



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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31 March 2010

### GMB103435.E

Gambia: Treatment of members and supporters of the United Democratic Party (UDP) (2006 - March 2010)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In 13 March 2010 correspondence with the Research Directorate, a senior staff reporter with the *Daily News*, based out of Serrekunda in The Gambia, stated that the authorities view opposition party members as "unpatriotic citizens of the country." A 2008 Amnesty International (AI) report indicates that opposition politicians and supporters in The Gambia may be at risk of "enforced disappearance" if they are viewed as having "too much power" (11 Nov. 2008, 17).

A September 2009 article in Afrik.com reports that the President of The Gambia, Yahya Jammeh, issued a "death threat" to opposition leaders and human rights workers on state-owned television (25 Sept. 2009). Sources indicate that the President stated that he would "'kill anyone who wants to destabilize this country'" (Afrik.com 25 Sept. 2009; AI 25 Sept. 2009). A British Broadcasting Corporation (BBC) "Country Profile" indicates that political opponents in The Gambia have been detained without charge under the President's "iron-fisted" rule (3 Feb. 2010).

Several sources reported on the disappearance of Kanyiba Kanyi, a United Democratic Party (UDP) supporter (AI 11 Nov. 2008, 18; US 11 Mar. 2010, Sec. 1e; *Senegambia News* 26 Nov. 2009), who was arrested without charge prior to the 2006 elections and remained in detention at the end of 2009 (US 11 Mar. 2010, Sec. 1e). On 26 November 2009, *Senegambia News* published a statement by Ousainou Darboe, Secretary General and Party Leader of the UDP, which indicated that Kanyiba Kanyi had not been seen since his arrest on 18 October 2006. The Senior Staff Reporter similarly indicated that Kanyi's whereabouts are unknown (13 Mar. 2010). Darboe's statement indicates that Kanyi was "abducted by security agents of the Government" (*Senegambia News* 26 Nov. 2009). *Country Reports on Human Rights Practices for 2009* states that the government has not allowed international humanitarian organizations or Kanyi's lawyer to meet with him (US 11 Mar. 2010, Sec. 1e).

AI and *Country Reports 2006* indicate that Tamba Fofana, a UDP supporter, was detained in September 2006 "on accusations of 'anti-state' activities" (AI 11 Nov. 2008, 17; US 6 Mar. 2007, Sec. 1b). Sources indicate that Fofana, the headmaster of a school, was detained for hosting a UDP rally on school property (Senior Staff Reporter 13 Mar. 2010; *The Gambia Echo* 15 Oct. 2007). He was released in October 2007, without charge (AI 11 Nov. 2008, 17; Senior Staff

Reporter 13 Mar. 2010).

The 2008 AI report indicates that UDP supporter Ousman Jatta, also referred to as Rambo, was detained on 25 September 2006 and released in October 2007 (11 Nov. 2008, 17). Sources indicate that he was arrested after reporting 2006 presidential election "irregularities" (AI 11 Nov. 2008, 17; *The Gambia Echo* 27 Sept. 2007). AI also reports that he alleged he was denied food, water and medical treatment during detention (11 Nov. 2008, 17).

The Senior Staff Reporter indicated that a UDP supporter was attacked in 2007 by authorities, who set him on fire, leading to his hospitalization for three months at the Royal Victoria Teaching Hospital (13 Mar. 2010). Corroborating information could not be found among the sources consulted by the Research Directorate.

A 24 September 2009 BBC article indicates that the UDP is "banned from holding public rallies." *Country Reports 2009* indicates that the UDP reported that they were unable to obtain police permits for two meetings in 2009 (US 11 Mar. 2010, Sec. 2b). Femi Peters, the UDP campaign manager, was arrested on 24 October 2009 after the UDP held a rally in Serrekunda without a police permit (ibid.). A 22 February 2010 Foroyaa Online article reports that Peters is on trial for two criminal counts under the Public Order Act: "'control of procession and control of use of loud speakers'." Information on the results of the trial could not be found among the sources consulted by the Research Directorate.

The Senior Staff Reporter noted that "if the authorities intend to block any political party from conducting activities, they can, using existing laws" (13 Mar. 2010). He went on to state that "certain criticism against the authorities, and the President Yahya Jammeh can be considered a crime under Criminal Code Amendment Act 2004/2005, which criminalizes sedition, defamation, libel, false information, among others" (Senior Staff Reporter 13 Mar. 2010). *Country Reports 2009* states that though "the constitution and law provide for freedom of speech..., the government limited these rights by intimidation, detention and restrictive legislation" (US 11 Mar. 2010, Sec. 2a). *Country Reports 2009* also states that despite these limitations, "opposition views regularly appeared in the independent press, and there was frequent criticism of the government in the private media" (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** The African Commission on Human and People's Rights (ACHPR), the Open Society Initiative for West Africa (OSIWA) and the African Centre for Democracy and Human Rights Studies (ACDHRS) did not respond within the time constraints of this Response. International Crisis Group did not have information on The Gambia.

**Internet sites, including:** *Africa Confidential* [London], The African Centre for Democracy and Human Rights Studies (ACDHRS), AllAfrica.com, Business Digest

[Banjul], *Daily News*, Fédération internationale des ligues des droits de l'homme (FIDH), Freedom House, *Freedom Newspaper* [Raleigh, North Carolina], Human Rights Watch, International Crisis Group, Office of the United Nations (UN) High Commissioner for Refugees (UNHCR) Refworld, Oxfam International, Reporters Without Borders (RSF), United Nations (UN) Integrated Regional Information Networks (IRIN), UN System in The Gambia, United Kingdom (UK) Home Office, University of The Gambia (UTG).

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