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## FREEDOM OF THE PRESS

# Gambia, The

[Gambia, The](#) | [Freedom of the Press 2013](#) | 

Conditions for press freedom and freedom of expression deteriorated slightly in 2012. The press continued to operate in a climate of fear due to legal and extralegal pressure, while the government of President Yahya Jammeh ignored calls for accountability regarding past cases of murder and abuse targeting journalists.

Although Article 34 of the constitution provides for freedom of the press and freedom of expression, the government does not respect these rights in practice. Constitutional protections are undermined by other legislation, primarily the 2004 Newspaper Amendment Act, which established a newspaper registration process that extracts excessive bonds from media institutions, as well as a 2004 criminal law that mandates stiff penalties for offenses including publication of false information, sedition, and libel. Journalists are regularly arrested and detained on flimsy, superficial charges. In January 2012, reporter Mamadou S. Jallow of the private *Daily News* was arrested, detained, and charged with defamation for a story alleging that a local chief gave a state-sponsored travel voucher to his lover. Three journalists covering judicial decisions faced arrest and detention on contempt-of-court charges during the year. In June, a lower court ordered the arrest of Abdul Hamid Adiamoh, the managing editor of the newspaper *Today*, for an article that allegedly misrepresented a cross-examination in a criminal trial. He was later convicted and ordered to pay a fine of 100,000 dalasi (\$3,200) or serve six months in prison with hard labor. Also in June, the deputy editor of the *Daily News*, Lamin Njie, was arrested and held for three days for a story about the court proceedings in a case regarding economic crimes. In July, journalist Sidiq Asemota of the *Daily Observer* was arrested on the orders of the presiding judge of the Banjul High Court and detained for a day for allegedly misreporting the facts of a forgery case.

Despite a 2005 press law that guarantees the right of citizens to obtain information and prohibits censorship, reporters from news outlets that are perceived to be critical of the government are routinely denied access to public information and excluded from official events. There are broad restrictions on any content that is considered contrary to the principles of Islam or offensive to other religions. Media outlets are sometimes fined and journalists are occasionally arrested for disseminating "un-Islamic material," leading to self-censorship.

Several instances of overt censorship of media outlets occurred in 2012. In August, officers of the National Intelligence Agency (NIA) shut down the radio station Taranga FM, citing "directives from above." The station ran a weekly talk show that interviewed prominent opposition figures. In September, two independent newspapers, the *Standard* and the *Daily News*, were ordered closed by the NIA, which claimed authority from the office of the president. Both newspapers had extensively covered Jammeh's decision the previous month to execute every prisoner on death row. The *Standard* had been shut down eight times between 2010 and 2011. In October, security forces imposed a ban on coverage of a Supreme Court case involving seven prisoners on death row. The authorities have also periodically blocked the online news sites *Freedom* and *The Gambia Echo*, both based in the United States.

Extralegal intimidation of journalists did not ease in 2012. In September, British Broadcasting Corporation (BBC) correspondent Thomas Fessy was detained and ordered to leave the country, despite having the proper entry visa. The reporter had flown into the Gambia from Senegal to report on the execution of the country's condemned inmates in August. Later in the year, journalists Abubacarr Saidykhan and Baboucarr Ceesay received written and verbal death threats from unknown men for their ongoing coverage of the death-row controversy. Saidykhan later fled the country due to the threats. In December, security forces entered his residence and arrested and temporarily detained his younger brother in an effort to ascertain his location. A number of other journalists continue to live in exile following earlier threats to their lives.

Efforts by the Economic Community of West African States (ECOWAS) Court of Justice in Abuja to hold the government accountable for past mistreatment of journalists have borne little fruit. In February 2012, the court rejected the Gambian government's appeal against a judgment awarding \$200,000 in damages for the 2006 imprisonment of now exiled journalist Musa Saidykhan. At the time of his arrest, Saidykhan was editor in chief of the *Independent*, a weekly that has since been banned. The government has so far ignored the court's ruling. In another ongoing case, in 2008 the ECOWAS court had ordered the Gambian government to release and

## 2013 SCORES

PRESS STATUS

# Not Free

PRESS FREEDOM SCORE

# 83

LEGAL ENVIRONMENT

# 28

POLITICAL ENVIRONMENT

# 35

ECONOMIC ENVIRONMENT

# 20

compensate “Chief” Ebrimah Manneh, who was arrested in 2007 by state security agents and has been missing since. The government rejected the decision in 2009, with the attorney general and justice minister formally declaring that Manneh was not in government custody. In October 2011, Justice Minister Edward Gomez claimed in an interview with the *Daily News* that Manneh was alive, though he revealed no more information regarding his whereabouts. In February 2012, the Gambian government asked for UN assistance in Manneh’s disappearance, but no further developments in the case were reported by year’s end.

The government owns *The Gambia Info* newspaper, a national radio station, and the only national television station. Political news coverage at these outlets generally toes the official line. There are eight private newspapers and nine private radio stations. Private media outlets are subject to official pressure, and many have toned down coverage of the opposition. Most businesses avoid advertising with private media outlets for fear of government reprisals. A premium television network operates as a locally based satellite station. Foreign news services are rebroadcast on several local radio stations. Although the government rarely interferes with foreign cable or satellite television news broadcasts, most Gambians do not have practical access to the requisite technology for viewing them. About 12 percent of the population had access to the internet in 2012.

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