has been accused of human rights abuses in the past, its problems are more along the lines of everyday corruption, lack of resources, poor knowledge of regulations, etc.'<sup>123</sup>

8.5.5 On 1 February 2017, Gambia's SMBC Network reported that

'Gambia's President Adama Barrow has put out new orders for the State Intelligence Services stripping it of any law enforcement function, a senior aide close to the presidency said.

'SIS, formerly the NIA has been barred from interfering with police matters and detaining suspects. The new task is to gather and analyze intelligence to protect the country from internal and external threats.

'President Barrow's orders are that the SIS will carry out no more arrest, detain or undertake any activities that are unconstitutional especially with

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<sup>120</sup> Toronto Star, 'Adama Barrow promises security overhaul in post-authoritarian Gambia', 28 January 2017, <https://www.thestar.com/news/world/2017/01/28/adama-barrow-promises-security-overhaul-in-post-authoritarian-gambia.html>. Accessed: 28 January 2017.

<sup>121</sup> AFP (via Yahoo.com), 'Gambia president plans massive overhaul, but keeps secret police', 28 January 2017, <https://www.yahoo.com/news/gambia-president-plans-massive-overhaul-keeps-secret-police-160010598.html>. Accessed: 28 January 2017.

<sup>122</sup> Niklas Hultin via Nordic Africa News, 'Some Key Considerations in the New Gambia', 29 January 2017, <http://www.nanews.net/news/politics/some-key-connections-in-the-new-gambia>. Accessed: 29 January 2017.

<sup>123</sup> Niklas Hultin via Nordic Africa News, 'Some Key Considerations in the New Gambia', 29 January 2017, <http://www.nanews.net/news/politics/some-key-connections-in-the-new-gambia>. Accessed: 29 January 2017.

regards to human and civil rights in line with the government's new dispensation for the New Gambia.<sup>124</sup>

- 8.5.6 On 24 February 2017, Gambia's SMBC Network cited Police Chief Yankuba as having acknowledged "Reforms are needed. I am not seeing a drastic reformation, as we stand. As of now, all we need is human resources development,". The article also reported that 'Reforms within the Gambia's army has taken priority'<sup>125</sup>
- 8.5.7 On 25 February 2017, Gambia's SMBC Network reported that the Director General of the Gambia's prison system had been fired<sup>126</sup>.

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## 8.6 Returnees from Senegal

- 8.6.1 On 22 January 2017, the New York Times reported that 'an estimated 45,000 Gambians had rushed across the border to Senegal, fearing violence if Mr. Jammeh were forcibly removed from office, and causing the United Nations to worry about a humanitarian crisis. On [22 January 2017], many of those Gambians began to return home.'<sup>127</sup>
- 8.6.2 On 26 January 2017, VOA published an article on Sheriff Bojang Jr., a journalist who returned to The Gambia following exile in Senegal. It concluded 'On his first day back, Bojang made sure to take photos of himself around Banjul and post them on Facebook. He wanted other Gambian exiles to know it is safe to come home.'<sup>128</sup>
- 8.6.3 On 28 January 2017, Gambia's SMBC Network reported that 'Gambian journalists in neighboring Senegal are returning to the small country with a population of fewer than two million people. To them returning back to a New Gambia and reuniting with their family is so surreal.'<sup>129</sup>

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## 8.7 Economic situation

- 8.7.1 In a paper entitled 'Some Key Considerations in the New Gambia', Niklas Hultin – an assistant professor in the Global Affairs Program at George

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<sup>124</sup> SMBC, 'Gambia's president strips renamed intelligence bureau of law enforcement functions', 1 February 2017, <https://gambia.smbcgo.com/2017/02/01/gambias-president-strips-renamed-intelligence-bureau-law-enforcement-functions/>. Accessed: 2 February 2017.

<sup>125</sup> SMBC, 'Gambia's police chief: Do not expect 'quick and drastic' reforms', 24 February 2017, <https://gambia.smbcgo.com/2017/02/24/gambias-police-chief-not-expect-quick-drastic-reforms/>. Accessed: 27 February 2017.

<sup>126</sup> SMBC, 'Gambia fires chief prison warden David Colley', 25 February 2017, <https://gambia.smbcgo.com/2017/02/25/gambia-fires-chief-prison-warden-david-colley/>. Accessed: 27 February 2017.

<sup>127</sup> NY Times, 'Gambia Is Back Again,' but Its New Leader, "Gambia Is Still in Senegal', 22 January 2017, <https://www.nytimes.com/2017/01/22/world/africa/gambia-president-adama-barrow-yahya-jammeh.html>. Accessed: 27 January 2017.

<sup>128</sup> VOA, 'You Can Go Home Again: One Gambian Journalist's Story', 26 January 2017, <http://www.voanews.com/a/journalist-returns-to-gambia-after-ten-years-away/3695020.html>. Accessed: 28 January 2017.

<sup>129</sup> SMBC, 'Gambia to repeal restrictive media laws, ensure press freedom', 28 January 2017, <https://gambia.smbcgo.com/2017/01/28/gambia-repeal-restrictive-media-laws-ensure-press-freedom/>. Accessed: 28 January 2017.

Mason University who has done extensive research in the Gambia – noted that:

‘Jump-starting a stagnant economy will be one of the priorities for the new government, a priority made all the more urgent by reports that Jammeh essentially bled the country dry before going into exile (these reports were subsequently denied). Even discounting this possibility of theft, the Gambia’s economy is in dire straits with no significant manufacturing or resources and official debt at over 100% of GDP.’<sup>130</sup>

8.7.2 In an article dated 27 January 2017, the BBC noted that ‘most people leaving The Gambia are economic migrants, and for the size of the country there are a lot of them...’<sup>131</sup>

8.7.3 The same article also cited Famara Njie from the International Organisation for Migration (IOM) as having said that “‘It is a growing problem, because we’ve seen people from all walks of life - policemen leaving their jobs, teachers leaving their jobs embarking on this way [migrating to Europe]”<sup>132</sup>.

8.7.4 Time magazine also noted that around 20% of The Gambia’s GDP came from remittances from overseas and that the new President’s main job will be attracting investors to Gambia and creating new jobs<sup>133</sup>.

8.7.5 On 22 January 2017, the New York Times reported on three pledges by President Barrow, one of which was to improve the country’s economy<sup>134</sup>.

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## 9. Situation for former President Jammeh and his supporters

### 9.1 Exile

9.1.1 On 25 January 2017, Newsweek – via a statement to journalists by Eugenio Nse Obiang, Equatorial Guinea’s information minister – reported that ‘Equatorial Guinea has confirmed it is hosting exiled former Gambian president Yahya Jammeh’. The report added that ‘Obiang gave no details of how long Jammeh would remain in the country.’<sup>135</sup>

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<sup>130</sup> Niklas Hultin via Nordic Africa News, ‘Some Key Considerations in the New Gambia’, 29 January 2017, <http://www.nanews.net/news/politics/some-key-connections-in-the-new-gambia>. Accessed: 29 January 2017.

<sup>131</sup> BBC, ‘Can Barrow stem flow of young Gambians heading for Europe?’, 27 January 2017, <http://www.bbc.co.uk/news/world-africa-38756060>. Accessed: 27 January 2017.

<sup>132</sup> BBC, ‘Can Barrow stem flow of young Gambians heading for Europe?’, 27 January 2017, <http://www.bbc.co.uk/news/world-africa-38756060>. Accessed: 27 January 2017.

<sup>133</sup> Time, ‘Everyone Will Now Be Equal.’ Gambia’s Adama Barrow Pledges Return to Democracy’, 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

<sup>134</sup> NY Times, ‘Gambia Is Back Again,’ but Its New Leader Is Still in Senegal’, 22 January 2017, <https://www.nytimes.com/2017/01/22/world/africa/gambia-president-adama-barrow-yahya-jammeh.html>. Accessed: 27 January 2017.

<sup>135</sup> Newsweek, ‘Equatorial Guinea confirms it is hosting Gambia’s Yahya Jammeh’, 25 January 2017, <http://europe.newsweek.com/equatorial-guinea-confirms-hosting-gambias-yahya-jammeh-547975>. Accessed: 29 January 2017.

- 9.1.2 The Toronto Star noted that the Jungulars who they described as ‘Jammeh’s personal military of some 50 officers’ reportedly went into exile with him<sup>136</sup>.

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## 9.2 Potential prosecution

- 9.2.1 On 22 January 2017, the New York Times reported on three pledges by President Barrow, one of which was to ‘create a commission to look into the brutal legacy of his predecessor’.<sup>137</sup>
- 9.2.2 In an article dated 23 January 2017, Time magazine reported that Mr Barrow was ‘wary of advocating for the prosecution of Jammeh and his allies even though evidence is emerging that the dictator may have plundered millions of dollars before leaving the country’ and that he ‘says only that he would like to start a truth-and-reconciliation commission about Jammeh's rule, and will only act once the commission has made a judgement after looking "at all the evidence.”<sup>138</sup>
- 9.2.3 In an article in Al Jazeera, Mr Barrow explained that “We aren't talking about prosecution here, we are talking about getting a truth and reconciliation commission [...] Before you can act, you have to get the truth, to get the facts together.”<sup>139</sup>
- 9.2.4 Al Jazeera noted that Barrow ‘denied that the former ruler had been offered immunity from prosecution in exchange for leaving the country’ and that ‘Equatorial Guinea is not a signatory to the Rome Statute that established the International Criminal Court, meaning Jammeh would not be extradited in the event he was charged with crimes against humanity or other serious offences.’<sup>140</sup>

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## 9.3 Former ministers and high profile officials

- 9.3.1 On 27 January 2017, Newsweek reported that Swiss authorities had detained Gambia’s former interior minister, Ousman Sonko. The report cited Bern prosecutor Christof Scheurer as having said that ‘Sonko was being investigated under article 264a of Switzerland’s criminal code. The article

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<sup>136</sup> Toronto Star, ‘Adama Barrow promises security overhaul in post-authoritarian Gambia’, 28 January 2017, <https://www.thestar.com/news/world/2017/01/28/adama-barrow-promises-security-overhaul-in-post-authoritarian-gambia.html>. Accessed: 28 January 2017.

<sup>137</sup> NY Times, ‘Gambia Is Back Again,’ but Its New Leader Is Still in Senegal’, 22 January 2017, <https://www.nytimes.com/2017/01/22/world/africa/gambia-president-adama-barrow-yahya-jammeh.html>. Accessed: 27 January 2017.

<sup>138</sup> Time, ‘Everyone Will Now Be Equal.’ Gambia's Adama Barrow Pledges Return to Democracy’, 23 January 2017, <http://time.com/4642760/adama-barrow-gambia-new-president-interview/>. Accessed: 27 January 2017.

<sup>139</sup> Al Jazeera, ‘Adama Barrow pledges truth commission over Yahya Jammeh’, 21 January 2017, <http://www.aljazeera.com/news/2017/01/adama-barrow-yahya-jammeh-leaving-guinea-170121175618203.html>. Accessed: 27 January 2017.

<sup>140</sup> Al Jazeera, ‘The Gambia: Ex-ruler Yahya Jammeh 'plundered coffers"’, 23 January 2017, <http://www.aljazeera.com/news/2017/01/gambia-ruler-yahya-jammeh-plundered-coffers-170123033901430.html>. Accessed: 27 January 2017.

covers crimes against humanity, including torture and other human rights abuses.<sup>141</sup>

- 9.3.2 On 28 January 2017, Reuters reported on the arrest (on 26 January 2017) in Senegal of General Bora Colley, director of Gambia's prisons<sup>142</sup>.
- 9.3.3 The Toronto Star also covered this, and added that 'He also had led the Jungulars.'<sup>143</sup>
- 9.3.4 On 21 February 2017, Barrow announced that 21 serving ambassadors in foreign countries had been reinstated<sup>144</sup>.
- 9.3.5 On 22 February 2017 Premium Times reported that the Police arrested Gambia's former head of the national intelligence agency, Yankuba Badjie and his deputy, director of operations Omar Jeng or potential abuses of power<sup>145</sup>.
- 9.3.6 On 24 February 2017 Freedom newspaper reported that 'Five top army officers have been dismissed from the army with immediate effect. [...] No reason was given for the latest purging of the GAF officers.'<sup>146</sup>
- 9.3.7 On 25 February 2017, Gambia's SMBC Network reported that 'At least six members of Gambia's former paramilitary unit, Jungulars, who are accused of covertly killing and torturing his perceived enemies were arrested by military police', adding that the jungulars 'were only answerable to former President Yahya Jammeh to do this sordid work on his behalf with impunity'<sup>147</sup>
- 9.3.8 The same article concluded 'The Gambia's new President Adama Barrow has declared that the "rule of fear" is over in the country. The police are arresting those implicated in gross human rights violation. It's former spy

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<sup>141</sup> Newsweek, 'Gambia: Yahya Jammeh's ex-Minister Detained in Switzerland in Crimes Against Humanity Inquiry, 27 January 2017, <http://europe.newsweek.com/gambia-yahya-jammehs-ex-minister-detained-switzerland-crimes-against-humanity-549075>. Accessed: 29 January 2017.

<sup>142</sup> Reuters, 'Senegal police arrest former boss of Gambia's notorious prisons', 28 January 2017, <http://af.reuters.com/article/topNews/idAFKBN15C05S>. Accessed: 28 January 2017.

<sup>143</sup> Toronto Star, 'Adama Barrow promises security overhaul in post-authoritarian Gambia', 28 January 2017, <https://www.thestar.com/news/world/2017/01/28/adama-barrow-promises-security-overhaul-in-post-authoritarian-gambia.html>. Accessed: 28 January 2017.

<sup>144</sup> Foroyaa Newspaper (via All Africa), 'Gambia: 'We Take Nothing Personal Against Anyone' President Barrow Tells Reinstated Ambassadors', 22 February 2017, <http://allafrica.com/stories/201702230281.html>. Accessed: 27 February 2017

<sup>145</sup> Premium Times (via all Africa), 'Gambia: Police Arrest Jammeh's Intelligence Chief, Deputy', 22 February 2017, <http://allafrica.com/stories/201702220964.html>. Accessed: 27 February 2017

<sup>146</sup> Freedom Newspaper, 'Gambia: Breaking News: Bombshell Drops At The Army Headquarters; As Massive Purging Of Officers Begin; CDS Badjie; Gen. Savage; Gen. Sowe; MA Bah And Others Fired!', 24 February 2017, <http://www.freedomnewspaper.com/gambia-breaking-news-bombshell-drops-at-the-army-headquarters-a-s-massive-purging-of-officers-begin-cds-badjie-gen-savage-gen-sowe-ma-bah-and-others-fired/>. Accessed: 27 February 2017

<sup>147</sup> SMBC, 'Gambia's military police arrest Jammeh's hit squad', 25 February 2017, <https://gambia.smbcgo.com/2017/02/25/gambias-military-police-arrest-jammehs-hit-squad/>. Accessed: 27 February 2017.

chief Yankuba Badjie has been charged and remanded for the murder of an opposition activist.<sup>148</sup>

See also [Exile](#).

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## 9.4 Supporters of President Jammeh

9.4.1 On 22 January 2017, the New York Times noted that officials had released a ‘... joint declaration by the United Nations, the African Union and the Economic Community of West African States on Sunday that “assures and ensures the dignity, respect, security and rights” of Mr. Jammeh, his family and his loyal supporters, so that “there is no intimidation, harassment and/or witch-hunting of former regime members and supporters.”<sup>149</sup>

9.4.2 Freedom newspaper reported on 20 February 2017 that:

‘Police in the Gambia have arrested over fifty supporters of the former Gambian dictator Yahya Jammeh.

‘The crackdown, followed reports of an altercation between the supporters of the ruling Transition government and the opposition APRC party. The incident happened around Kamfenda, in the Fonis.

‘Police said the APRC supporters were unruly while the opposition supporters drove pass Kamfenda. Hence, a confrontation occurred between the two camps. APRC surrogates have dismissed the police assertion saying such claims are false and unfounded. The APRC officials said the alleged incident was unprovoked. They accused the new Interior Minister Mai Fatty, of using his position to crackdown on Jammeh supporters.<sup>150</sup>

9.4.3 Reporting on the same incident, Reuters noted that

‘Gambian police said they arrested 51 people in a former stronghold of ex-president Yahya Jammeh for harassing followers of new leader Adama Barrow, amid lingering tensions following Jammeh's flight into exile.

‘The 51 were arrested on Sunday in the western town of Kafenda, a Jammeh stronghold, for insulting people returning from Barrow's inauguration celebration at the national stadium on Saturday, said police spokesman Foday Conta. Some threw stones, Conta added.

Twenty-six of the arrested were juveniles and were released on bail, while 25 were being detained pending an investigation, Conta said<sup>151</sup>

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<sup>148</sup> SMBC, ‘Gambia's military police arrest Jammeh's hit squad’, 25 February 2017, <https://gambia.smbcgo.com/2017/02/25/gambias-military-police-arrest-jammehs-hit-squad/>. Accessed: 27 February 2017.

<sup>149</sup> NY Times, ‘Gambia Is Back Again,’ but Its New Leader Is Still in Senegal’, 22 January 2017, <https://www.nytimes.com/2017/01/22/world/africa/gambia-president-adama-barrow-yahya-jammeh.html>. Accessed: 27 January 2017.

<sup>150</sup> Freedom newspaper, ‘Gambia: Breaking News: Over 50 APRC Foni Supporters Taken Into Police Custody-Sulayman Nyassi Accuses Interior Minister Mai Fatty Of Waging A War Against Jollas!’, 20 February 2017, <http://www.freedomnewspaper.com/gambia-breaking-news-over-50-aprc-foni-supporters-taken-into-police-custody-sulayman-nyassi-accuses-interior-minister-mai-fatty-of-waging-a-war-against-jollas/>. Accessed: 27 February 2017

<sup>151</sup> Reuters, ‘Ex-president's supporters arrested as tensions flare in Gambia’, 20 February 2017,

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<http://www.reuters.com/article/us-gambia-politics-idUSKBN15Z1M7>. Accessed: 27 February 2017

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# Version control and contacts

## Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then [email the Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability, you can [email the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **14 March 2017**

## Changes from last version of this note

Updated country information and revision of policy section to reflect December 2016 Presidential elections, the immediate aftermath and the transition to the new government.

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