

# Immigration and Refugee Board of Canada

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## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

29 August 2013

### GMB104551.E

Gambia: Treatment of members and supporters of the United Democratic Party (UDP) (April 2010-August 2013)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### 1. Treatment of Political Opposition

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

A press release prior to the 24 November 2011 presidential elections issued by the Economic Community of West African States (ECOWAS) stated that the fact-finding mission they conducted

paint[ed] a picture of intimidation, an unacceptable level of control of the electronic media by the party in power, [a] lack of neutrality of state and para-statal institutions, and an opposition and electorate cowed by repression and intimidation. (22 Nov. 2011)

Freedom House reported in *Freedom in the World 2013* that six of the seven opposition parties boycotted the legislative elections of 29 March 2012 after their request to postpone the election to "ensure a level playing field" was denied. Similarly, *US Country Reports 2012* reported that as a protest against the "government intervention and intimidation of opponents," six of the seven opposition parties boycotted the parliamentary elections of 29 March 2012 (US 19 Apr. 2013, 1, 19).

The United Democratic Party (UDP) is described as the main opposition party (*Freedom Newspaper* 17 May 2010; *Daily News* 24 Jan.

2011; Freedom House 2012). The UDP was one of the parties that boycotted the election (IPU 26 Apr. 2012; US 13 Aug. 2013). US *Country Reports 2012* observed that the UDP leader Ousainou Darboe received 17 percent of the vote in the November 2011 presidential election, coming in second (US 19 Apr. 2013, 19).

### 1.1 Treatment of UDP Members and Supporters

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

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

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

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

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

Sources reported that Ousman Rambo Jatta [a former UDP member and critic of the government (*PHW* 2012; *The Point* 9 Jan. 2012; *Daily Observer* 18 Jan. 2011)] was arrested in 2006 and detained for a year following his arrest (*Daily News* 24 Jan. 2011; Kibaaro News

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

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:** Attempts to contact the following organizations were unsuccessful: African Centre for Democracy and Human Rights Studies; African Commission on Human and People's Rights; Campaign for Human Rights in the Gambia; Institute for Human Rights and Development in Africa; ISHR Gambia;. Representatives of the Senegal Office of the Open Society Initiative for West Africa were unable to

provide information.

**Internet sites, including:** *Africa Confidential*; *Africa Research Bulletin*; African Centre for Democracy and Human Rights Studies; African Commission on Human and People's Rights; Afrik.com; AllAfrica; Article 19; Campaign for Human Rights in the Gambia; ecoi.net; Factiva; The Gambia – Office of the Ombudsman; Human Rights Watch; Institute for Human Rights and Development in Africa; *Jeune Afrique*; International Crisis Group; International Society for Human Rights; Open Society Initiative for West Africa; United Kingdom – Border Agency; United Nations – Integrated Regional Information Networks, Refworld, UNHCR.

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