

Truth, Reconciliation & Reparations Commission (TRRC) Digest

Edition 9



#MeToo

#SurvivingMelville

#IamToufah

Presented by:



The Truth, Reconciliation and Reparations Commission (TRRC) is mandated to investigate and establish an impartial historical record of the nature, causes and extent of violations and abuses of human rights committed during the period of July 1994 to January 2017 and to consider the granting of reparations to victims and for connected matters. It started public hearings on 7th January 2019 and will proceed in chronological order, examining the most serious human rights violations that occurred from 1994 to 2017 during the rule of former President Yahya Jammeh. While the testimonies are widely reported in the press and commented on social media, triggering vivid discussions and questions regarding the current transitional process in the country, a summary of each thematic focus/event and its findings is missing.

The TRRC Digests seek to widen the circle of stakeholders in the transitional justice process in The Gambia by providing Gambians and interested international actors, with a constructive recount of each session, presenting the witnesses and listing the names of the persons mentioned in relation to human rights violations and – as the case may be – their current position within State, regional or international institutions.

Furthermore, the Digests endeavour to highlight trends and patterns of human rights violations and abuses that occurred and as recounted during the TRRC hearings. In doing so, the TRRC Digests provide a necessary record of information and evidence uncovered – and may serve as “checks and balances” at the end of the TRRC’s work.

After each release, the Digests are translated into Fula, Jola, Mandika and Wolof, and transmitted over local radio stations. In addition to translation and transmission of the Digests, ANEKED and The Point Newspaper facilitate panel discussions which aim to engage journalists, activists, victims, politicians and the general public to expand on the themes of the sessions, the trends and patterns arising as well as how the country can learn from the findings to prevent such atrocities in the future (#NeverAgain).

DISCLAIMER

The current publication is **NOT** a document emanating from the TRRC. It is produced by ANEKED and The Point Newspaper.

The information in this publication has been compiled from live testimonies given at the TRRC hearings. Great care has been taken to accurately represent the verbal testimonies, however errors cannot be fully excluded.

Please note that the culpability of any persons mentioned by witnesses can only be established by a competent court.

Discrepancies and conflicting testimonies are highlighted on the next page.



Bintou Kanyi was part of the “Kalamaa revolution”, a group of women who demonstrated with brooms and calabashes, demanding for Yahya Jammeh to leave.

In May 2016, she was unlawfully detained with other women at the Police Intervention Unit Headquarters. She was three months pregnant at the time and repeatedly beaten by masked men, which resulted in her miscarrying.

DISCREPANCIES/CONFLICTING TESTIMONIES

Edward Singhateh

Edward Singhateh's testimony conflicted with the testimonies of witnesses given during the previous sessions regarding his involvement in the 5th/6th September 1994 mock executions at Mile 2 Prison; the 11th November 1994 failed coup and subsequent extrajudicial killing of Lieutenant Basirou Barrow, Lieutenant Gibril Saye, Lieutenant Abdoulie Dot Faal, Sergeant Ebrima (Ebou M) Ceesay, Lieutenant Buba Jammeh, Sergeant Fafa Nyang, Lieutenant Lamin Darboe, Sergeant Basirou Camara, Lieutenant Bakary Sanneh/Nyancho and Cadet Amadou Sillah; the unlawful arrest and incarceration of Sanna Sabally and Sadibou Hydara; the assassination of Ousman Koro Ceesay in 1995 at Yankouba Touray's house; the arrest, detention and torture of civilian said to be demonstrating near the American Embassy and the attack on UDP supporters at Denton Bridge in 1996.

During his testimony, the Lead Counsel highlighted and counted fifty allegations by other witnesses, all of who claimed to have been present during the alleged incidents and testified to the Commission that had been put to Edward Singhateh to show that there had been allegations of his direct involvement. Nevertheless, Edward Singhateh maintained that all of them had lied. Though he accepted overall responsibility for the allegations in terms of being present, he denied any part in the murder of Ousman Koro Ceesay and instead launched into an elaborate story of money to the tune of two hundred to two hundred and fifty thousand US Dollars from Libya to support rebels in Casamance.

Yusupha Sanneh

In his testimony at the TRRC on 22nd July 2019, Malick Jatta said that when Daba Marenah, Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr, Masi/

Masireh Jammeh and a woman called Julia, were killed, the Jungler team was joined by "outsiders" who the witness called the bodyguards and who were Saikou Jammeh, Sainey Jammeh, Yusupha Sanneh, Omar Jallow, Bora Colley, and Michael Correa. During his testimony at the TRRC on 23rd October 2019, Yusupha Sanneh refuted being present during that operation.

Regarding the killing of the West African migrants in 2005, Malick Jatta said that he was based in Kanilai the night of the killing and that he and his team led by Solo Bojang met the vehicles carrying the victims on the road. Yusupha Sanneh on the other hand claimed that Malick Jatta was present at the house close to the Palma Rima junction and that he was the one who tied the hands of some of the West African migrants before putting them on the back of several pick-ups and driving them to their execution site.

OVERVIEW

The 9th session of the TRRC public hearings started on 14th October and ended on 31st October 2019. The three-week session focused primarily on the highly sensitive topic of sexual and gender-based violence, SGBV. Testimonies from women subjected to sexual and gender-based violence and witnesses to these human rights violations during the Yahya Jammeh era were heard thus breaking the taboo; as well as testimonies from two experts who provided further clarification on the definition of sexual and gender-based violence and highlighted the rape culture entrenched in Gambian society.

In the course of this historical session, three days were dedicated to hearing the testimony of a high profile alleged perpetrator, Edward Singhateh, regarding the numerous human rights violations he has been accused of throughout the TRRC public hearings¹. The session also included a televised reconciliation between Edward Singhateh and another high-profile confessed human rights violator, Sanna Sabally.

The session saw 15 persons testify including 10 victims (9 of whom women) and one high profile alleged perpetrator of human rights abuses and violations. Two persons testified via video conferencing/Skype.

In the course of the session, the human rights violations reported include:

- Extrajudicial killing
- Enforced disappearance
- Arbitrary arrest and detention
- Torture, including rape
- Sexual abuse
- Sex trafficking
- Sexual exploitation
- Forced abortion

40 persons were mentioned by witnesses in relation to human rights violations committed, namely²:

BADJIE (first name not given): Police Intervention Unit officer (PIU). Accused of torturing Sainabou Camara, including on her genitals, during the April 2000 student demonstrations.

Nuha BADJIE: Former Lieutenant Colonel in the army and senior official within the death squad team “the Junglers”. Accused of torturing Yusupha Sanneh. His name is on the list of wanted persons issued by Gambian authorities in 2018.

Sulayman/Saul BADJIE: Former Lieutenant General in the army and head of the death squad team “the Junglers”. Accused of having participated in the arson of the office of the Independent Newspaper in 2003. Accused of torturing Yusupha Sanneh. His name is on the list of wanted persons issued by Gambian authorities in 2018. Reported to be in Equatorial Guinea at the time of release of this publication.

Sambou BARROW: Probably soldier in the Gambia National Army (GNA) and driver of the Junglers in 2005. Named as having been present during the killing and enforced disappearance of West African migrants in 2005, without participating.

Solo BOJANG: Kanilai Farm Manager and second in command of the death squad team “the Junglers”. Said to be a relative of Yahya Jammeh. Accused of having participated in the killing and enforced disappearance of 56 West African migrants in 2005. His name is on the list of wanted persons issued by Gambian authorities in 2018. Last reported to be in Casamance, Senegal.

Kawsu CAMARA (also known as Bombardier): Colonel and member of the death squad team “the Junglers”. Accused of arbitrary arrest of Bakary Dampha in 2000. Fled the country in 2017. Subjected to an arrest warrant for the murder of Deyda Hydara.

¹For clarity purposes and in order not to interrupt the SGBV thematic issue, his 49-page testimony was placed at the end of this publication.

²The allegations against individuals listed here are only those that were mentioned in this session. Individuals might have been accused of other crimes in previous sessions. Please check our previous Digests.

Bora COLLEY: Former Brigadier General in the army and member of the death squad team “the Junglers”. Accused of having participated in the arson of the office of the Independent Newspaper in 2003. Accused of having participated in killing and enforced disappearance of West African migrants in 2005. His name is on the list of wanted persons issued by Gambian authorities in 2018.

David COLLEY: Former Director General of The Gambian Prison Services. Accused of arbitrary arrest and detention of Jukuna Susso, Fanta Darboe, Ousainou Darboe and Lamin Dibba in 2016. According to media reports, David Colley was dismissed on 24th February 2017 from his position as Director General of The Gambia Prison Services and was charged with conspiracy to commit murder and abuse of office in March 2018 but released on bail.³

Yankuba COLLEY: Former Kanifing Municipality Council Mayor and National Mobiliser of Alliance for Patriotic Re-Oriented and Construction (APRC). Accused of arbitrary detention of at least 40 civilians including Fatoumata Camara, Kafu Bayo, Nogui Njie and Falang Sonko in April 2016.

Michael Sang CORREA: Captain in the army and member of the death squad team “the Junglers”. Accused of having participated in the arson of the office of the Independent Newspaper in 2003. Accused of having participated in killing and enforced disappearance of West African migrants in 2005. His name is on the list of wanted persons issued by Gambian authorities in 2018. Discovered and briefly detained in Colorado on September 17 by U.S. Immigration and Customs Enforcement officials. Correa has appealed to the removal proceedings against him.

Sheriff GISEH: Former member of the death squad team “the Junglers”. Accused of having participated in the arson of the office of the Independent Newspaper in 2003. In exile.

Sadibou HYDARA: Former Captain in the GNA, member of the of the Armed Forces Provisional Ruling Council (AFPRC) and Interior Minister and government spokesperson from 1994 to 1995. Accused of unlawful arrests and detentions of security personnel in 1994. Accused of participating in the extrajudicial killing of Basirou Barrow, Abdoulie Dot Faal, Fafa Nyang, Ebou M Ceesay, Basirou Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah, and Gibril Saye in November 1994. Deceased (1996).

Buba JALLOW: Probably soldier in the GNA and driver of the Junglers in 2005. Named as having been present during the killing and enforced disappearance of West African migrants in 2005, without participating.

James (last name not given): National Intelligence Agency (NIA) official. Accused of participating in the arbitrary detention of Fatoumata Jawara, Nogui Njie, Solo Sandeng, Kafu Bayo and Modou Ngum in 2016.

Jimbee JAMMEH: Former Protocol Officer and relative of Yahya Jammeh. Accused of having aided and abated Yahya Jammeh to commit rape, sexually assault and sexually exploit young women. Accused of having forced some of the women to abort their pregnancies. Left together with Yahya Jammeh to Equatorial Guinea in 2017 and said to be residing in Sweden at the time of mention.

Sainey JAMMEH: Soldier and orderly of Yahya Jammeh in 2004 and 2005. Named as having been present during the killing and enforced disappearance of West African migrants in 2005, without participating.

Yahya JAMMEH: Chairman of the AFPRC and President of The Gambia until December 2016. Accused of ordering the extrajudicial killing of Basirou Barrow, Abdoulie Dot Faal, Fafa Nyang, Ebou M Ceesay, Basirou Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah and Gibril Saye. Accused of ordering the arbitrary

³See publication by The Point Newspaper: Ex-prison chief charged over Baba Jobe’s murder, 20 March 2018.

arrest and detention of his orderlies as well as their torturing; of rape of Fatou Toufah Jallow in 2015 and rape, sexual assault and sexual exploitation of young women working as protocol officers as well as female soldiers; accused of having forced some of the women to abort their pregnancies. Accused of having ordered the arson of the office of the Independent Newspaper in 2003. In exile in Equatorial Guinea at the time of mention.

Malick JATTA: Member of the death squad “the Junglers”. Confessed during session 6 to having participated in the killing of Deyda Hydara in 2004; Dawda Nyassi in 2006; Ndongo Mboob in 2006. Confessed that he killed one migrant in 2005 but accused by others of having participated in the enforced disappearance and killing of more than five migrants. Arrested in February 2017 and released on 10th August 2019 from detention following recommendation from the Minister of Justice and Attorney General Abubacarr Tambadou.

Sheikh Omar JENG: Former Operations Commander at the NIA. Accused of arbitrary detention of Fatoumata Camara, Nogui Njie and Fatoumata Jawara in 2016. Accused of participating in the torture of Nogui Njie and Solo Sandeng in 2016, which reportedly led to his death. Present during torture of Fatoumata Jawara and threatening witness with gang rape. Facing trial as part of the case known as the “NIA 9 case” on numerous offences ranging from conspiracy to commit felony, assault causing serious bodily harm, murder and making false documents at the time of release of this publication.

Alhagie KANYI (alias ‘mofa kanyi’ (“Killerman”)): Former Army Corporal. Accused of participating in the extrajudicial killing of Basirou Barrow, Abdoulie Dot Faal, Fafa Nyang, Ebou M Ceesay, Basirou Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah, and Gibril Saye in November 1994. Serving at the Immigration department at Soma at time of mention.

Lamin (last name not given): Soldier accused of killing Ousman “Oustas” Ceesay in 2001.

Bai LOWE: Former driver of the death squad team “the Junglers” who absconded. Named as having been present during the killing and enforced disappearance of West African migrants in 2005. Is reported to live in Germany at the time of release of this publication.

Lamin MANGA: Former Gambia Radio Television Services (GRTS) Director and Press Secretary of Yahya Jammeh. Accused of having aided and abated Yahya Jammeh to sexually exploit women from other countries. Acting as the Consul for Russia in Gambia at the time of release of this publication.

Sanna MANJANG: Former Lieutenant Colonel in the army and member of the death squad team “the Junglers”. Accused of having participated in the arson of the office of the Independent Newspaper in 2003. Accused of having participated in killing and enforced disappearance of West African migrants in 2005. His name is on the list of wanted persons issued by Gambian authorities in 2018. Said to be living in Guinea Bissau at time of mention.

Alagie MARTIN: Former Sergeant in the GNA. Accused of torturing Yusupha Sanneh. Was still serving as a General in the army in 2019 but suspended following his testimony at the TRRC in June 2019.

Tamba MASIREH: Former NIA official. Accused of participating in the torture of Nogui Njie, Fatoumata Camara and Solo Sandeng in 2016, which reportedly led to his death. Facing trial as part of the case known as the “NIA 9 case” on numerous offences ranging from conspiracy to commit felony, assault causing serious bodily harm, murder and making false documents at the time of release of this publication.

Sanna SABALLY: Former Captain of the GNA and the first Vice-Chairman of the AFPRC, reported to be working as a nurse in Germany and most recently in

Dakar and The Gambia for a German organisation at the time of the testimonies. Accused of arbitrary arrests, ordering and torturing detainees at Mile 2 Prison on the night of 6th September 1994. Accused of having ordered and participated in the torture and extrajudicial killing of Basirou Barrow, Abdoulie Dot Faal, Fafa Nyang, Ebou M Ceesay, Basirou Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah, and Gibril Saye captured soldiers on 10th/11th November 1994.

SALLAH (first name not given): Accused of participating in the torture of Solo Sandeng in 2016, which reportedly led to his death.

Alieu SANYANG (also known as King Papa): Soldier and orderly to Yahya Jammeh in 2015. Accused of having threatened Fatou Toufah Jallow after her rape by Yahya Jammeh. Still working in the GNA at time of mention.

SANNEH (first name not given): Paramilitary officer. Accused of raping Bintou Nyabally in 2016, whilst in detention.

Abdoulie SANNEH: Inspector of the PIU. Accused of the arbitrary arrest of Nogui Njie in April 2016.

Fatou SANNEH: NIA officer. Accused of participating in unlawful interrogation of Fatoumata Jawara, Nogui Njie and Fatoumata Camara.

Yusupha SANNEH: Orderly to President Yahya Jammeh from 2004 to 2014. Admitted having been present during the arson of the office of the Independent Newspaper in 2003 but said that he refused to participate and admitted being present without participating during the killing and enforced disappearance of West African migrants in 2005.

Lamin SILLAH: Probably soldier in the GNA and driver of the Junglers in 2005. Named as having been present during the killing and enforced disappearance of West African migrants in 2005, without participating.

Edward SINGHATEH: Former Lieutenant of GNA and second Vice-Chairman of AFPRC. Served in various positions during the Jammeh regime. From 2016 to 2018, he served as the Vice-President of ECOWAS and residing in Nigeria at time of mention. Confessed to participating in the executions on 11th November 1994 at time of release of this publication. Confessed to being present during beatings and torture of arrested politicians and other civilians at Fajara Barracks and security personnel at Mile 2 Prison.

Ousman SONKO: Former Inspector General of Police and Minister of Interior (2000-2016). Accused of participating in the killing of Almamo Manneh in 2000. Accused of raping, kidnapping and torturing Binta Jamba, Almamo Manneh's widow more than 70 times. In her testimony, she mentioned that a soldier told her that Ousman Sonko kidnapped many women in the same room where he locked her up for several days. Also accused of sexual harassment of a woman working as a Protocol officer. Accused of arbitrary detention of at least 40 civilians including Fatoumata Camara, Kafu Bayo, Nogui Njie and Falang Sonko in April 2016. Detained in Switzerland and under investigation by Swiss authorities for crimes against humanity, including rape at the time of release of this publication.

Yankuba SONKO: Former Inspector General of Police (2010-2014, and again from 2015-2017). Accused of arbitrary arrest and detention of at least 40 civilians including Fatoumata Camara, Kafu Bayo, Nogui Njie and Falang Sonko in April 2016. Minister of Interior at the time of release of this publication.

Harona SUSSO: NIA officer. Accused of participating in the torture of Fatoumata Camara, Nogui Njie and Solo Sandeng in 2016, which reportedly led to his death. Facing trial as part of the NIA 9 case on numerous offences ranging from conspiracy to commit felony, assault causing serious bodily harm, murder and making false documents at time of release of this publication.

Tumbul TAMBA: Head of the death squad team the “Junglers” in 2006. Accused of having participated in killing and enforced disappearance of West African migrants in 2005. Deceased (2007).

Yankuba TOURAY: Former Lieutenant of the GNA. He held different ministerial portfolios in Yahya Jammeh’s regime, including Minister of Information, Tourism and Culture and Local Government and Lands. Accused of being present during the extrajudicial killing of Basirou Barrow, Abdoulie Dot Faal, Fafa Nyang, Ebou M Ceesay, Basirou Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah, and Gibril Saye in November 1994. On trial for the murder of Ousman Koro Ceesay at the time of release of this publication.

8

TYPES OF HUMAN RIGHTS VIOLATIONS



torture, including rape



enforced disappearance



extrajudicial killing



forced abortion



sexual abuse,
sex trafficking,
sexual exploitation



arbitrary arrest/detention



PLACES

15

PERSONS TESTIFIED

10 Victims (including 9 women)

1 alleged perpetrator of human rights abuses and violations

2 expert witnesses

2 witnesses to allegations of human rights violations



40

PERSONS MENTIONED

in relation to human rights violations committed

JANJANBUREH PRISON BAMBADINKA BANSANG HOSPITAL MILE 2 PRISON DENTON BRIDGE KANILAI
NATIONAL INTELLIGENCE AGENCY YANKUBA TOURAY'S HOUSE YUNDUM BARRACKS FAJARA BARRACKS
STATE HOUSE WESTFIELD JUNCTION POLICE INTERVENTION UNIT HEADQUARTERS MANSANKONKO COURT



WITNESS NAME: Sainabou CAMARA LOWE (also known as Sainey Camara)

TRRC HEARING DATE (S): 14th October 2019

EVENT (S) DISCUSSED: 10th/11th Student Protests and the gender-based violence the witness was subjected to

POSITION BEFORE THE EVENT (S): Student

ROLE DURING THE EVENT (S): Student

POSITION AT THE TIME OF TESTIMONY: Not mentioned

SUMMARY OF TESTIMONY:

Sainabou Camara told the Commission that after her secondary education, she went to Bakoteh High also known as Hermann Gmeiner High School (SOS school) and unfortunately, could not complete her schooling because of the 10th/11th April 2000 incidents.

Giving the details as to what happened, the witness narrated that on Monday 10th April 2000, she was meant to have exams. She used to live in Banjul with her guardian Alamuta Badjie but during exam period as transportation was difficult, she would stay with her brother, Alasan Camara in Bundung.

On 10th April 2000, the witness said she got ready for school and packed her athletics uniform as she was an athlete as well and was meant to go for training after school. When she got to school, at around 8 am, she noticed that there were not many students and enquired

if there were no exams. She was told that exams were meant to take place but there were not many people around, even the teacher Mr. Jallow was absent. The witness added that after some time, one Red Cross volunteer, Samba Njie informed them that a students demonstration was to take place so the witness suggested they go.

Sainabou Camara recalled that they walked until they got to Serrekunda and when they got to the junction going towards the National Water and Electricity Company, NAWEC, they saw some students running from that end. Counsel Singhateh asked if there were any police stations around that junction she was referring to and the witness responded in the affirmative. She stated that as soon as you passed that junction, there is a police station and the Counsel concluded that it seemed she was describing the Aisha Marie junction in Serrekunda.

Proceeding with her testimony, the witness said the students who were running towards them told them to run as the police and paras⁴ were after them. They branched and got to the junction that goes towards the NAWEC end and ran until they got to the highway. Once they got to the highway around the Alhagie Ali Mbye Buga Mbahal mosque, there was a junction, which they took. There were some paras behind them and as they passed the mosque, they saw others standing in front of them.

On being asked how she knew they were paras, the witness said she identified them through their dark blue uniform. Describing them, she stated they had batons, shields and guns. Since they were encircled (some were behind and others in front), there was nothing they could do but surrender. The witness estimated that there were over 10 in front of them. She could not estimate how many behind.

She said the paras in front of them asked them, with their guns pointing at them, to raise their hands, which they did. Those in front of them led the way and told them to go and they headed to their camp.

⁴Local term used to refer to paramilitary police.

The witness was asked if she had willingly obeyed them and **she responded they did not comply out of their will** but when **a gun is pointed at you, you have no choice but to surrender.**

Sainabou Camara further testified that they were instead taken to the Gambia Technical Training Institute, GTTI on foot, which the Counsel remarked was a long walk, and there they found other students. As they walked, the paras were saying to them *“since you want to show your rudeness, if you cannot solve any problems through that rudeness, you are only going to put yourselves into problems”*. The witness said there were many students from different schools, estimating the number to be over a 100. Once there, they were made to kneel down in the sand just as they found the others kneeling down. The witness remarked that the sun was up and it was hot.

Further testifying, the witness said when another group arrived, someone in that group **told them not to comply with their instructions as they had killed a person and they could kill them all if they wanted.**

The Counsel stated that they had received evidence that in-between that time, there were **gunshots** and asked the witness if she had heard or seen anything. The witness said she did not see anything but heard the sounds of gunfire.

She said when that person alerted them, they got up, started running and the paramilitaries chased after them. The witness said she was not familiar with Serrekunda and unknowingly was running towards their camp, where the paramilitaries were more numerous. Before she got to where she was running to, those behind her were all

captured. She remarked that at that time, she was not heavily built as she was today and so it would have been difficult to catch her.

She said four came after her and she ran for a long time. She was losing her breath and when she looked behind, she saw a house. She knocked on the door and got inside the house where she found kids having their meal. She then ran so she could jump over the fence. She added that she knew she was slender built so she could jump over. She gripped and put one leg across but her other leg was left behind, which was grabbed by the paramilitaries. She noted that if she had engaged in a push and pull, she would have injured herself so she jumped back and they all crashed. She got up, tried to run away but one close to her held onto her skirt and as she tried to free herself, all the buttons except for one came off.

The Counsel asked her if she wore anything under and the witness said she had shorts under at the time. She said her leg was also injured from the iron fence. They started **beating** and **slapping** her, some using their hands and others using their batons.

The witness recalled that when she was brought down, there was a woman who was standing who told them *“take it easy with her, she is a woman”*. Asked if at this point they heeded to the woman, the witness responded in the negative and added that they instead shouted at her.

The witness stated that she was dragged to their camp and on the way, they **beat** her. Whenever they **beat** her and she fell, they would raise her again and **beat** her, and this continued until they got to the camp. On the distance, the witness said she could not estimate as at the time she was only conscious of the pain. Asked if she sustained any injuries as a result of the **beatings**, the witness stated that she had bruises on her back and her cheeks swelled from the **slaps**.

Further testifying, Sainabou Camara disclosed that once they arrived at the camp, she was taken to a room. Asked to explain the setting, she said it was sort of a house. The Counsel asked her if she was taken anywhere before she was taken to that particular place referred to as a house, and the witness responded in the negative. Asked if she had seen anyone else when she arrived at the camp except for the four officers with her, the witness said no. The Counsel asked if the house she was referring to was the living quarters and she confirmed it was.

The witness said one of them opened her bag, took out her Walkman (which she would play whilst jogging after school) and said to her she was not going to school but “went to play”⁵. When the witness responded it was not his business, he **slapped** her.

He then told her that they were about to do something to her that she would never forget and called another person, “Badjie bring the rope”.

At this point, the witness told the Commission that apart from Badjie, she did not hear any other names. Describing him, she said he was dark in complexion, not very tall. She remarked that she did not see any name tags as she was in so much pain.

Going back to what happened after the person said “*Badjie bring the rope*”, she recalled that one of them came towards her and **slapped** her. They made her lie down, and whilst she was being held down by three of them, the fourth tied her up to her neck. Asked what type of rope it was, the witness said it was the ones they used to use to draw water from the well. After she was tied up, the other one who had her Walkman, said to her “*you said you are going to exhibit rudeness, we are going to show you*” and added they were going to do something to her. The witness said she was in so much pain that she insulted their mothers and one of them **slapped** her on the face.

Sainabou Camara told the Commission that the one who had the Walkman then started trampling on her. When asked which part of the body, the witness started breathing heavily and struggled to hold back tears.

She grabbed a tissue to wipe off some tears. After confirming she could continue, the witness said he stamped on her body “going downwards” with his paramilitary boots.

He was dancing on her from her chest down to her legs, which is why she is now unable to do “hard work”.

The witness clarified that at the point he was stamping on her, she was lying on her back. He continued **stamping** on her, up to her private parts, towards her legs. Asked how long the stamping went on for, the witness said she could not estimate the time as after that she passed out and was not aware of anything else.

The witness testified that whilst this person was **stamping** on her, the one that made the call for “Badjie” told her it was her legs that brought her here and was **hitting** her legs. The Counsel asked if the witness was crying at this point and she confirmed she was crying a lot. She added that she asked one of them if this was his sister, would he have done that but they did not show any form of sympathy nor mercy. She confirmed that all of them participated in **beating** her. The Counsel asked for a description of them and if there were any distinctive features. The witness said that the person who tied her up was a fair coloured person and had tribal marks (it was not Badjie). Asked how many marks he had, she said she could not remember but recalled he had tribal marks on either side of his eyes. Asked about the other two and if she recognised any distinct features, she said no.

Asked how long it took before she passed out, the witness said that the pain was too much on her body, especially when it came to her breasts or private parts. The pain was overwhelming. The witness said the last thing she heard is “*she is off now*”. Asked if she felt any additional injuries being inflicted upon her before passing out, the witness responded in the negative.

⁵Meaning she went to mess around, not learn.

The witness did not know how she got to the hospital but she was told by a female nurse that worked at the morgue. She said when they brought her there, they just parked her there and they labeled her as “number 3”. The nurse, called Auntie Njie, thought the witness was dead and wanted to remove the rope so her family would not see her like that. When she removed the rope and got to her neck, she realised the witness was still breathing. Asked how long it took for her to regain consciousness, the witness said she did not know but Abdoukarim Jammeh⁶ (they were in the same ward) said it took up to a week.

Going back to the nurse who saved her, she said when she realised the witness was breathing, she called another nurse and they took her and rushed to the Accident and Emergency, A&E and a Cuban doctor confirmed she was not dead.

On how she felt after she regained consciousness, she said one of her sisters, Salimatou Camara did not feel she was dead. She used to go to the hospital in search of her.

She would ask for “Sainey” but nobody could provide any information because the witness was there as “corpse number 3”.

The witness testified that her sister finally managed to find her but it was difficult to recognise her as the whole face was swollen. She still felt something and went “*Sainey, Sainey*”. Auntie Njie came in and asked if she knew her and the sister said yes, she knew her, it was her younger sister. Auntie Njie told her she had been there for days but they did not know any of her relatives. Her sister then went back and informed her relatives.

The witness said that when she regained consciousness, they fixed a pipe so she could urinate as she could not do anything due to the injuries sustained, she was just lying down. She remarked that even if she spoke, you could not hear what she was saying. Apart from the injuries she sustained on her legs, the witness said she used to feel pain on her private part. She said she experienced a lot of blood coming out of her private part as it was sewn

and no special medical attention was given to that. The injury was in that state until she was discharged. At home, she used to immerse herself in warm water with Dettol⁷.

The witness said she thought the cause of the wounds around her were the beatings and stamping but with respect to the wound on her private part, she still could not understand how she was injured there⁸.

The witness said she noticed some bruises around her leg and could not walk. She spent a week in a wheelchair. She recalled that Abdoukarim Jammeh witnessed when they tried to make her sit on the wheelchair the first day. She said it was like trying to push a baby out.

The Counsel asked her what body parts were swollen and the witness explained her face, her sides, her groin and her private part. On the kind of pain and bleeding she was experiencing, the witness said she had never experienced that before. On being asked what she thought caused the injury in her private part, the witness stated that no matter how many times she asked herself, she could not come to the conclusion as to what had caused the injury. Asked if she felt anything on the inside, the witness said yes, that was the reason a pipe was inserted so could urinate through it.

The Counsel asked her if she believed something was inserted in her to cause that injury and she said this could be possible but she could not confirm as she was unconscious.

The witness told the Commission that she had to use crutches until she was discharged as she could not walk. The Counsel remarked that the witness said she was bleeding from her private part and asked

⁶Abdoukarim Jammeh testified on 21st August 2019.

⁷An antiseptic used for cleansing minor wounds.

⁸From the description, it is possible that the witness was raped.

if it was the “normal” kind of bleeding or abnormal and the witness said that the bleeding⁹ was as a result of the injury. She added that it lasted for a long time as the hospital did not take care of her injury. She even started limping as she could not walk on both legs and now one her legs is longer than the other.

During her time at the hospital, she was never told what exactly had happened to her. She said she even asked Auntie Njie but she could not tell her. On the type of treatment she received at the hospital, the witness said that they used to “inject” her when she was in severe pain.

Sainabou Camara then explained that Yahya Jammeh visited them when she was in hospital. She added that she had agreed with Abdoukarim Jammeh that they would insult Yahya Jammeh’s mother during his visit. When Yahya Jammeh arrived, she took her scarf and covered her face as she did not want to see him. He then reached her bed, tried to touch her but she pushed his hand away and told him “*Don’t touch me*” then insulted his mother. There was a paramilitary officer who started getting aggressive and Auntie Njie blurted that it was the pain that had caused the witness to react in this way, adding that when Sainabou Camara was in pain, she was uncontrollable.

The witness remarked that if you observe when Gambia Radio and Television Services, GRTS was showing the students admitted at the hospital, they focused their cameras on Abdoukarim Jammeh and not her because of the kind of statements she was making.

Asked why she reacted this way, the witness said there was a Wolof saying “*a demon kills you and then comes to pay condolences to your family*” and she blamed Yahya Jammeh for what she had gone through. She added that she also insulted the then Vice-President¹⁰ when she visited. The witness said she asked her “*If this was your own child that was meted this sort of injury, would that be a pleasant thing for you*” and then they “injected” her again.

Asked how long she was at the hospital for, the witness responded almost three months and during that time, the bleeding did not stop completely but the intensity

reduced. As to the time she was leaving the hospital, her leg was still not healed and the wound in her private part was not either. They did not even prescribe any medicine for that. It was only when she got home that her wound was treated with water and Dettol.

On the psychological impact, the witness said “*it disturbed me a lot before*” because she had never sat down and explained what she had gone through. The only person she had said this to was her late husband Sheikh Bai Lowe and the reason why she told him was because when she was being discharged by the doctor, she was told she would not be able to have children and was given a document.

After three years, her late husband came to seek her hand in marriage. The witness said that she took out the document and showed it to him and asked if he would want to marry someone who could not have children. He insisted on marrying and the witness told him “*OK, go ahead*”. He went to see her parents and they got married. The witness recalled that in 2003, she got pregnant but as she was still suffering from her injuries, she gave birth to premature twins. She added that in her subsequent deliveries, the place where she was injured, that is the same spot on her private part, tore again as it had not been treated.

Sainabou Camara declared that for 19 years she had been living with this story. She explained that she was not able to perform heavy-duty work and people used to call her useless as a result but today she could explain why she is unable to do so. She added that up until now, her groin, waist and chest still hurt her. She remarked that sometimes, people used to think she would faint sicknesses or that she loved being sick but her encounter with the security forces was the reason for all of that. The witness told the Commission that her encounter with the security forces also made her force her younger brother not to join and told him not to tell anyone she had asked him not to.

The floor was then given to the Commissioners.

⁹We assume here that the Counsel was referring to her menstruation.

¹⁰At the time Isatou Njie-Saidy.

Commissioner Sosseh Gaye told the witness that she wanted to salute her as a woman of courage who was willing to come and tell her story to enable the TRRC to investigate a very sensitive issue, which many people are unwilling to talk about. She said this would enable the TRRC to write the story of what happened in the past 22 years. She added that she was sorry for the pain the witness suffered.

Several human rights violations were meted out on her and 10th April represents a dark day in the history of The Gambia, a day when the security service who was supposed to protect her not only attacked her but four men attacked a helpless school girl leading to serious health complications. Not only did they disrupt her education, they deprived her of her right to education. She again saluted the witness for her strength, courage and resilience.

Commissioner Bishop Odico then asked the witness about the fate of the twins and the witness said they did not survive but she had other children, four boys with her first husband and a girl with her current husband.

After thanking the witness for her testimony and apologising to her for the ordeal she went through, Imam Sey asked the witness if the treatment she received at the hospital was the only treatment she underwent apart from the home remedies she used to which the witness responded that she did not undergo any further treatment because her family was not economically strong nor were the men she married therefore they were not able to support her.

In her closing remarks, Sainabou Camara admitted that it was painful to testify about her ordeal but thanked her

neighbours and Abdoukarim Jammeh as he was the one who had mentioned her name at the TRRC and she was then able to come forward to tell her story. She added that there were victims who were still suffering. She asked that the government pay special attention to them and they be given treatment they need.

The witness told the Commission that she was a victim twice as her father's younger brother, late Omar Barrow Camara's story is still not known.

She appealed to anyone, especially her family members who may have any knowledge of what happened to him to come forward and testify.

She finally concluded with a proverb one of her teacher's used to say which basically calls for society to control the mentally unstable, allow the people of knowledge to speak, those without knowledge to keep quiet, the elders to respect the youth and vice versa so there would be peace. She called on those on uniforms to protect the citizens and not commit atrocities against them.

Persons Mentioned By Witness During Testimony:

Torture

Badjie (first name not given)

WITNESS NAME: Bintou NYABALLY

TRRC HEARING DATE (S): 14th October 2019

EVENT (S) DISCUSSED: Experience of the witness as a UDP supporter, her arrest in 2016 and the sexual and gender-based violence the witness was subjected to

POSITION BEFORE THE EVENT (S): Waitress

ROLE DURING THE EVENT (S): UDP member, niece of the late Solo Sandeng

POSITION AT THE TIME OF TESTIMONY: Unemployed

SUMMARY OF TESTIMONY:

Bintou Nyabally told the Commission that after she stopped school at grade 8 due to financial constraints, she worked as a petty trader in the market until 2014. She then worked as a waitress for various restaurants, the last being SeaFront, which she left in 2016 after receiving threats from the paramilitaries. She explained that she used to attend the court hearings of her uncle Solo Sandeng and that was where they recognised her from.

The witness first discussed an incident, which took place in 2001. She recalled that she, her sister and three other men were on their way to a United Democratic Party, UDP meeting in Tallinding before the election, when they found soldiers outside the house of Fabakary Tombong Jatta, a member of the Alliance for Patriotic Reorientation and Construction, APRC and the deputy party leader at the time of testimony.

Bintou Nyabally stated that the soldiers and Fabakary Tombong Jatta were discussing by the gate when suddenly, the soldiers aimed at their group, **fired** a shot and one Ousman Ceesay was struck by a bullet on his forehead.

He fell down and people shouted “Lamin killed him, Lamin killed him”.

The witness specified that she did not know which Lamin they were referring to. She added that she knew Ousman Ceesay as Oustas because he used to teach quranic



studies in the evening but she found out his full name on that day, following his death.

The Deputy Lead Counsel asked how she knew those were soldiers and the witness responded that she recognised green camouflage uniforms. Asked if she had any idea what led to the shooting, the witness responded that she did not know but she knew that service men operated on order and if the order had not been given, they would not have shot. The witness, however, admitted that she did not know who had given the order and if any was given at all.

Further testifying, the witness recounted that when Ousman Ceesay was **shot** and fell on the ground, the soldiers wanted to take the corpse away but the UDP members protested and refused to let it go. There was a push and pull and the paramilitaries who had joined started **firing**. Asked how she could recognise the paramilitaries, the witness said because of the uniforms, which were dark blue but people referred to as “black black”.

Bintou Nyabally stated that when the paramilitaries arrived, they started **firing** teargas to disperse the group and the group retaliated by throwing stones. The paramilitaries then started **beating** them with their batons. At some point, the then Army Commander, Baboucarr Jatta arrived whom the witness recognised because he was a resident of Bakoteh where she also resided at the time.

According to the witness, when Baboucarr Jatta came, he told the paramilitaries to stop **firing** teargas and they did. He then called the UDP group’s leaders to

ask that they let them take the corpse but they refused. They instead placed the corpse in a vehicle, which left for the hospital. Baboucarr Jatta boarded his vehicle and also left.

The witness remembered that their group stayed on and when Baboucarr Jatta left, the paramilitaries started firing teargas and **beating** them again, and the group retaliated again by throwing stones. Asked if she noticed any injuries as a result of the beating and teargas, the witness responded in the affirmative. She recalled seeing some people bleed and others faint.

The witness herself was **beaten with a baton on her back and buttocks, which swelled as a result.**

The witness said she managed to escape and went into a compound in Tallinding, before making her way home.

The witness further testified that in 2001, three days before the election, there was a curfew. She was home and saw boys running so she came out and peeped. A soldier came into the compound and asked for the head of the compound. According to the witness, the soldier said that if it had not been for Sadibou Hydara's mother, he would have wreaked havoc in the compound. Asked what she understood from that statement, she said that it was a possibility that he knew the old woman and he probably knew that was Sadibou Hydara's home. The witness was asked if she was related to Sadibou Hydara and she confirmed he was her uncle.

She explained what she heard regarding his death, that is that he died as a result of high blood pressure. However, the witness remarked that as far as she knew, Sadibou Hydara did not suffer from high blood pressure. She said that before he joined the army, he went for medical tests. She also added that they asked the wife and she said she never knew him to have high blood pressure. Asked how her family felt upon hearing that, the witness said that the whole street knew about Sadibou Hydara's death and they were the last ones to know. The Alkalo¹¹ of Dippa Kunda told her uncle who went to the morgue with him to confirm the death. It was after that that they returned back to the house and informed them.

Going back to what happened during the "curfew incident". Her uncle came out and he asked "*who went out?*" The witness said everybody was quiet, including herself though she knew that her uncle knew it was her as she was the stubborn one. The witness explained that he just spoke to her uncle and left. Continuing on with her testimony, Bintou Nyabally related that the day after the curfew was the election day and the APRC had won. When the results were announced, three female APRC supporters came and stood in front of their compound and hurled insults. The witness said she came out and hurled back insults. She explained that a fight ensued and people came to separate them. The witness went back into the house, where she received a beating from her uncle.

Bintou Nyabally then moved on to discuss the events that took place in 2016. She stated that on 14th April 2016, Solo Sandeng and others were **arrested** but the witness was not aware of it at that time. She only found out the following day when a woman came and asked her what had happened to her uncle Solo Sandeng.

The witness decided to go to Dippa Kunda and on her way, whilst in Serrekunda, she got a call from her aunty **Bintou Sandeng** who told her that **Solo Sandeng was dead.**

The witness told the Commission that following news of Solo Sandeng's death, they called for a peaceful protest. They went into the streets on 16th April 2016 holding a paper that said "We need Solo Sandeng, dead or alive". They left Pipeline from then UDP leader Ousainou Darboe's compound and headed to Westfield but when they got to the Comium they were attacked by the paramilitaries. Teargas was fired all over the place and the peaceful demonstrators were being **beaten** with batons and gun butts.

They UDP leaders were **arrested**, namely Ousainou Darboe and Lang Dabo Dibba, Kemesseng Jammeh

¹¹Village head.

and taken away. After they **arrested** them, the witness said she ran back to Solo Sandeng's compound. As she was telling them that the leaders had been **arrested**, soldiers in balaclava (you could only see their eyes and mouth) and green camouflage arrived. About three alighted from the vehicle along with one Ya Mundow. At this point, the witness explained that she knew Ya Mundow as they both resided in Dippa Kunda. Asked if she had another name, the witness said she did not know.

The witness testified that they came into the compound, walked around without speaking to anyone and left. Asked why she thought they were at the house, the witness said she believed they did not come after Nyima Sonko Sandeng, Solo Sandeng's wife but rather for Aji Fatou Sandeng, Solo Sandeng's daughter. She explained that Aji Fatou Sandeng had stood at the roadside asking for the return of her father, from wherever Yahya Jammeh had kept him.

On Ya Mundow's role, the witness explained that she believed she had come to identify Aji Fatou Sandeng as she knew her. The witness added that other soldiers arrived later but the neighbours hid Nyima Sonko Sandeng in their compound.

Going back to the leaders who were **arrested**, the witness said they were taken away and were to appear in court. The UDP members would attend the court hearings but would face "many difficulties" on the way. Asked what kind of difficulty she was referring to, the witness said that the paras used to "disturb" them a lot on the way as they wanted to stop them from attending the court proceedings and would always ask for their ID cards.

The witness confirmed attending the court proceedings until 9th May 1996 when Sukai Dahaba was **arrested**. She explained that on that day, they went to court and were standing around the arch end but the paras came and asked them to leave that area. They therefore went to stand at the junction, where the school is for the lawyers but as it was getting hot they decided to move to where the Christian cemetery was. However, the paras headed by Gorgi Mboob, whom she described as tall and heavily built, told them they would not pass.

Asked what she wore, the witness said she wore yellow trousers and a T-shirt that said "Kalamaa revolution". Asked what it meant, the witness said she did not really know but it was Sukai Dahaba who distributed these along with brooms and calabashes. Asked what they did with the brooms and calabashes, the witness said that they would sweep and scream "Yahya Jammeh should go" and the Deputy Lead Counsel remarked that essentially it signified sweeping Yahya Jammeh from power.

The witness told the Commission that when Gorgi Mboob refused to let the group stand by the cemetery, the group refused to desist. As a result, a confrontation ensued and the paramilitaries started beating them with their batons. One Solo Krummah suffered a wound on the head and passed away within two weeks. She added that another person named Lamin was hit on the eye and up to this day, there were issues with the eye.

Bintou Nyabally stated that at some point, they left and when they got to Bond road, they saw soldiers wearing camouflage and red berets who had created a blockade. They parked two trucks and told them to get inside. The witness and her group refused to board and manage to make their way by hopping onboard a big truck with cashew nuts that was passing by. Once they passed them, the group alighted and continued on foot, chanting "*we need peace, we need peace*". They came across the paras again who had created another blockade. According to the witness, they parted to supposedly let them pass but once the group was in the middle, they fired teargas and started **beating** them with their batons.

The witness recalled that she started running and at some point she tried to jump over the gutter near the Red Cross. Unfortunately, she was hit and fell down. She said that as she was struggling to get out of the gutter, two paras came and **beat** her, whilst saying "*you nation destroyers*". The witness managed to escape and run into the Jacaranda restaurant with one Mai Dabo. She explained that from inside, she could observe what was happening outside through the glass door.

She saw them **beat** an old man, called **Pa Jagane and Kaddy Samateh/Sawaneh** (the witness was unsure if the surname was Samateh or Sawaneh) **who was holding her one-month old baby called Aisha.**

After they beat them up, they threw them in the vehicle and took them to the PIU. Asked how the witness knew, she said the following morning they were taken to court.

Bintou Nyabally recounted that the next day, she went to Kanifing court where Sukai Dahaba and Kaddy Samateh/Sawaneh were made to appear. The witness added that other women in their group who were arrested were Amie Bayo, Lily Bojang and another woman from the provinces whose name she could not remember.

Going back to what happened the previous day, the witness said that after she left Jacaranda restaurant, she went to Pipeline to Ousainou Darboe's compound. Soldiers arrived, stood outside the house and started hurling insults. Lamin Cham (who currently works at the Office of the President) and Adama Barrow (the President of The Gambia at the time of testimony) ran away and hid leaving the women to argue with the soldiers.

According to the witness, Ousainou Darboe's daughter, Yama said to them: *"if you are man enough, enter my father's compound and see what will happen to you"*. She then opened the gate of the compound and invited the soldiers in but they left. The witness said that after they left, she also left.

The witness further testified before the Commission that on 17th May 1996, the UDP members were on their way to a court hearing¹² and when they got to Bond road, at around 8 am, they found paras standing on the highway. They demanded their ID cards but the group did not have their ID cards with them. They asked them where they were going and told them to Banjul without specifying the reason.

They made them disembark and then took them to the PIU. Once they arrived at the PIU, they took them to a parlour where there was a table and a chair. After that, one man came to interview them. The witness said she recognised the paramilitary, who was dark in complexion, a bit hefty and not very tall, as being from Jambanjali. He asked them for their names and surnames and when Mariama Sandeng gave hers, it was then that they realised why they were heading to court.

The witness remembered that she was chewing gum and the paramilitary who was interviewing them **slapped** her as he said she was stubborn. He also added that they were enemies of the state. Asked if he was the only one who interviewed them or other paras were present, the witness said there were other paras there but the dark man was the one who questioned her and who slapped her. Asked how she felt, the witness said it hurt her but there was nothing she could do about it.

After that, she was taken to a dark cell with Mariama Sandeng. There was no bed, no seats. They were not provided any food or drink nor were they told the reason for their **arrest**. The witness explained that in the evening (between the evening prayer and the last prayer), two men wearing masks and dressed in the para uniform came and took Mariama Sandeng out. As one of them was stepping inside, he was called and the witness heard "Sanneh".

The witness testified that the two men returned to the cell and Sanneh came and pulled her legs and the witness fell down (the witness was squatting). The other man who he was with switched on the light of his mobile phone and then Sanneh **raped** her. She recalled that he said something to her in Jola and when she was released, she asked for the translation and was told it meant *"you are shameless"*. The witness said the other man who also **raped** her used a condom but he did not speak so she did not know what tribe he was from.

¹²We assume that of Ousainou Darboe's.

The Deputy Lead Counsel asked her what she meant by **rape** and the witness said they **attacked** her, **forcefully undressed** her and **forcefully had sex with her**. She was asked if **Sanneh wore a condom** and with **tears in her eyes, the witness responded “no”**.

Asked what she felt at that point when they **raped** her, the witness holding back tears, said when they held her, she fought back but she suffered bruises on her arms and legs. Asked if she suffered any other injuries, the witness said under her groin she felt some pain, even the next morning. She added, with tears now streaming down her face that after the two men **raped** her and left, she was alone until the next morning. The next morning, she was taken to the big parlour and given tea and bread. She asked Mariama Sandeng if anything had happened to her and she said no.

On whether other officers at the PIU knew what had happened to her, the witness said she did not know as she did not speak to any of them. Asked she had seen any of the other detainees that morning, the witness said she saw people there, she saw Bintou (she did not give the surname), who was the only one she knew. She was asked if she knew if anything had happened to the other women there and the witness said something could have happened to them there but she did not speak about that with them.

The witness recalled that they were given some couscous in the afternoon but she could not eat. She said she was vomiting and it was after that they were released to go home.

The witness said she decided to speak about what happened to her publicly and she had given some information to the Victims' Centre. The Deputy Lead Counsel then stated that she wanted to clarify the information given to the Victims' Centre. The information referred to the fact that she was **raped** by three masked men but the witness just testified that she was **raped** by

two masked men. She was asked if it was an error or if there was an explanation for that. The witness said there was no misunderstanding.

Two men raped her and the third one interviewed her.

The Deputy Lead Counsel further said the information also said the incident was on the 9th May and the witness had testified it was the 17th May. The Deputy Lead Counsel asked which one was accurate and which was on an error. The witness confirmed that her rape was on 17th May.

Bintou Nyabally stated that when she was released, she went home and told her mother what had happened. After that, her mother would boil banana leaves and she would sit on them. She would massage her body with them. The witness explained that she did not go to a hospital or a clinic after she was released, because at that time, she did not trust the hospital, nor the system as everyone was an informant.

Asked if she eventually went to a hospital, the witness said she went to take a test to see if she was pregnant as a result of the **rape**. She did not inform the doctors or nurses of what had happened to her.

On the psychological impact, the witness said it almost diminished her “humanity”. Her mother told her not to tell anybody so apart from her mother and her sister, nobody knew. Eventually she decided to come out publicly and tell Gambians what had happened to her because she wanted the whole Gambia to know as some people were still denying the atrocities. She added that her **rape** had an impact on her children, with one of them repeating class. She also never sought work again and has been unemployed since.

Commissioner Sosseh thanked Bintou Nyabally. She said if there was a word stronger than courage, she would use it for her as she had broken the culture of silence by coming out publicly to state what had happened to her whilst under **detention** not only to the people of The Gambia but to the whole world because the TRRC is broadcast globally.

Commissioner Sosseh added that they were sorry for what she had gone through but apart from the other human rights violations carried out against her, this was the most heinous crime and is classified under the statute of the International Criminal Tribunal for the former Yugoslavia, ICTY, that included rape as a crime against humanity. She said the security services have a serious issue to deal with, that is raping detainees under detention. She thanked her once again.

Commissioner Bishop Odico asked what the result of the medical test she took was and she responded in the negative.

The witness ended that by thanking the TRRC and called on survivors of rape to come out and speak the truth. She also asked for nobody to mock her or blame her.

Persons Mentioned By Witness During Testimony:

Extrajudicial killing

Lamin (last name not given)

Torture (Rape)

Sanneh (first name not given)

Commissioner Sosseh added that they were sorry for what she had gone through but apart from the other **human rights violations** carried out against her, this was the most **heinous crime** and is classified under **the statute of the International Criminal Tribunal for the former Yugoslavia, ICTY**, that included **rape as a crime against humanity**. She said the security services have a serious issue to deal with, that is **raping detainees under detention**. She thanked her once again.



Photo: ©Jason Florio

Bintou Nyabally, a UDP member testified that she was raped by two masked men in April 2016 while in detention. In her concluding remarks, she called on survivors of rape to come out and speak the truth; and also asked for nobody to mock her or blame her.



WITNESS NAME: Haddy MBOGE BARROW

TRRC HEARING DATE (S): 15th October 2019

EVENT(S) DISCUSSED: Sexual and Gender-Based Violence in The Gambia¹³

POSITION BEFORE THE EVENT (S): Community Health Nurse

ROLE DURING THE EVENT (S): Founder and National Coordinator of Network against Gender-Based Violence (NGBV)

POSITION AT THE TIME OF TESTIMONY: Retired

SUMMARY OF TESTIMONY:

Haddy Mboge told the Commission that during her time at the Gambia Family Planning Association, GFPA she came to realise that there were a lot of issues surrounding women's sexuality as well as sexual and reproductive health. The witness explained that when she started working at the GFPA as an area manager, she came across a lot of these issues but she did not see much being done about them considering the taboo surrounding sex and sexuality in the communities. She eventually had the opportunity to do her diploma in gender and development at the Management and Development Institute, MDI and once she completed, she pushed for the development of a gender policy at GFPA, which gave the opportunity to mainstream gender, with a gender unit eventually being created at GFPA.

Further discussing her career, the witness explained that she was promoted and eventually headed the gender unit at GFPA. She stated that she was trained further

on gender-based violence, GBV in 2002 in Ethiopia and when she got back to The Gambia, she started pushing for mainstreaming GBV into sexual and reproductive health rights.

The Deputy Lead Counsel then asked the witness to explain concepts such as "gender", "gender mainstreaming", and "sexual and gender-based violence". The witness went on to explain that "gender" is a social construct.

When one talks about **"gender"**, it is about **relationships**, it is about things that **one learns**, it is about **girls and boys** and it is about **men and women**.

She added that it is not about sex, which is "biological made" rather about roles, responsibilities and power dynamics. The reason that it is said that it is something that one learns, *"it is people that put it there, it is not God given"*.

She further stated that the concept of gender differs from one region to another and from one tribe to another, adding that it was basically about the role that people ascribe to boys/men and girls/women: for example boys should do this, girls should sweep, they should cook, women should be submissive etc.

Discussing gender mainstreaming, the witness explained that put simply, it is about things that one can enhance and in doing so, improve relationships. She added that it also concerned resources, that is to ensure that adequate resources are put into organisations.

Moving on to sexual and gender-based violence, SGBV the witness stated that violence is about hurting or harming somebody, inflicting pain on somebody. Therefore, if the two words (gender and violence) are put together, one is trying to define inflicting pain on somebody whether it is physical, psychological, sexual because of the person's gender, because the person is a woman, a girl or a boy.

¹³This was an expert hearing, not related to an event in particular.

Lastly, she stated that gender, sexual and reproductive rights refer to the way people's sexuality unfold on a particular gender most specifically reproduction and having children.

The Deputy Lead Counsel then asked the witness to give examples of SGBV within The Gambia. The witness responded that she always tells people that SGBV starts in The Gambia immediately when you give birth as a woman, especially if the baby is a girl. Somebody, whether a family member such as a husband, a sister-in-law or a mother-in-law will remark "wow, why is she bringing a baby girl, why not a baby boy". The witness stated this right there was a violation of the right of that woman that carries a pregnancy for nine months and goes into labour.

The women should be thanked for giving life but people are asking "why did you give birth to a baby girl?"

For the witness, this is a violation of the rights of that woman and the baby girl. She added that as the child grows up, both boys and girls are handled differently. Dolls are bought for the baby girl and stuff for cooking demonstrations etc. The message that is being passed is that she should prepare herself to be a mother and a "baby man factory machine". While toys bought for boys include very fancy cars, airplanes and guns, thus telling them "look, you are supposed to work hard to become rich but you are supposed to be very strong and even violent". The witness added that this continues even at the school level and it was only recently that the school curriculum had changed.

Haddy Mboge told the Commission that the way roles are divided in the households is also classified as GBV. She gave the examples of child marriage and Female Genital Mutilation, FGM with babies sometimes as early as a week old undergoing the procedure. She added that even preference in education for boys is GBV and even though affirmative measures were taken by the government and the Ministry of Education to ensure free education for girls, the retention rate at the tertiary level is low.

The Deputy Lead Counsel asked the witness to define **sexual violence** and the kinds of conduct that constitute sexual violence for the "lay-person". The witness stated that **sexual violence** is "any advance that you do towards somebody and it is not acceptable". The person has to give his or her consent.

She added that touching the sexual organs of a person constitutes sexual violence as well as sexually violating the person.

The witness highlighted that **sexual harassment** can also amount to sexual violence, including the use of certain words on the opposite sex.

The Deputy Lead Counsel then asked the witness to discuss her National Aids Secretariat work and the kind of work the witness did in relations to these issues. The witness explained that whilst working at the GFPA as a programme officer, when they started their gender programme, they gradually started seeing victims/survivors of SGBV at the family planning. They used to see survivors of FGM and some who had undergone the type III¹⁴ or type IV¹⁵ of FGM. They even piloted the male only clinic, which was very important considering that when people talk about sexual and reproductive health rights, people think it is only about women but it is also about men. The clinic gave the opportunity to men who have sexual or reproductive issues to come to those clinics. She added that in the Gambian culture, when one is married and cannot have a child, the woman is blamed when actually some men cannot have children because they may have a low sperm count and need support to have a child.

The witness stated that in the course of her work, she had another project that she was handling, which was the Rapid Response to HIV and Aids and the Global Fund project. She was working in the area of HIV and Aids with People Living with HIV/Aids, PLHVA. This added to her work on SGBV to the extent that by the time she had left GFPA, she started working on how she can start an organisation, which would really focus on SGBV.

¹⁴The most severe form, it is also known as infibulation or pharaonic type. The procedure consists of narrowing the vaginal orifice with creation of a covering seal by cutting and appositioning the labia minora and/or labia majora, with or without removal of the clitoris.

¹⁵This type consists of all other procedures to the genitalia of women for non-medical purposes, such as pricking, piercing, incising, scraping and cauterisation.

Focusing on the network, the witness explained what led her to establish such a network. She stated that she knew a lot was being done by government and NGOs but she saw a gap in coordination of efforts so that survivors and victims are not continuously revictimised in the process. The witness added that she also thought that the issue of privacy was lacking. She said she thought about all the expertise in The Gambia and thought of bringing everyone together so *“we can do this better”*.

The objectives of the network were established in 2009 but the actual work began in 2010. The main objective of the network is to make sure to eradicate or at least minimise SGBV in Gambian society through advocacy, awareness raising, research, training, capacity-building and partnership.

The witness explained that the first thing they did was a desk review to see what kind of work was being done. The desk review showed that a lot of work was being done in SGBV but it was not coordinated. Hospitals were seeing **sexual violence** victims and doctors and nurses were attending to them but using what they learnt from the training schools, which was very “scientific”. She added that the documentation was not uniformed neither was the approach and they did not know how to handle the survivors well. Additionally, there was also the issue that the nurses and doctors would not attend to a survivor of **sexual violence** until she has a police escort. She further explained that the police was also handling the victims of **sexual violence** at the time was like any other sexual assault case.

The witness said they realised there was a very big gap in terms of coordination and the way things were done. The capacity at the police sector, healthcare delivery and at the department of social welfare was inadequate. The network therefore hired a consultant to develop guidelines (and standard operational procedures alongside the guidelines) to train the police, nurses and doctors such as gynaecologists and for psychosocial support. Basically, she said there were many different actors working on SGBV but it was better to have them under one roof thus they came up with the concept of a

One Stop Centre of different professionals working together to essentially coordinate their services to make sure that victims are treated the same way at the same time without duplicating resources.

Asked when the One Stop Centre started functioning (one at Edward Francis Multiking Hospital and another one at Kanifing), the witness said they started the actual work in 2013. The piloting first started at Edward Francis Multiking Hospital and it allowed to improve the issue of privacy. The witness explained that when they went there to set up the One Stop Centre, in the gynaecology ward at the time, like in many hospitals, the table was in the middle of the ward and that is where the doctor would sit and attend to the patients. She added that patients would look around, not feel comfortable and explain something else. The network therefore suggested having other rooms and three rooms were provided very close to the gynaecology ward.

She further told the Commission that a reception area was also created so that survivors/victims can sit, watch TV (with information on **sexual violence**), then there is an examination room where the patient can be examined and then there is another room provided for the police and social worker where services can be provided. The goal was to minimise re-victimisation.

The witness said she saw that when doctors even asked questions to their trainees, such as: can anybody explain their last sexual encounter, the trainees would be very uncomfortable and these were people who were training she remarked.

She asked to imagine how difficult it therefore was for someone who did not want it to happen, who was forced, who underwent pain to explain their ordeal.

She clarified that victims/survivors would have to go to the police, explain everything then go to the hospital and explain everything again and that is re-victimisation. So they decided to bring everyone under one roof and the person would narrate just once. The Deputy Lead Counsel remarked that was important because the more you get someone to tell such an ordeal, the more likely you might get them to stop telling it because it is frustrating. Asked where else the One Stop Centres are currently located, the witness responded Bansang Hospital, and they are expanding to Esau, Brikama, West Coast region, Farafenni and Soma.

The Deputy Lead Counsel then stated that the witness had said the One Stop Centre is managed by a care team of different professionals. She asked if the witness had any data coming from the care team in relation to **sexual violence** in The Gambia and the witness responded in the affirmative. She explained that the network had developed a register for uniformity, which would have the name of the survivor, the age, the place of residence, the name of the alleged perpetrator, his age, his place of residence and if the survivor knows the alleged perpetrator.

Each of the professionals within the care team is provided with a register. The witness told the Commission that the network also developed a reporting form which each of the care team has and highlighted that they did not only have data on only **sexual violence** but different types of gender-based violence (physical, economical, psychological). Cases are registered in the register and sometimes entered in the computer if available such as at the Edward Francis Hospital.

Haddy Mboge further explained that everything is recorded and every quarter the care team meets at the network to verify the data. She highlighted that verification is important because the network does not have a robust database and this allows to avoid duplication and raise the figures unnecessarily high. Another reason is to make sure that they discuss what happened to the case, what is the progress being made with the case, what are some of the challenges and what they can do together. Each of the care team comes with their register, they go through all the names to ensure it was recorded only once and also count the number of cases that have been reported.

The data is provided to their donors, as to this are the numbers of cases seen and shared with all members of the network. They share it at the steering committee meeting which is chaired by the Women's Bureau and which meets quarterly.

The Deputy Lead Counsel noted that the witness had provided them with a copy of the data collected and asked the witness to walk them through the data. The witness said the data she was reading referred specifically to **sexual violence**.

In 2014, the total cases of sexual violence cases recorded was 92 and the number of adult victims (above the age of 18 years) was 23, which constituted 25% of the total data and the number of child victims, 69, which constituted 75% of the total data of victims in 2014.

The Deputy Lead Counsel asked how young is the youngest victim the witness had come across and what kind of sexual violence was entailed. The witness responded the youngest was 18 months. Asked to give them an idea about the type of sexual violence without revealing any information that could identify the victim, the witness explained that when the 18th month old child was taken for a medical examination, they learnt from the doctor that semen had been found on her private parts and so they concluded that if not penetration or something around the vulva of the child had happened. It turned out that the sexual violence had happened within the family and the perpetrator was a cousin in his 20s.

The Deputy Lead Counsel remarked, looking at the data, that when the witness began in 2014, she received some data and recorded cases but as time went on and certainly with 2015, 2017 and 2018, there are huge increases in numbers. For instance, in 2018 there were 302 cases of sexual violence. The

Deputy Lead Counsel asked the witness to contextualize that for them considering issues of underreporting, what to these figures say in terms of **sexual violence** in The Gambia? The witness responded that we needed to ask ourselves if the number is increasing or is the awareness raising paying dividend and people are gradually reporting? The witness was unsure and said it was a research question.

She further wondered why most of the victims they were seeing are children, asking if meant that it was more convenient to bring a child who was **sexually violated** than an adult or does it mean that because of cultural and others issues they would later discuss that children are being brought or simply if Gambians were living in a pedophile society? She said these questions needed to be asked.

Asked about in terms of adults the oldest age she had come across so far in her work, the witness responded it was between 30-40. The Deputy Lead Counsel remarked that the witness had mentioned the issue of underreporting so that might not reflect the actual reality of the situation and the witness agreed.

Asked what types of **sexual violence** where more common in her statistics, the witness responded it was **rape** and defilement that were more commonly reported. Asked about other types of sexual violence she has come across during her sensitisation work with the community, the witness responded that it was **child molestation**. Asked what kind of form it takes in The Gambia, the witness responded: *"I always say Gambians, we are very nice people but I think some of us are very naïve, that is the Gambian person."*

We give out our young children to anybody very comfortably and sometimes even undressed and some men will actually get their satisfaction by only playing with the genital organs of those children and that is molesting.

They do that and you will not even know. They can do that to a child over and over, that can happen".

The witness added that she remembered that the Department of Social Welfare in the care team said they were told that there was this man who when normally the child cried, used his organs to put it in the child's mouth! The witness further remarked that molesting took place whether it is a girl or a boy.

The witness said that sex and sexuality was taboo in The Gambia. The Deputy Lead Counsel asked what terms people would use to describe for instance **rape** in Wolof, Mandinka or Fula but because it is a taboo, they would use "nicer language". The witness responded that for instance the Wolof would say "he forced himself onto me" as they want to make it very nice but when the witness hears that, it is an alarm bell for rape. For the Mandinkas, they would say "he jumped onto me" and for the Fulas "he fell on me" and these are all red flags.

The Deputy lead Counsel remarked that this touched upon something they briefly discussed, which was that a lot of times, people do not know what is happening to them or describe what happened to them because the language was not used often enough for people to describe what really happened to them. Asked what the cultural reasons were that contributed to that, the witness explained that it was the culture of silence when it comes to sex and sexuality because this person is totally ignorant about his/her body, she/he does not know the names of her/his private parts generally so to describe is very difficult. Questions have to be asked and because sex and sexuality are not discussed, the person finds it difficult to even address this. She even remarked that this was even difficult for trainers as that is how they were socialised, *"we beat around the bush"*.

Asked about the issue of patriarchy in the society, what role does that play in terms of how **sexual violence** manifests and how victims even understand **sexual violence**, the witness responded that patriarchy is everything that surrounds power and position.

It is about the **power dynamic**, who has **power over what and that power plays in different angles when it comes to sexual violence.**

She added that for example, if someone has power over your welfare, it is a very “strong person” in your life and can make many decisions especially if you are brought up in a place where men are the perpetrators. She highlighted that in Gambian culture and homes, men are usually the heads of household so if the person is talking to you, you give all the respect because the person is the one who is powerful at the household level and within many institutions. The person finds it difficult to say no and though the person is not giving consent, she does not have a choice. She also stated that if the person speaks up, people will listen to them rather than to the victim/survivor for the reasons stated previously.

The witness noted that the financial dynamic, being the head, the physical power all play important roles, and most of the time, people who inflict **sexual violence** are holding at least one of these power. She further remarked that even emotions could be controlled by them adding that perpetrators mislead victims by telling them “*you know what, this is what happens to every girl child before they grow up*”. They manage to manipulate the child because nobody informed them before. The Deputy Lead Counsel asked the witness to elaborate on that as children are particularly vulnerable and a huge majority of victims are children.

The witness went on to narrate that they once received two girls aged 8 and 10 years old respectively. As they were going to Dara, two young men called them and asked them to come in. They told them to wait as it was not yet time to go to Dara and then eventually they asked them to undress and the children said that when they asked why, they responded that every child goes through this, somebody has to teach them to do this and that was how they **raped** the two girls.

Haddy Mboge further explained that when the girls went back home, they did not explain to their mother because

they thought it was normal. However, their mother said that anytime she woke up her children at night, she always checked their private parts to see if anything was wrong. She said that after they were **raped**, she did so and saw something and it looked like semen or discharge, which she was puzzled about. She woke up the eldest one and asked her but it was the younger who spoke up and that was how the mother went to the police station to report.

The witness remarked that by not even talking to children about their body especially sex organs and sensitive parts that nobody should touch, they do not know what to do if anybody does touch them.

The Deputy Lead Counsel asked the witness how like in a country like The Gambia where everyone is connected, how that closeness impacts the issue of **sexual violence** and reporting/lack of reporting and the witness commented that, if the perpetrator is an ordinary citizen, it is easy to discuss but if the person is an influential person, as soon as the victim opens her mouth and says “so and so person”, the reaction of even the parents is “*close your mouth, where do we go with this, do you know how powerful that person is? Do you know calling his name what that is going to result to? How can you prove that?*” She added that if the person’s name is mentioned, negotiations will go on and the case will not go anywhere.

The witness could not remember any influential person going to court over a case of sexual violence in the country.

Asked about the kind of negotiations that would take place in such a situation, the witness stated “*you know in The Gambia, the family name is more important than the victim*”. She added that families would fear that they would not be able to marry off the girls or that their reputations would be tarnished. Even if they take the victim to the health facility, they would ask for treatment but specify that they do not want this to go anywhere as they do not want their next neighbour to know about this.

Witness Mboge told the Commission that if after the sexual violence act the victim becomes pregnant, they negotiate for marriage or take care of the child if she delivers.

The witness remarked that would essentially be a case of **marrying off a rape victim to her rapist, which is basically normalising the sexual violence, telling the perpetrator it was ok for him to do what he did.**

The witness added that the person is already living the psychological pain from the **rape** and the people who are supposed to listen to her have compromised her by arranging the marriage or taking care of the baby when the victim delivers. If the victim gets another husband, maybe the child would be left behind for the grandmothers to take care of him/her.

The Deputy Lead Counsel remarked that this was a good place to segway into the impact of **sexual violence** on survivors and the witness went on to say that the impact comes in different ways: the impact on the victim, the impact on the family, particularly on the mother. The impact can be psychological with serious depression of the victim herself and financial. It can have an impact on the national budget with all the cases being reported at the hospital, the time spent on that and the medication being spent that could be spent on other things if there were no **rapists** around.

At the community level, there is an impact as well in terms of production as the victim/survivor is not able to function at the level it was functioning before especially when the person becomes pregnant. If a child becomes pregnant, it has an impact on her education, sometimes they may not even go back to school again. Even if a child goes back to school, the reaction of the schoolmates will cause her to drop out because she is stigmatised and isolated. The witness said they had seen a case where the entire family disowned the child and she ended up having very serious depression.

On the impact on the mother, the witness explained that **the culture blames the mother if anything happens to the child “you are not a good mother” and they undergo a lot of psychological pain.**

Very often, the mothers do not want the fathers to know if rape has taken place because the blame comes back to them and of course nobody talks about the perpetrator.

On the issue of victim blaming, the witness explained that in The Gambia, it comes in two or three forms. The girl will be blamed for her dress code and said not to have been dressed modestly. *“If the person dressed modestly, maybe nobody would **rape** her”*. But what is the definition of “modestly” the witness asked. Another form of victim blaming would be: *“why did she go to that particular place for this to happen to her?”* She will be blamed that she has not been “cultured” and the blame will fall back on the mother who would be said not to have brought up the child properly thus resulting in her **rape**.

The witness however highlighted that anybody can be a victim of **rape** as sexual violence does not have a barrier.

The victims should not be blamed but rather seen as brave for speaking out because it can happen to your sister, to your daughter, to your aunty. Nobody can guarantee that they will not be sexually violated, it can happen to anyone.

Moving on to the types of complaints mechanisms in place for victims to report **sexual violence**, the witness explained that the reporting mechanisms

vary from the police station, the health facilities and the department of social welfare. Sometimes the communities call the network staff directly and report a case and they direct them as to where to go. Sometimes the Women's Bureau may see a victim of SGBV and they will direct them to the network office.

The Deputy Lead Counsel asked the witness to discuss some of the challenges in relation to these accountability mechanisms and generally how **sexual violence** is being addressed in The Gambia but to first elaborate on the misconceptions around sexual violence in The Gambia. The witness responded that many people believe that those who are violated sexually, are not "cultured", which implies that it is because of a person's appearance and how they carry themselves.

An example would be athletics, most of the young girls are usually with young men so if the person is raped, the society blames her because she is "always moving with boys" or not dressed appropriately.

Another example would be someone who decides to be a model. The witness stated that people think that if one moves away from the role prescribed to her in society then whatever happened to her, she is to be blamed for. Many also believe that adult women cannot be sexually violated as well as that parents cannot sexually violate their children or brothers cannot sexually violate their sisters.

On sexual violence as to concerns men and boys, the witness stated that the misconception is that men are believed to be strong and believed even not to cry. They are believed to be tight lipped and not talk about things.

That is how they are socialised so as a result if men are sexually violated, the society has prepared them not to talk about it, which makes it difficult for reporting.

The witness remembered reading one case study, though in Senegal, that a young boy said that he was introduced to Men having Sex with Men, MSM by his uncle's friend and added that Senegal and Gambia being very close, one could imagine that this could also happen in The Gambia.

On examples of information received through public sensitisation, the witness said she could not specifically mention a case but in 2015, the network reported 15 cases of young boys but it did not go further to say if it was physical violence or sexual violence. The witness noted that she unfortunately did not have adequate time to follow up to find out what type of cases these were however, she added that the programmers who go out to do the sensitisation, especially when they bring young boys together, some of them will say "they are part of sexual violence". *"The way we have the sugar daddy syndrome, we also have the sugar mummy syndrome"*, she stated. Women sometimes use that power dynamic to sexually violate young boys.

On the issue of people believing that adult women cannot be **raped**, the witness stated that until recently some police officers took it for granted.

"You negotiated for something, a big woman like you, who can rape you?" She added that if the person confides to a neighbour, **they will not believe her as they think it is specified for young children and that an adult wanted to be sexually assaulted or called for it.**

The witness said she knew the case of an adult woman who went to the farm and was **raped** by someone who grazed the cattle. When she reported it, the cattle grazers were brought together for her to identify, which she did but she was not taken seriously. The police thought she had arranged for

it because she was an adult. As an adult to report **rape** you must be very strong to push you case further, she remarked.

Asked about cases of people believing that parents or siblings cannot **rape** their children or siblings, the witness stated that sometimes parents allow for older brothers to sleep in the same room as their sisters, especially if they are from the same parents. These children who do not know anything about their body, with access to internet, social media, want to explore and want to know why adults are doing “this” so they begin to do this to each other.

The witness also told the Commission that people do not want to believe that a biological father would rape his own daughter but incest are cases they see. Sometimes they see the girls when they are already pregnant. She remembered a particular child who was supported by the network. It was the breadwinner who had **raped** her and she reported it to the network. The victim was removed from his care and the network continued to pay for the girl’s school fees until she went to university.

“So incest, let nobody fool you, it happens in this country”, the witness remarked.

The Deputy Lead Counsel added that misconceptions impact how the case is handled as well.

On the culture of silence and the different forms in which it is manifested in The Gambia, the witness stated that it was something that has been socialised. People do not want to discuss if someone has been **sexually violated** which creates difficulty for the case to be reported in turn contributing to the issue of underreporting. The witness added that even if you hear the rumours, sometimes it will be brushed under the carpet because the parents and the child feel uncomfortable to discuss the case. This is further exacerbated if the person is well-known, prominent, rich or a community leader.

The culture of silence also affects people at work because sometimes, they will go to the police to withdraw the case as they do not want anybody at work to know about it. *“Nobody is forcing people to put up their case,*

but cases that are of high crime, I believe the police should continue no matter what”, stated the witness as the culture of silence encourages the issue of SGBV to continue.

Haddy Mboge also added that if a woman is battered by her husband, the first person she will want to report to is the mother but most of the time the response she will receive is

“Go and bear, don’t you know we went through all this? What is wrong with you? For your husband to batter you, is there anything wrong with that?” It means **violence is being condoned and women accept it because they are socialised, made to believe that it is acceptable.**

The witness stated that nobody wants pain to be inflicted upon them and she believed that it was not the women speaking but the people in power who put this into the heads of the women.

The Deputy Lead Counsel noted that the culture of silence was deeply rooted. She asked the witness if she had examples of families not wanting the victims to report and the witness narrated a case in which a girl had been **sexually violated**, allegedly **raped** and only reported once she became pregnant. She was in the office with her mother and the police officer, and whilst explaining her story, her mother was stating that if she delivered the child and the father of the child did not recognise the child, it would be a big disgrace for the family. Meanwhile, the mother of the **rapist** was saying that *“my son will not marry this girl, this is not what I planned for him. Let her go and deliver. Maybe when the worse comes to the worse, we may name the child”*. The negotiation was now the victim and her mother begging the **rapist** and his mother. The witness said this was a common example of how families settle **rape** issues when a child is involved.

Asked about examples of **rape** by a young person happening by a neighbour in the same compound they live in, the witness said that she remembered a case where it happened between first cousins. It generated a lot of issues to the extent that the victim and the parents have to move out from the compound because the blame was thrown at them. Asked if there are shelters to accommodate victims and families in such a situation, the witness responded in the negative. She said however the shelter for children in Bakoteh is being used temporarily for victims of **sexual violence** but that goes with a lot of challenges as they place was not designed for these type of victims and sometimes they place is overcrowded and there are not enough resources to take care of survivors of SGBV.

The witness stated that victims are victimised in many ways: they are already sexually violated, then they cannot say their story because the society is pressurizing them not to talk about it, they carry on with that pain, and they are staying with that pain or see their perpetrator everyday and they do not have control over that because they are in the same place.

Asked about those who come out and speak, the witness said she wanted to use the Toufah campaign as an example¹⁶. For the first time, a Gambian lady had come out openly but the mixed responses in the society and on social media highlighted these issues. She added that Toufah Jallow had been revictimised by how some people view what happened to her. Survivors who come out are called names, questioned as to why they did not speak up at the time. The witness highlighted that people needed to understand that sexual violence is so complicated that the person thinks twice about reporting because they think *“if I report, what is going to happen to me? My immediate family members, what is going to be their reaction? The community, what names are they going to call me? How are they going to look at me?”*. So they think about all these things, they keep on contemplating, should I keep silent? You go to bed, you don't sleep. You wonder what you will receive from the service providers, how are they going to view me?

The witness added that it took time to muster the courage to speak to someone. You might start with someone very close to you, whether a friend or a family member,

you try and see that person's reaction. The moment the person reacts negatively, then you withdraw. Sometimes, survivors use tactics to explain that they were **raped**. They try to bring stories about someone being raped and ask about your opinion to see your reaction, then based on your reaction they try and see if they can speak or keep quiet. She remembered a PLHIV who told her she always watched TV with her family members and any time the issue of PLHIV comes to the TV, they would be talking negatively so every time she comes for counseling and they ask if she is ready for a “treatment disclosure”, she tells them no, if she discloses she is finished because of the comments her support system makes.

The witness stated that this was the same thing for **rape** survivors. They feel the pulse of people close to them, how they will react and if they cannot see any support, they keep quiet but as time goes on, if they are empowered, they feel that they should talk about. She asked people not to take it for granted even if people wait 30 years to talk about their **rape**, *“listen to them, believe them! Don't try to say that they are lying”*. The Deputy Counsel noted this was an important observation because quite often people delay reporting sexual violence.

The Deputy Lead Counsel then asked if someone goes through all the barriers and actually manages to come and report, what are the challenges within the system that then create obstacles to address sexual violence properly (issues to do with police stations, prosecution of those cases etc.). The witness responded that the main challenge starts at the police stations as they are not gender-friendly. She explained that the police stations have an open plan and therefore it is very difficult for victims to narrate what happened to them.

She then added that the way the cases are escorted to the One Stop Centre is a big challenge especially if they are not escorted by the police gender and child welfare unit as they do not wear uniforms but if a uniform police escorts a sexual violence survivor to the hospital, all eyes are on them and people are wondering what happened, which highlights the issue of confidentiality. She highlighted that Gambia is a

¹⁶Fatou “Toufah” Jallow came forward with her story in June of 2019 accusing former President Yahya Jammeh. Toufah Jallow testified before the TRRC during the same session and has been using the hashtag #lamtoufah to campaign against violence

small community. She said that was why they are talking of having permanent SGBV police officers taking duties at the One Stop Centre so that when the cases come, they can take them and there is no need for an escort.

Then moving on to the hospital, the witness pondered if they had the kind of facilities needed to collect the critical evidence that would help them at the courts and if the labs were well equipped to collect DNA samples and forensic evidence.

Moving on to social workers, the witness stated that she did not know of a psychosocial therapy in The Gambia.

She noted that people were being counseled but asked if they were being provided therapy as it is different from counseling.

Therapy is a healing process, which needs to continue until the person is totally healed and goes over that depression. She said the beauty about Gambia is that the therapy that they have is about belief, religious leaders are listened to but apart from that, do they have therapy for when they have issues? She remarked this was a big challenge.

Moving on to the prosecution department, the witness said the investigation will go on and on and sometimes it would take 2-3 years before the investigation and prosecution will be completed, which she remarked was a long time. She added that the victim is somebody whose human rights have been violated and the person is being asked to come all the time, which has an economic cost on the person as they have to pay for transport and that of those accompanying her. She said survivors get tired and just give up and withdraw the case, which is at the advantage of the perpetrator. She also added that it was painful for the survivors. Delays in the prosecution process discourages survivors as cases are adjourned all the time and even sometimes the network is lost and unsure if the case is going on.

Haddy Mboge told the Commission that the other thing is in the gathering of the evidence, if tangible evidence is not gathered, the defence lawyers who are very

experienced manage to get the alleged perpetrators to be acquitted, which discourages others and they feel they will not have justice.

The Deputy Lead Counsel stated these were very serious issues and asked the witness to further discuss the issue of withdrawal of cases. The witness said that cases being withdrawn are done at family level usually, that is the families of the victims and the alleged perpetrator will negotiate and the family of the victim will decide that they do not want the case to go any further. The witness remembered a case that went for prosecution and eventually the child herself was removed from The Gambia and went to Senegal, so she was out of reach, which meant they could no longer prosecute. The witness added that she always said that the investigation should be expedited and things taken to the prosecution department for them to forward to justice to ensure the cases are quickly prosecuted.

Asked to what extent the people dealing with the cases are trained to deal with these cases, the witness responded that considering the area of healthcare service providers and the police and social workers, their training has covered quite a good number. However, the magistrates and other decision-makers needed to be trained to understand the issues very well.

Yes, they are trained lawyers and know the law to their fingertips but they need to understand the social dynamics with these issues so they can make informed decisions she stated.

She said it was good news that the Minister of Justice had launched the SGBV unit but she admitted that she did not know what they were doing and hoped that the unit will serve to build the capacity of lawyers, magistrate to prepare them better to handle the cases and expedite them.

The Deputy Lead Counsel then asked the witness to discuss the final topic, that is any recommendations she may have for the TRRC in terms of their work and generally to all those working in SGBV to ensure victims have justice and cases are handled well having identified all these multiple challenges. The witness responded that she would like to recommend the security sector reform should also include total education of law enforcement officials in dealing with SGBV cases and they should also enforce institutional policies and laws of the land regardless of who is involved.

With regards to the security sector reforms, it should clearly come out that no matter what position you hold in The Gambia, the person should be held accountable in the pursuit of **sexual violence** or other issue of SGBV. She added that everything in the security sector is about command based, which can give privilege to “the big men” over the young girls.

“There is nothing like command when it comes to issues of my body, no command should command that”, that should come out clearly she stated.

The witness further recommended that there be funding for key and strategic units of the law enforcement agencies to ensure timely response and investigation of reported cases, which is currently a challenge. The Gender and Child Welfare unit should be enhanced and she recommended that they have a separate entire complex for them whereby they can have enough space to counsel people, to investigate and not compromise their confidentiality and privacy and enable them to have resources to carry out full investigations in a timely manner.

She asked for the strategies to address sexual and gender-based violence as a multi sectoral approach. She also called for active participation of the communities as these happen in the communities. She emphasized that a strong political will and commitment at the highest level was needed. She added that issues of SGBV need

political will and the political leaders should not downplay because looking at the national statistics, the last demographic health survey that was conducted showed that 41% of women aged between 15 and 49 years old said they had one time in their life been physically violated. It also says that 5% of women in that category have one time encountered sexual violence in their lifetime, which is very serious.

The witness called for support and strengthening of the One Stop Centres approach throughout the country and this can only be done by government support and commitment. She remarked that the network is a civil society organisation and it cannot continue to do this as it should be government's primary mandate as duty bearers to fulfill this for women, girls, boys and men.

Haddy Mboge asked for improvement of the reporting mechanism by introducing a toll-free hotline accessible to all. She believed if this happened, the number of cases reported would increase. She also asked that the social development programmes empower people to discuss such matters and fight to end SGBV in the communities as it is important to break some of those social barriers and the breaking will start at household levels which is the first unit where the silence can be broken.

The witness also recommended that there be a special focus on research, education, training and building capacity and expending support to communities, that is assist whilst targeting behavioural change. She particularly wanted to challenge the University of The Gambia to consider partnering with agencies to research this area. She added that should be the essence of the university and give feedback and critical evidence. She also recommended setting up a programme in social work, which the University of The Gambia does not have, as this would allow for therapy all over this country.

Further giving out recommendations, the witness added that a continuous education and training for law enforcement and the justice system on the

rights based framework to development and better documentation of cases was needed. She called on the government and other stakeholders to create safe spaces and shelters for victims. She added that government should make it mandatory to all the government institutions, private sector and civil society to put in place sexual abuse and harassment policies and the implementations should be monitored.

She stated that she wanted to challenge the government as under the domestic violence 2013, section 9, clearly states that the government should establish a domestic violence support fund. Yet, no fund has been allocated to that although it is law.

She argued that the government itself had contributed to violating the rights of the victims by not implementing the law.

She specifically challenged the Ministry of Women, Children and Social Welfare to push very hard to make sure that in the next budget, this fund is available for the victims.

She called on the government to create social marketing of the issue of SGBV and to consider providing subventions to key civil society organisations working in the area of **sexual violence**. Lastly, she asked the UN systems to support the CSOs more on a regular basis.

The Deputy Lead Counsel then asked to touch on the issue of **marital rape**, which is very controversial topic in The Gambia. The witness explained that when the Sexual Offence Act was being formulated, a lot of consultations were done and they recommended that it be criminalised because they received cases of women who had been **raped** by their spouse. She explained that the religious leaders however argued against this using a verse in the Quran that said *“your women are your farmland, you can go there anytime and cultivate”*. The witness said she did not know where in the Quran this was and hoped she had not misquoted the Quran but as a result, Gambia being a country where the majority of the population is Muslim, there was no way that could move this forward.

She stated that however, the network had a young couples training programme to encourage dialogue between partners especially when it comes to sex and sexuality which she believes can help fight the issue of marital rape and basically using soft power to reduce the occurrence of it.

The floor was then given to the Commissioners.

Commissioner Sosseh wholeheartedly thanked the witness and said her testimony was very informative and would feed into the work of the TRRC especially in terms of determining reparations for victims. She added she hoped that the recommendation regarding the security sector reform would be taken on board and that whoever has been involved in the issues the witness discussed does not find their way into the security services.

Commissioner Kah asked the witness if she noticed any links between SGBV and sexually transmitted diseases, STDs from the cases she had seen. The witness responded that she would let the expert witness dwell on the issue but yes victims of sexual violence were at risk of contracting STDs. When Commissioner Kah asked the witness to advise parents on how to keep their children safe, she responded that she did not want to blame parents but wanted them to understand the reality. She said that it was important to drop children at school and pick them up and added that when there are ceremonies like Tobaski, children should enjoy but not be left on their own. She also cautioned parents not to only concentrate on girls but on also boys as there was a hidden epidemic in The Gambia.

Haddy Mboge then stated that it was high time the Ministry of Justice had data on all perpetrators of sexual violence as people need to know them, they should not be hidden nor should they be allowed to live near schools.

The witness then thanked the TRRC for giving her the opportunity to come before them and discuss the issue of SGBV, which she remarked affects them all directly or indirectly. The witness then thanked her

parents for allowing her to go to school up to primary 6 as that was where everything started. She also thanked her husband who she said has been her lifelong partner but admitted that she was a survivor of **child marriage** though she maintained her marriage. She thanked her children and siblings before thanking all the directors she worked with.

Lastly, the witness called on the TRRC to ensure that the reparations to victims of sexual violence do not only focus on psychotherapy counseling but also be used for the economic empowerment of women as it reduces their vulnerability and avoids them being victimised again. She stated that prevention was very important and the Ministry of Justice needed to make sure that perpetrators are found **guilty and sentenced**.

Persons Mentioned By Witness During Testimony:

None

Haddy Mboge then stated that it was high time the **Ministry of Justice** had **data** on all **perpetrators of sexual violence** as people need to know them, **they should not be hidden nor should they be allowed to live near schools.**

WITNESS NAME: Dr. Babanding DAFFEH

TRRC HEARING DATE (S): 15th and 22nd October 2019

EVENT (S) DISCUSSED: Sexual and gender-based violence (SGBV)

POSITION BEFORE THE EVENT (S): Expert testimony

ROLE DURING THE EVENT (S): Expert testimony

POSITION AT THE TIME OF TESTIMONY:
Senior Medical Doctor

SUMMARY OF TESTIMONY:

Dr. Babanding Daffeh told the Commission that he is a senior medical doctor at the Kanifing General Hospital. He is the head of the maternity department at the Kanifing General Hospital, focal person for Gender-Based Violence, GBV at the Kanifing General Hospital. He then described his education and academic background, which included a specialisation in GBV (through several trainings both in-country and abroad).

When Counsel Jahateh asked the witness to elaborate on what SGBV is, the witness explained that it is sexual and gender-based violence which comprised of **rape, defilement, abduction, trafficking, wife battering** etc. The Counsel asked for the witness to give definitions of the terms he mentioned earlier for those who may not know what they are.

The witness narrated that rape is when a man has sexual intercourse with a woman without her consent, which is forcefully done and sometimes involves violence.

This, he continued is up to the age of 16 in accordance with the Sexual Offence Act. He stated that from 16 years to 18 years, it is what is referred to as defilement, which is with or without consent.

He explained that defilement is having a “carnal knowledge” with a girl between the age of 16 and 18 with or without her consent. The Counsel puts it to the



witness that there was some overlap between **rape** and **defilement** and asked if the witness would agree to that. The witness agreed and went on to explain that it is the age that differs. He explained that up to the age of 16 even if the woman consented, it may be considered as **rape** and from the age of 16 to 18 is called **defilement** with or without consent, he said consent is irrelevant at this point.

Dr. Babanding Daffeh stated that **domestic violence** otherwise physical violence involves wife battering which he explained to be beating your wives, sister or child at home which results in physical injuries will be considered to be physical or domestic violence at home.

The witness was asked to describe other forms of **sexual-based violence** that he had encountered in his work. The witness explained that **rape** is number one violence. The Counsel interrupted the witness and asked if early and **forced marriages** were part of them. The witness stated that early and forced marriages are still common in The Gambia. Asked to describe the trainings he did on the subject matter, Dr. Babanding Daffeh detailed all the trainings he received, including one regarding fistula cases, otitis fistula. He further explained that he learnt there that fistula is not only caused by labour that causes fistula. He explained that fistula is an opening between the bladder and the vagina, thereby the woman continuously keeps on wetting herself. He noted that a fistula can happen as a result of childbirth but through his trainings he learnt that **gang rape** or **rape with objects** can also lead to fistula.

He explained that **female genital mutilation**/circumcision, FGM/C, is another form of SGBV, which may indirectly cause fistula because women are sometimes sealed which can obstruct labour and that in turn may cause injury to the bladder, resulting in a situation where the woman would subsequently keep wetting herself.

Regarding the practice of female genital mutilation, Dr. Babanding Daffeh explained that it is a practise that consists in cutting the labia majora as well as the clitoris, which results in causing a scar. This can lead to an obstructed labour, when the baby cannot come, hence injuring the bladder which often times makes a hole in the bladder after delivery and that can cause fistula.

The Counsel asked for clarity on the issue of **gang rape** and objects being inserted in the vagina of women. The witness explained that this means having sexual intercourse with a woman unlawfully or without her consent and using any object, pushing it into her and leaving her like that. The Counsel asked what that act be termed as. The witness explained that it is **rape** and at the same time a **violent domestic** or **physical abuse**. The Counsel then asked what gang rape involves, to which Dr. Babanding Daffeh answered that it is when a group of people forcefully sleep with a woman without her consent, he added that it involves more than one person.

When the Counsel asked the witness what other types of cases he saw during his training in Tanzania, he explained that he saw cases of fistula due to labour. He stated that Tanzania is a country where the majority are Christians but that they also practice FGM. The Counsel asked if he would agree with her that the practise of FGM is more a cultural issue than a religious one. He agreed that it was culturally derived.

The Counsel asked when the witness started working on cases of SGBV. Dr. Babanding Daffeh stated that he started in 2014 at the Kanifing General Hospital, as a senior medical doctor, as he felt that the victims needed help and justice. He said for that to be done, he had to attend to them, write medical reports and go to testify in court which he did on many occasions. When asked if there are other doctors working in this field,

he responded that most of the **doctors do not want to go to court and therefore they stay away from cases of sexual and gender-based violence unfortunately.**

Dr. Babanding Daffeh explained that as the focal person for sexual and gender-based violence at the Kanifing General Hospital, part of his duties and responsibilities is to oversee the operation of the One Stop Centre at Kanifing General Hospital, receive the victims of the gender-based violence, attend to them, clerk them, examine them to identify any injury, give treatment if need be and also investigate them further to find out if there may be possible long term complications as well as to provide statistics quarterly to the network against gender-based violence.

Dr. Babanding Daffeh explained that the One Stop Centre provides different services within one unit, which are the medical services, social worker services and services of the lawyer whenever any form of sexual and gender-based violence occurs, which is geared towards helping the victim. He noted that that the medical services are taking the history of what happened at the scene of the incident, the medical condition of the victim prior to the incident, physical examination, genital examination as well as investigations by conducting HIV test, hepatitis test, pregnancy test if the victim is more than 12 years old and also provide medications to them. The counselling services are also provided by social workers.

[The testimony stopped due to technical issues caused by a heavy thunderstorm and was resumed several days later]

The witness continued his testimony by explaining in addition to **rape** cases, the Kanifing General Hospital also receives cases of defilement (which is rape of girls or boys under 18), wife battering, especially of

pregnant women, **FGM**. He noted that in 2015 he had a case of a child who was less than one year old who died as a consequence of FGM.

Dr. Babanding Daffeh explained that there are four types of FGM: the first one consisting of the cutting of the prepuce without necessarily cutting the clitoris. The second type consists in cutting the clitoris and labia minora, which are the tissues in the vagina. The third type is the most severe one, the infibulation, which is the cutting of the clitoris, the labia majora and then the remaining parts are stitched together leaving a hole up and down. The hole that remains is for the passage of urine and the hole down is for the passage of menstrual blood to flow. There will be a membrane in between the two holes. The fourth type of female genital mutilation is the unclassified type. It is any procedure on a female's genitalia that does not have any medical significance or purpose is generally considered as type of the female genital mutilation.

Asked what the most common form of FGM is in The Gambia, the witness responded that generally women are cut but added that he has seen cases of severe FGM as well (type 3). Dr. Babanding Daffeh explained that when women who suffered from FGM get married, their husbands often cannot penetrate them. He said that some come to the hospital while others use the traditional way to remove the seal which is very dangerous.

He noted that every year during Ramadan, which is the months where many marriages are taking place, many women came to the hospital and have to undergo surgery with general anaesthesia because the procedure is painful. Then they have to do a forceful dilatation or they have to use an instrument to open the seal in order for the woman to be able to have sexual relations with her husband. The Counsel asked whether that procedure done would mean that the woman has to relive the pain of circumcision again. He replied yes.

The witness explained that without surgical intervention, some women could never have sexual intercourse and added that there are cases, when women get pregnant despite not having been penetrated, as "a mere contamination of a hand can make a woman pregnant".

He said on two to three occasions, there were women who got pregnant and during labour the baby could not come out. If these women happen are lucky to deliver in a hospital that has a capacity to undertake surgery, they can be saved. In these cases, doctors can remove the baby through a caesarean section and by

Dr. Babanding Daffeh stated that **rape** and **female genital mutilation** generally cause immediate and long-term complications. The immediate complications involve physical injuries, pain, bleeding and if the bleeding is not controlled can make the victim to experience hypovolemic shock which can sometimes lead to death. He continued that female genital mutilation can cause other complications such as urinary tensions, infections, notably because the tools used are not sterilised. In addition, victims of female genital mutilation can also have sexual dysfunctions and also have pelvic pains.

The Counsel noted that from the witness' testimony, it could be concluded that **female genital mutilation** is a very **serious form of sexual violence**, which can even cause death.

Asked to describe other forms of sexual violence, the witness said that wife battering, assault or physical violence against women especially pregnant women is very common.

He stated that in the course of his work he has conversations with many women who tell him about the abuse or physical violence they face in their homes. He said he had to call in some of the victims' partners on three to four occasions to come to the hospital to give them advice for them to desist from what they are doing and instead help their partners to carry the pregnancy since the pregnancy belongs to both of them.

The Counsel asked the witness to state in his view how prevalent **rape** is in The Gambia. The witness said that he could only give the statistics of the hospital where he works: in 2014 they received 46 cases which

included both domestic and sexual violence but from that statistics, noting that **rape** always make up to more than 50 percent of what they register yearly. He continued that in 2015 he registered 70 cases, which included all forms of violence but again **rape** formed the majority. In 2016 the statistics rose to 94 cases in his hospital.

There again **rape** stood out and formed a greater percentage and **the victims affected** were **mainly girls from five years or less to 12 years but women between 13 to 30 years were also affected.**

The Counsel stated that from his testimony, not only is **rape** the most prevalent form of **sexual violence** but the cases are increasing according to his statistics. The witness then handed a copy of the statistics to the Commission.

The Counsel asked if the witness could give examples of some of the most serious cases of **rape** he had encountered. The witness explained that the cases were many, but wanted to speak about a recent one, concerning an 11 years old girl with mental issues residing in Brusubi. The girl was kidnapped by a man for three days during which he **raped** her. He continued saying that while the case was reported in 2014, the final judgement was only issued in 2019, sentencing the perpetrator to 15 years of prison. According to him, this long delay shows some defect in the judicial system. The witness lamented that it was a very bad case because this was a girl who already had a mental problem and the effect of the sexual violence inflicted a psychological trauma on her. He stated that it was adding salt to injury since the girl was dealing with a medical condition and the perpetrator **raped** her and made it worse.

The witness recounted another case that happened just before his first appearance before the Commission. He narrated that it involved a girl who was about six years old and resides around Youna. One day, as she was going to school on her own, a man assaulted her, broke two of her teeth and then **raped** her. When the girl was brought

to the hospital, he examined her and found out that she was injured, her hymen was completely broken and she was bleeding from there.

He said her posterior **vagina** was **lacerated** adding that “it was so bad”. He stated the **police** officer who **escorted** the girl was even **crying** because he could not stand it.

Dr. Babanding Daffeh explained that sexual violence not only have an effect on the victim but can also have an impact on the medical personnel, who are also traumatised by what they see.

The witness then referred to a high-profile case, which happened in 2014 and is currently on trial. It involved 14 girls, between the ages of 12 and 17, who lived around Kerr Serign and Kololi and usually sell around the beach side and the hotel areas. These girls were escorted by the then “Operation bulldozer”¹⁷ and were taken to a hotel room in Senegambia by a man. The witness added that the man had “*bad intention which was to do pornography, play with their private parts and theirs breasts and he slept with some of them according to them*”. He said the case is ongoing at the high court and he went there on two occasions to testify but the matter is still undecided.

The Counsel asked if there are other forms of medical tests that are conducted apart from the HIV, pregnancy and hepatitis tests to know who the perpetrator actually is. The witness answered that it is unfortunate that there is none available in the country, which affects their service. He stated that DNA is unavailable in The Gambia and that he always emphasises the need for to acquire it. He said it is essential not only to help establish **rape**, connect the perpetrator to the crime but it also helps to vindicate the perpetrator.

He stated that most of the cases being reported are cases without evidence because of the late

¹⁷It is not quite clear what the witness is referring to but he could be referring to a security operation launched in 2012 by Yahya Jammeh called “Operation Bulldozer”, officially set up to “weed the nation of criminals”. The Unit has however been accused of having committed serious human rights violations.

reporting. He explained that 72 hours after the **rape**, it is difficult to find traces of sperm in the vagina sometimes or they sometimes may not even see the injury because it went beyond 72 hours. He continued that this makes it difficult to establish something that will help the court to establish whether the **rape** had occurred or not. He said that DNA would help them a lot and added that it is high time The Gambia had one if they really want to end sexual and domestic violence in the country.

The Counsel asked how the lack of DNA facilities in The Gambia affects the prosecution of criminal cases in court for **rape**. The witness replied that, rape has to be corroborated. As the rape usually happens in situation where nobody is present, it is the victim's story against the one of the alleged perpetrator. According to him, DNA tests would help in the investigations. He said it is not only here but even in the United States, some people used to be wrongly convicted without committing any crime due to the lack of DNA but when the DNA was introduced, it exonerated so many people. He added that the DNA will help them do their done better in The Gambia as well as help both the victims and perpetrators because when dealing with them, they have to be neutral and not bias so that justice can be served on behalf of the victim and the perpetrator.

The Counsel asked the witness if he knows the conviction for rape in The Gambia, whether it is low or high. The witness stated that he is not sure of the number people who are convicted but he knows that the penalties attached range from 10 to 25 years in prison and in worst cases perpetrators can be sentenced to life if they happen to be the victim's parent, guardian, teacher or if the victim is generally under their care, according to the Sexual Offence Act of 2013.

Discussing other challenges, Dr. Babanding Daffeh said that early reporting was a serious issue *“due to the culture embedded in our society whereby people tend to settle issues at the family level or the community level before they report”*. Sometimes families only report cases when “things go out of hand”, that is when they will go to the police station then to the hospital. He also mentioned that before there was no dedicated space to examine

survivors but that fortunately they have now identified a place for victims to be examined, adding that the place still needs some adjustments and improvement. He stressed that their main challenge is the lack of logistic supply and the late reporting of cases to the hospital.

The Counsel asked if there are any challenges faced at the One Stop Centre in terms of psychosocial support. The witness explained that the purpose of the One Stop Centre is to have all three facilities under one unit where they will be present and be accessible whenever any of the services is needed. He stated that it is not the case but notwithstanding, the doctors and nurses play that role and offer advice to victims wherever it is needed. He said it should have been a psychosocial service of its own but that currently the medical personnel is playing that role.

The Counsel asked how cases of **sexual violence** are being referred to the hospital. The witness explained that they usually come with police officers. He stated how he always complains about the way the victims suffer before they get to the hospital. He said he interviewed so many police officers and all they tell him is that they do not have transport so they have to stand on the way and beg for a lift to get to the hospital. Sometimes it is the police officers themselves who pull their own money to pay the fares to come to the hospital because the victim's parents or family cannot afford the fares to come to the hospital.

He said there is no logistics allocated at the police station for such cases and therefore makes it a challenge because it delays the process, adding that the more time is lost, the more evidence gets lost.

The Counsel asked if the policy in place for referral of criminal cases to the hospital is not effective and can lead to lost evidence in many cases. The witness answered that the referral is not effective at all.

Dr. Babanding Daffeh explained that the medical personnel face many challenges as they have to deal with other medical urgencies, in addition to sexual-violence. He explained that when a woman goes into labour, the doctors have to attend to her. This however means that a victim of sexual-violence might sometimes have to wait up to six hours depending on the situation. He stated that all cases are equal before them but they give priority to cases such as a woman in labour who cannot wait. If a victim of sexual violence arrives and there is no life-threatening situation and is not bleeding, the victim would be asked to wait until the pregnant woman is taken care of. He said that is the situation they are faced with which boils down to not having enough personnel to handle cases of GBV. He stated that more people should be trained in areas of GBV in order to be able to take care of victims once they arrive at the hospital so that they would not have to wait for long hours to be attended to and taken care of.

The Counsel asked what happens when victims report first to the hospital and not the police station, whether they are treated or sent back to the police station. The witness testified that they normally investigate the victims and give them treatment and make a medical remark after that a police officer is called to come to the hospital and that medical remark is given to the **police officer**.

The Counsel asked the witness what gender is mostly affected by sexual violence in his experience as a medical doctor. The witness answered that it is certainly women, girls and children.

He was asked whether he encountered cases of male sexual violence. He recalled that he only dealt with four cases since 2014. He remembered a case that involved a boy who was sexually penetrated by a man. The other one was white man who had a Gambian wife who physically violated him at home. The third one he recalled was a man who married a second wife and the first wife was not pleased with that so she poured chemicals on his private part while he was having a shower. He said he could not remember the fourth one but these were the cases he experienced where males were being violated but basically women and girls are mostly violated sexually.

The Counsel asked if there are particular types of women who are more prone to experience sexual violence than others. The witness testified that those who are within the younger age range from five to 12 years are the commonest even though there are victims from 13 to 25 years but children between the ages of five and 12 are the most vulnerable from the statistics all over because children are vulnerable and can be easily threatened and forced to remain silent compared to grownups.

The Counsel asked whether there is a particular social class, religion, race where these women maybe classified under and are more prone to be victims of sexual violence. The witness answered that sexual violence as far as The Gambia is concerned, is not directed to one specific group. It crosses all aspects of the society, adding that it happens in all aspects of society regardless of the race, cultural background, educational background or their position in the community.

He stated that he has seen **security personnel** being involved in **rape** cases, those from the **police**, the **military** and **paramilitary**. He said he has also seen **imams** and **Islamic teachers** ('oustas') being involved in **rape**, **teachers** as well as **medical personnel** being involved in **rape**.

He stated that it cuts across all sectors of society.

The Counsel noted that she had a question in regards to his statement that security forces are sometimes perpetrators of **rape**. The Counsel questioned the witness about his opinion on a case where: *'one loses consciousness whilst in detention, and then later find themselves at the hospital having woken up and bleeding from their private part.'* The witness answered that that would depend on the circumstances, whether they are in confinement, in prison or restrained. He stated that an unconscious

patient bleeding from the vagina can be caused by many things. It could be her normal menses, as a result of trauma, or if a woman is pregnant, the stress and the **torture** can lead to a miscarriage. It could also be a medical condition such as fibroid, which may lead her to be having occasional bleeding. He said it could be any of these reasons but again the history before that woman was confined will lead to whether this was as a result of the confinement or before the confinement or after the confinement. He stressed that the history before that is therefore vital if one has to establish whether it was as a result of the **torture** during confinement or detention or not.

The Counsel asked what kind of **torture** he was referring to that could make the woman to bleed from her private part. The witness explained that it could be physical **torture** and it can also be a sexual penetration because for any sexual relation or intercourse to occur, psychologically women must be prepared and must be in the mood because that this what make them lubricated and that is why it is never painful but instead enjoyable. But if sexual intercourse is done under a coercive situation, it can cause injury because at that time the woman maybe very tired and are psychologically not prepared. He continued that **rape** in detention is one possibility, adding as he said before that they could also be other explanations for the bleeding. The Counsel asked whether it is correct to state that the situation of **sexual torture** as he described would be a situation of rape. The witness answered yes.

The Counsel asked what other symptoms he would look for to conclude if a victim had been **raped**. Dr. Babanding Daffeh explained that **rape** usually occur under **coercive circumstances** therefore external injury must be looked for on the entire body, such as a cut by knife or sometimes strangulation bruises. He also looks at the clothes the victim was wearing to see if they got torn. He said the victim would tell what actually happened as well as the victim's vaginal examination.

The Counsel asked if the witness had received cases where victims were HIV positive. The witness testified that he only registered one and it was the case that involved those 14 girls he earlier mentioned and this happened

in 2014, one of them was HIV positive, adding that her mother was also HIV positive. He stated that he believed that the infection came from her mother because the other 13 girls were negative.

The Counsel asked the witness whether he came across cases of victims in the Lesbian, Gay, Bisexual, Transgender and Intersex, LGBTI community in The Gambia. The witness answered that they had training on that as doctors but it is difficult to trace them because they usually fear coming to the hospital. He noted that because of the strong stigma existing in The Gambia against LGBTI, "virtually there is no room for them and for them to openly come out". Dr. Babanding Daffeh concluded that sexual violence against LGBTI people is obviously underreported.

The Counsel asked if there are any more consequences that may arise when sexual violence occurs. The witness stated that victim can get pregnant and some undergo unsafe abortion.

Dr. Babanding Daffeh said that when virgins are **raped**, there is a procedure that can be done to put the hymen back, which can never be as the original but it can help.

Regarding the long-term impact of **rape**, he cited psychologically and medically complications such as pelvic pain, mental debility, psychological trauma, post traumatic sex disorder, phobias and stress and even infertility. He explained that since rapists never use condoms, victims can catch any kind of infection, and when those are not treated, they can lead to pelvic inflammatory disease, which can later cause infertility because the tubes of the uterus can get blocked because of the fibroses. He said that **rape** affect the woman's life in different forms.

The Counsel asked if the witness can give more of the challenges faced on cases of SGBV at the Kanifing General Hospital. He narrated that some of the other challenges faced are more of the community level, which is the **culture of silence** that people decided to put everything under the carpet. He stated that this way the perpetrator is given the room to continue doing it. He recalled the case he mentioned which happened

around Youna where he gathered information that the man “was fond of doing that” and that he had asked himself “since when?”. He said that that means that the society is aware but nobody is willing to report the case and now the effect is continuing.

He said that the culture of silence and the general naïve attitude is contributing towards promoting sexual and gender-based violence in this country.

The Counsel asked what he meant by the naïve attitude. The witness answered that generally if he speaks to women about sexual and domestic violence, some would surprisingly say that it is not happening and that if you see a woman being raped, it is because the woman wants it. He stated that there was a survey that was conducted in 2010 and 2018 by The Gambia Bureau of Statistics and supported by UNICEF. In 2010, 75% of women supported wife battering and 75% supported female genital mutilation. In 2018, the same survey was conducted showing that 49.9% supported wife battering and about 75% were still in support of female genital mutilation. He said that more awareness should be created among the women in order for them to fight sexual and gender-based violence.

The Counsel asked if some of the misconceptions, which he raised that are held by women themselves are beliefs which come from the patriarchal system or the male dominated system. The witness replied that people may believe the problem of sexual and gender-based violence to be a product of genetics or psychotic, but he thinks that these are learned attitudes, the norms and inequalities within our societies. He stated that those attitudes could be learned as well as unlearned.

The Counsel asked what medical challenges they mainly face in terms of dealing with cases of sexual and gender-based violence. The witness testified that the medical challenges they face would be on the side of the investigation. While clinical tests should be free of

charge, in reality it is often not available. He then explained that if these were available it could help avoid future complications or diseases like HIV-Aids.

The Counsel asked if the witness has any means of identifying who the perpetrator of sexual violence is in any particular case. The witness stated that that is a challenge. He said that they usually ask who the perpetrator is, whether he is a family member, close to the victim or within the same community. He continued that when the victim comes to the hospital, the perpetrator is already at large or he is with the police. He stated that in their register they have a column where the perpetrator’s details should be taken so that they can examine him too and find out what kind of infection they may have. But again, if one’s status is to be tested, you have to ask for the consent of that person so they have their hands tight sometimes. He noted that in his opinion the law should be revised with regards to **sexual violence** especially **rape**. He stated that medical staff should be empowered and allowed to force perpetrators to undergo medical tests, reiterating that they never protect themselves.

When asked about the profession of the perpetrators, Dr. Babanding Daffeh said that victims have mentioned police officers, ‘oustas’ or sometimes imams, adding that as a doctor he never sees them because they are usually held at the police station. The Counsel noted that nobody would think that an imam would commit **rape**. The witness testified that the cases they receive are few but according to him this was due to the culture of silence. He stated that if there were more sensitisation and awareness and women empowerment, more cases would be reported.

Asked if he had any recommendations to give, Dr. Babanding Daffeh said that he would establish an office that would be responsible for sexual and domestic violence, noting that funding is fundamental. He explained that the Network Against Gender-Based Violence, is supported by Finnish funding and ActionAid. He stressed that the government needs to take ownership of this program and fund it well, train

people well and sensitize people well to make sure to reduce and even eradicate sexual and domestic violence in this country. He warned that without governmental commitment, political will and support, this task would be very difficult. He said that through his experience, currently the government is only doing lip service, without concrete actions.

The Counsel asked what the level of the training of medical personnel is on sexual violence matters. The witness deplored that not many medical doctors or nurse have benefited from training. He said the Network Against Gender-Based Violence is doing training every year in Kombo and in the provinces, where he was the trainer. Dr. Babanding Daffeh said that this was however not enough and that ideally every major health centre and district hospitals should have a One Stop Centre. But that would require to have trained personnel that are taught how to deal with gender-based violence cases, which is different from dealing with ordinary patients, for all the reasons he had stated before.

The Counsel asked whether the government provides any kind of facility for victims of sexual violence in The Gambia. The witness stated that they usually use SOS, noting however that it is not government owned. In his opinion, the government should have a fully funded centre for the victims. He then noted that it is civil society that is in the forefront in the fight against sexual and domestic violence in The Gambia.

The Counsel asked the witness if he had any more recommendations before they conclude. The witness stated that he would recommend getting DNA tests, establishing a governmental owned and fully funded centre for victims, funding for the Network Against Gender-Based Violence.

The legal side should also be looked into, in order to avoid delays, adding that justice delayed is justice denied.

He noted that by the time some of these victims are called to testify, they are already married and it is traumatising to ask them to testify again, as it can re-

traumatise them. He continued saying that the issues of gender-based violence at courts should be dealt with and they should not allow it to be dragged on. He stressed that the Gambian judicial system needs to be looked at and the government and the Ministry of Justice should look at it and partner with the Network Against Gender-Based Violence and see what they can do about it. He continued that they should be given priority when it comes to court proceedings and make sure that cases are handled as soon as possible so that justice is served.

The witness continued with his recommendations and stated that training of personnel who are involved in sexual and domestic violence. He stated that the health workers are trained but wondered why police officers and lawyers were not. He stressed that training should be on-going and not just a one-time event. He recalled that in 2016 when he went to Tanzania for his training, his centre virtually collapsed even though there were doctors and nurses in the hospital. But as they were not familiar with issues of sexual and gender-based violence, they did not like going to court to testify because of the cross examinations which are always difficult for people. He said that this was a reason why people tend to dissociate themselves from sexual and domestic violence in the country. Dr. Babanding Daffeh said that if people were trained, they would feel empowered and more comfortable to testify in court.

As the floor was open to the Commissioners, Chairman Sise confessed that he was a bit uncomfortable and uneasy during the first 10 minutes of the witness's testimony. He said that hearing about female genital mutilation in a very graphic way, made him feel like hiding under the table, noting that in fact it is an excellent thing to hear about it in such a way, especially in knowing how conservative society and culture is in Gambia. He thanked the witness and told him that his contributions have been tremendous.

Commissioner Odico asked what happened to the person or persons who performed the FGM on the baby who died.

The witness answered that it is unfortunate that in **this culture of silence everything is negotiated at the family level** – saying that in this particular case, **it had been the grandmother who had circumcised the girl.**

He said that he had insisted that the matter be reported to the police but the family begged him not to, adding that the old woman herself was not healthy and if they reported her “then the problem would come back to them”. He continued that it was difficult for him at the end of the day. All he did was to file it as reference and he told them that they should report the matter. He stated that he told them that the woman should desist from it at their family level and that they should not continue or allow her to be doing that kind of procedures where she could not take care of the complications.

The Deputy Chairperson thanked the witness and stated that the witness has helped them in making recommendations as that is what they are required to do: recommendations that include initiatives for human rights and peacebuilding for children. His testimony has given them a picture of a country where children between the ages of 5 to 12 are at risk. She mentioned that his colleague Haddy Mboge Barrow had also given an excellent testimony, confirming the risks that children face, asking herself “*if we are living in a country of pedophiles*”. She noted that “*as a country we are committed, we should be committed to protecting children, to provide safety and security for them*”.

She referred to the case he had mentioned of the girl who was only six years old and was violently violated, her sexual and reproductive health rights were violated; physically she was violated to the extent that she lost her teeth. She said she is sure the child is suffering psychologically; her family must be going through very difficult times. The Deputy Chairperson concluded that she has taken note of the witness’ recommendations and added one which is the resources for the security

services to be able to take the victims to the hospitals on time and thinks that as a society the issue of sexual and gender-based violence must be taken very seriously because every day you see young girls and boys going to and from school in the morning and evening and all these children are at risk.

In his concluding remarks, Dr. Babanding Daffeh thanked his team the Network Against Gender-Based Violence, the police, the nurses and the doctors who are involved in the sexual and domestic violence in this country.

He then went on to make a few remarks about **Gambian society**, saying “**we need to wake up, (...) we need to know what we want as a society**”.

He stated that if society believes that women and children are the most vulnerable when it comes to sexual and gender-based violence, then there is a need to protect them. He called for the empowerment of women and children that needs to start in school.

He added that according to him the sense of nationalism as far as this country is concerned is zero because “we only think about ourselves”, adding that it is high time that “we love this country, speak the truth and work together in order to eradicate **sexual and gender-based violence**”. He said that it is doable but not only through lip service but through actions. He noted according to the statistics that there has been an increase of cases since 2014, noting that it could be that it is due to the fact that people have started reporting more cases. He said that he was afraid that the trend continues to increase, which “does not tell well about our society”. He called for everyone to come together to help the women and children, in order to have a more healthy society and that through women empowerment, the whole society would be empowered.

He stated that gender-based violence in this country affects all sectors of the society. He said he has seen some lawyer's family who have been affected by it despite being legal practitioners. He further stated that it does not matter the status one holds within the society whether it is a minister, imam or a lawyer. Dr. Babanding Daffeh noted that all children are at risk on their way to school.

The witness highlighted that The Gambia is a small country, and that it should be farther than it is, but that "the saddest and unfortunate thing is that Gambians do not learn lessons". He noted that Gambians did not learn lessons after the 1981 coup, nor in 1994 and in 2016 he thought Gambians would learn lessons, concluding that he does not think so.

Dr. Babanding Daffeh ended his testimony by comparing The Gambia to Singapore, a landlocked country who gained its independence after Gambia. While people in Singapore are not more intelligent than Gambians, they are one of the top industrialised countries, whereas Gambia is one of the poorest despite the fact that it is blessed with lots of resources. He noted that one should not be satisfied with being rich when his neighbours are poor, because this would mean that they could steal from him, they would harass his kids. He said that is the danger. He said we should carry each other and embrace each other so that we can make a better society.

Persons Mentioned By Witness During Testimony:

None

The Counsel asked the witness what gender is mostly affected by sexual violence in his experience as a medical doctor. The witness answered that it is certainly women, girls and children.



WITNESS NAME: Fatoumata K. JAWARA

TRRC HEARING DATE (S): 22nd October 2019

EVENT (S) DISCUSSED: Her arrest and detention and the impact of her arrest and detention on her and her family

POSITION BEFORE THE EVENT (S): Political Activist/ Youth Mobiliser/ President of National Youth Wing for the UDP

ROLE DURING THE EVENT (S): Arrested, tortured, threatened to be gang-raped and unlawfully detained for being present at the protest at Westfield on 14th April 2016

POSITION AT THE TIME OF TESTIMONY: National Assembly Member

[The witness testified in English and Mandinka, with issues with the quality of the interpretation]

SUMMARY OF TESTIMONY:

After she finished telling the Commission about her educational and training background, Fatoumata Jawara talked about her involvement in politics, which included participating in political platforms, grassroots sensitisation and recruiting women folks into politics in her area. She explained that her political career started when she was in primary school after hearing Ebrima Solo Sandeng and Lopy speak during a political campaign.

She explained that in 2008, she became a youth mobiliser and polling agent in the Tallinding Constituency in Kanifing Municipal Council, KMC. She was also later nominated

as the ward councilor of the area, which she narrowly lost to the then ruling party. The witness said she was later elected at the congress as national female youth president responsible for mobilising youth in their large number to conduct campaigns for her party.

When asked to tell the Commission what the relationship was like between the state and the opposition parties then, the witness explained that her life was always in a **threat** and people advised her to stay away from politics. She said that since she entered into politics, her political opponent used to threaten her on their political platforms and she also ran into problems as a counting agent and during political campaigns. From there also during the campaign period, they did have some problems with their opponents in the areas.

When asked if and why she continued to actively participate in politics, the witness responded that it was because she knew what she was doing was not illegal and it was her constitutional right to choose the party of her own.

When asked whether there were young women engaged in politics like her, citing two incidences in Batokukung and Tujereng where journalist Sainey Manneh and other were **arrested**, Fatoumata Jawara told the Commission that it was difficult to recruit because of the arrests and troubles she and others ran into with the police. Many thought they would be arrested and were skeptical. They were also told by their families to stay away.

The witness was asked to expand on the Batokunku incident. She told the Commission that she could not recall the exact date but they were at a meeting when police officers came and said they would arrest them and she could remember one Bahoum who was at Tujereng Police Station as their head. When asked

if they were told the reason for their arrest, the witness explained that they were going on their door-to-door mass grassroots sensitisation campaigns when they realised the police had surrounded them and told them they were under arrest. She said she was released when they reached the police station while the men were released later.

The witness continued to explain that a day after, the police **arrested** the chairman of the area. She said Ebrima Solo Sandeng told her they needed to go there so they put together a technical team consisting of herself, Honorable Fa Kebba Colley, Jerreh and her other female colleague, Aramata Demba of Brikama and went to see the chairman at the police station. When asked who Ebrima Solo Sandeng was, the witness explained that he was the Secretary General of the national youth wing of the United Democratic Party, UDP who was beaten to death by the National Intelligence Agency, NIA on 14th April.

Fatoumata Jawara was then asked to tell the Commission about the Tujereng incident. She explained that they had organised a political meeting where some Alliance for Patriotic Reconciliation and Construction, APRC green youth had crossed carpet to the UDP and they were told not to conduct the meeting there. The UDP members were subsequently briefly arrested. After her release, she said she went home and called Lawyer Ousainou Darboe to tell him about the incident and that the police officers that **arrested** them were the same police officers who had given them a permit to demonstrate. They were later charged with unlawful assembly but she thinks the case was eventually thrown out.

When asked if she knew why they had been **arrested**, Fatoumata Jawara said that it was probably because the place (where they had the meeting) was an APRC stronghold, noting that she later heard that the Alkalo of the area had reported that UDP was campaigning in that area. When asked if she was ever arrested on other occasions in addition to these two, she responded that it happened to her a third time on 14th April 2016.

Explaining her **arrest** on 14th April 2016, the witness said she was coming from school and on her way back, she met her colleagues at Westfield who were being chased by

paramilitary and running in different directions. She said she and some others got arrested, thrown into a pickup and were taken to the Police Intervention Unit, PIU Headquarters at Kanifing. At this point, the Counsel interrupted the witness to probe further into the incident and asked her more detailed questions to which the witness responded that the incident occurred at Westfield, at the junction. She said she observed police and civilians gathered among them her UDP party militants.

She explained that she could not be specific about what the gathering was about because it was crowded but she later came to know that the purpose of the gathering was to protest for electoral reforms. She said after she arrived, military officers (the witness later stated they were PIU officers in riot gears, some were carrying baton) were chasing people and there was resistance from the other group. When asked if she could recall some of the leaders at the gathering, she said she only found out when everybody got arrested and put in the truck.

When asked what she observed when they were chasing people, the witness said that because everybody was running for his or her own safety, she could not explain how it happened at that stage. The only thing she could observe was one of them chased her and he was joined by two others who threw her in a truck where she found some of her colleagues. She said one of the officers **slapped** her and also **slapped** a man called Fa Kalilu Ceesay twice as he was trying to tell them that he was not part of the protest.

When asked whether she could recall how many people were put in that truck and if she recognised any of them, the witness said she could not recall but she thought that they must have been between 22 and 27 and said she recognised Modou Ngum, Lamin Marong, Fatou Camara, Nogui Njie, Kalilu Saidykhan, two students from Gunjur, Abubacarr Gitteh, Kafo Bayo, Lasana Beyai, Alagie Jammeh, Modou Touray, Modou Fatty and Falang Sonko. She could not recall who the others were. When asked where they were taken, she recollected that they were taken to PIU

headquarters in Kanifing. Upon arrival at the PIU, they went to a big hall where a panel was brought and their photographs were taken. She said they saw security officers from different institutions and the security heads discussing among themselves. The witness responded in the negative when asked if she was charged with any offence, whether they took her statement while she was at the PIU or told her the reason for taking their pictures.

The witness explained that they took single photos of each one of them and they brought some banners “electoral reform” and “Jammeh must go” written on the. They gave them to one Muhammed Janneh and Nogui Njie and took photos of the banners too and some flyers. When asked whether the security chief did or said anything to them while they were there, the witness said no. When asked about the security chiefs she saw in particular, the witness said she did not know them then but later Fatou Camara and Nogui Njie told her that they were the then Minister of Interior, Ousman Sonko and the Inspector General of Police, IGP at the time, Yankuba Sonko.

Fatoumata Jawara continued to explain that after they took their pictures with the banners, they were put in separate vehicles. Some including Ebrima Solo Sandeng and Nogui Njie were put in a pickup, the rest were packed in a truck and taken to Mile 2 Prison. Upon arrival at the **prison**, their belongings were taken, they were searched and warned to strictly abide by the prison regulations. When asked whether they had shown any charge sheet for a particular offence, the witness said no. She said all of those that were **arrested** were there. She was kept in the female wing of the remand wing. The witness testified that the condition of that cell was very **congested**, others had to lie down on the floor and others had to be on top (on the beds).

When asked how she felt being in prison, the witness responded that it was beyond explanation.

When asked what happened, she said that they requested for them to come out in the middle of the night and taken to the Commissioner’s office, where they saw

the detainees from the male wing. She said Fatou Camara, who spoke Jola explained to her that the female prison officer had told the NIA officers to be mindful as they were women and his response was that a woman who behaves like a man, gets the payback of a man.

When asked, if she could recall how many people came for her that night, Fatoumata Jawara responded that they were many because there were several vehicles parked outside and the only person she could recognise was the driver, Sheikh Tijan Camara whom she knew from before when he had come to visit a colleague at the hospital where she had been admitted. Fatoumata Jawara explained that they were later escorted to the NIA by an all-male entourage, which she said brought a lot to her mind but she could not do anything about it. She said she also felt skeptical when they took her to the NIA because she thought anything could happen there.

The witness said when the vehicle entered the NIA premises, she, Fatou Camara and Lang Marong were **interrogated** by a woman called Fatou Sanneh who kept asking who was behind the protest, suggesting names including that of Lawyer Ousainou Darboe which she (the witness) denied. As Fatou Camara and Lang Marong’s statements were being taken, a man came in and asked the interrogator if she was cooperating and when she replied no, he went to Lang Marong and **threatened** him (in Mandinka) that if they dealt with him, he would talk. When asked if at the time they were taking her statement if she was cautioned about her rights, the witness replied in the negative. She also explained that the interrogator did not write down what she was saying but rather what she (the interrogator) wanted to write and that her statement was not read to her nor was it given to her to sign.

Fatoumata Jawara explained that after the interrogation, a tall man wearing a t-shirt and military trousers came in and **kicked** her on her waist and she fell down. The man then asked why they were allowed to sit on the chair and **dragged** Fatou Camara to the confinement area where she was **tortured**. He

later came back for her and Lang Marong. When asked to describe what was going through her mind at that time, the witness said that by then, she thought she was between life and death and was very scared. When asked if she had any injuries when that man **kicked** her on her waist, the witness said she still experienced pain from that end but the injuries that she had was when she was tortured.

Explaining what happened after she was interrogated, Fatoumata Jawara said she was **grabbed** by the same man who had previously taken Fatou Camara and **her face was tied with her own head-tie** before being taken to the **torture room**. She said that despite her blindfold she could tell there were around 20 or more people in the room.

She was stretched on top of a table and cold water poured on her until she nearly fainted. She could not breathe nor move. Some of them held her hands, some held her legs and some started beating her on all parts of her body.

When they were satisfied, they dragged her to the panel room. When asked for how long the beatings lasted, the witness said that it went on until they realised that she was not moving anymore. She was then pushed down and dragged back to the first room to be questioned again.

Her blindfold was taken off when she was being taken to the room and she was made to sit down and when she fell, they forced her to sit down again. She explained that she heard voices questioning her, asking who was involved and telling her that she should name them. They tried to find out if Lawyer Ousainou Darboe was aware of what was happening but she kept telling them that he had nothing to do with it. When asked if the panel that was questioning her were all NIA operatives, the witness said she was not sure but her belief was that most of them were. When asked if it was clear to the panel that she was **tortured**, the witness said yes.

The witness continued to explain after several attempts were made by the panel to make her name individuals who were part of the protest and she refused. They **blindfolded** her again and dragged her to another small room. She said when she was blindfolded the second time, she thought they were going to kill her given the kind of beatings that were meted out to her. Fatoumata Jawara told the Commission that when they took her to the small room, she was **semi-conscious** but she recognised the voice of Sheikh Omar Jeng, the Operation Commander at the NIA at the time. She explained that she did not know Sheikh Omar Jeng prior to the incident but later in her testimony, explained that she came to know him when she was admitted at the hospital as he came to visit them there.

Fatoumata Jawara continued her testimony and told the Commission that when she was in the small room, Sheikh Omar Jeng told her *“if you don’t speak, these men that are here, all of them. I will tell them to have intercourse with you”*. She said she responded that she had never been involved in that type of life and they all started shouting and laughing at her. She fell down again because of the intense **pain** that she was feeling throughout her body and when she regained consciousness, she was taken back and beaten but the **beating** did not last long. She told the Commission that because of what Sheikh Omar Jeng told her, she never forgot his voice.

She also added that even when she was sleeping in the night, she used to dream of him calling her and admitted that she was afraid of him.

The witness then told the Commission that she wanted to make it clear that it never came to her notice that she was **raped**. When asked if was conscious throughout the period she was with the men, the witnesses response was not clear as she explained *“when I came out of the first room, I was in the hands of God but as a human being in some situation if something happened to you, you are either able to tell or not able to. But if it comes to things like*

your life for instance if somebody puts a knife on your throat, you will be able to be conscious of that". After that, she said she was **dragged** away and thrown in another room where she found Fatou Camara lying on the ground, her body with injury and she was **groaning**. Then Nogui Njie was brought in.

When asked whether she was **tortured** at any point when she (the witness) was in that room, she stated that she was not conscious of what was happening. Nogui Njie later told her that she (Nogui Njie) thought that she (the witness) died too because Fatou Camara went into a **coma**.

When asked whether Sheikh Omar Jeng's threats that he would allow the men to do whatever they wanted to do with her still lingered in her mind, Fatoumata Jawara responded that it was frightening and she remembers the words. She said that among the names she could recall was another person they called Tamba who was present at the time when they were being **beaten**.

Fatoumata Jawara stated that she sustained a lot of injuries on her body, her back and her on buttocks up to her thighs. She said that she still has the marks of the wounds and the pain starts from her neck up to her waist and she cannot sleep at night. She explained that standing and sitting for long periods of time causes her pain and added that she was admitted at the main hospital in Banjul on two occasions recently.

When asked about the injuries suffered by the others, the witness explained that Fatou Camara had a wound on her hand, her body was also injured and at that time they were all **urinating blood**. Some of Nogui Njie's **fingers and toes were broken** when they questioned her and some of the nerves around her eyes were also affected. When asked how long she was at the NIA before being taken to the hospital, she explained that the hospital was inside the NIA premises. She mentioned that she recalled spending nine days at the hospital and one of their security chiefs came (she thought his name was James) and said they should take her and the other injured to Bambadinka. The witness said she was told by Nogui Njie that she was **unconscious** for three days.

Fatoumata Jawara reiterated that **she was bleeding externally and urinating blood when staying at the NIA hospital for nine days, adding that it continued when she was taken to Mile 2 Prison, where she spent several months.**

The witness told the Commission that the doctors at the hospital were Fatou Darboe, Lamin Lang Sanyang and a girl they called Sariba, an NIA officer at the school of nursing. Lamin Lang Sanyang was the one assigned to her. When the Counsel asked her whether the doctor told her what caused her bleeding, she explained that he would prescribe medication against body pain whenever she told him about her pain. She commended Fatou Darboe and Sariba who she said assisted her. She further explained that some of the people working at the hospital were working in **fear** as some of the Junglers who were recruited were brought there and the people they **tortured** were also taken there for treatment. She said Fatou Darboe and Sariba were in fear but not Lamin Lang Sanyang. He was the guy who took care of and treated people tortured by the NIA.

When asked whether she felt any pain when she discharged blood when she urinated while at the NIA hospital, the witness said that she was in **pain** constantly, day and night and sometimes she was not able to sleep, stand or lie down. She had to be helped to bathe and sit up. She further explained that only Nogui Njie was able to **crawl** sometimes but she and Fatou Camara were in **wheelchairs**.

The witness said the day they tried to walk a little was the day they heard that they were going to appear in court and the police came to take their statements escorted by Sheikh Omar Jeng. She noted that she thinks that the person who took her statement was either Foday Kombo Sillah or Lamin Kombo Sillah who still works at the police. She said that he took

her statement without fear and encouraged her to say exactly what happened because they have been hearing such stories for a long time but did not believe they could be true. She explained that she was **scared** when giving her statement as Sheikh Omar Jeng was standing over them while their statements were being taken and when they were done, he took them back to the hospital.

The witness went on to narrate that she was taken from the NIA hospital to Bambadinka, which she described as a place *“where you opened several doors before you eventually get in there”*. She said she was in Bambadinka with Fatou Camara and Nogui Njie. When asked to describe the interior of the Bambadinka cell, she explained that there was only one sponge (mattress) for them to lie on; a hole for a toilet where they took care of their personal hygiene and performed ablution and no ventilation. She further explained that the bed sheets were never changed even though it was a place that housed many people who were **tortured**. They were there until when their health began to improve before being taken to court.

The witness said when they went to the court during the first hearing, the lawyers wanted to take their statements but as the prison officers and PIU were sitting with them, they could not give their statement freely nor could they show their injuries to the lawyers. The court gave order for them to be taken to Mile 2 Prison but that was ignored and they were taken back to the NIA instead. She said this happened twice. Fatoumata Jawara narrated that when they were eventually taken to Mile 2 Prison, the other inmates stayed away from them. She noted that some of the prison officers however assisted and empathised with them.

The Counsel interrupted the witness and asked if she had kids at that time to which she responded that she had three children – a nine-year-old, six and the youngest under four years at the time. When asked if her children visited her while she was at Mile 2 Prison, the witness narrated a time when her husband had dressed them up to attend one of their court hearings but unfortunately that day the court preceding did not take place. She further explained that the following day he (the witness’ husband) came to see her at the prisons and was told

they were going to the court but as he was coming out the court, he too was **arrested**. He was however released after a day thanks to public pressure including on social media.

When asked to confirm if her husband was dismissed from his job, the witness explained that she got that information in prison but when she asked him, he denied it. She added that when she enquired about the children he used to tell her they were okay. She noted that the prison authorities never allowed for her children to visit her.

The Counsel asked the witness what eventually led to her release and in a convoluted response, she narrated how food brought to her in prison by her relatives did not get to her and how the lawyers were able to get food to be allowed inside so they could take it to their cells. She also explained that she overheard a conversation by police officers as she was coming back from court, saying that the Interior Minister had said that those who had accepted to desist from political engagement were released, while eleven of them were chosen to be taken to McCarthy¹⁸. When asked if they were told what terms and conditions were given to those who were released, she said they did not.

Responding to the Counsel’s question about what happened upon her arrival in McCarthy, the witness noted that despite all the hardships of Mile 2 Prison, it was still better than McCarthy. She explained that at Mile 2 you could get up, walk around and you could see two or three people close to your cell whereas at McCarthy, they were put in a cell, given a single chamber pot to be used for their personal needs as well as for their ablutions. When asked, the witness clarified that Nogui Njie, Fatou Camara and herself were transferred to McCarthy and put in the same cell.

Describing the conditions of the cell, she explained that it was very bad: the cell was very old, full with maggots and other frightening things. She added that the windows were not good and that at McCarthy,

¹⁸We assume the witness and Counsel were referring to Janjanbureh Prison in Janjanbureh whose former name is McCarthy Island.

gunmen stood around the cells. She also explained that at McCarthy when Nogui Njie was at the hospital (in Bansang), she (Nogui Njie) told everyone she saw to please tell her people that she was there, that they were the persons who protested on the 14th April.

She later stated that no one was ever allowed to visit them or bring food for them.

When asked for how long she remained at the McCarthy prison, the witness stated that they were there for more than eight months and went on to explain that when they went to court, the lawyers would not show up and the case would be adjourned. She also explained the tortuous journey to Mansakonko from McCarthy when they would leave the prison at 2 am in a vehicle that was in very poor condition. She said this went on until they decided to sentence them to jail. Fatoumata Jawara said that she saw Sheikh Omar Jeng at all the trials and one called Almamy Manga, a police officer that came to represent the government.

Counsel concluded her questioning by asking the witness to tell them about the physical impact the ordeal had on her. Fatoumata Jawara stated that on one side she learnt from it because at the time that the difficulties were happening, some stood by her and some distanced themselves from her.

She said she heard that people even distanced themselves from her children; saying bad things, which saddens her up to today. She explained that it also affected her children's performance in school.

Sometimes the children would refuse to go to school, insisting they wanted to go and see their mother. Her second child, came crying one day, saying that somebody showed him a video where she is narrating her experience

at the Victim's Centre. She said she was not aware that she was being recorded and up to today, she regrets that video which people are using against her.

The floor was passed to the Commissioners. The Chairman apologised to the witness for the **torture** she suffered at the hands of state agents before passing the questioning to the Commissioners. The Deputy Chairperson Sosseh asked the witness if she had access to doctors or specialist for injuries when she was admitted at the hospital in the NIA. The witness said the doctors that came were all within the NIA, they were all part of the NIA those were the ones who carried out the secret treatment. Deputy Chairperson Sosseh asked meaning they were treating without medical document to which the witness replied she had some document, which they wrote body pain but those are not in her possession. She said she saw some statements in her file and she thinks that nurse would be an important witness who should come here and make a statement because she had seen some of the injuries and she had been there for a long time taking care of people who were injured within the NIA there.

Commissioner Kinteh asked the witness how many doors one had to open before they got to Bambadinka to which the witness replied that she could tell the exact number but they were several doors that you open, perhaps up to three doors. When asked if there was a hole or a step in Bambadinka where they jumped into the cell, the witness responded that she did not think there was a hole but that was just the manner in which they did things to frighten them and when they came in manner in which they came in.

Imam Sey asked that witness if the chairman where they had the meeting (at Batokunku) visited her while she was at the NIA or in McCarthy and if he made any attempts to help her during her ordeal to which the witness responded no.

In her concluding remarks, the witness directed her statement towards the people who send her threatening and labeling words through audios,

SMS and so on. She asked how they would feel if this had happened to their aunties, sisters, mothers among others what they would feel. She said she did not ask for this to happen to her but some evil people decided to take her integrity from her but today she was taking it all back. She refuses to be a victim and she is still sending strong message after all, she loves her country and she will continue to fight for her country, for her rights and that of other women.

She said they cannot let this bring her down so that being the case, she is sending this message to those sycophant groups who are always using abusive language against her that she should be victimised, Yahya Jammeh should have finished her off. She said she thinks they need to reflect on what had happened and thinks that she did not go to prison for crimes she committed but rather because she was fighting for the rights of the voiceless and against injustice. The witness urged the TRRC to do more work in consultation with the victims to protect the rights of the victims.

Persons Mentioned By Witness During Testimony:

Present during unlawful detention

Ousman Sonko, Yankuba Sonko

Conducting unlawful interrogation

Fatou Sanneh

Present during torture and threatening witness with gang rape

Sheikh Omar Jeng

She refuses to be a victim and she is still sending a strong message after all, she loves her country and she will continue to fight for her country, for her rights and that of other women.

WITNESS NAME: Yusupha SANNEH

TRRC HEARING DATE (S): 23rd October 2019

EVENT (S) DISCUSSED: The arson of the Independent Newspaper (2003); his role as the orderly to President Yahya Jammeh; the killing of West African migrants (2005); the killing of Daba Marenah, Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr (2006); the personality of Yahya Jammeh; sexual and gender-based violence by Yahya Jammeh; the victimisation of the witness (torture)

POSITION BEFORE THE EVENT (S): Lance Corporal in the State Guard

ROLE DURING THE EVENT (S): Orderly to Yahya Jammeh from 2004 to 2014

POSITION AT THE TIME OF TESTIMONY: Not mentioned

[The witness testified in English and in Mandinka]

SUMMARY OF TESTIMONY:

Yusupha Sanneh described his educational background and said that he joined the army in September 1995 (intake 18). He received infantry training, which was basic military training, teaching soldiers how to handle the safety of weapons. From 1996 to 2000, he was posted at Fajara Barracks as a private soldier, undertaking guard duties of key installations.

He told the Commission that in 2000 he became an orderly to the battalion commander of Fajara Barracks and served two commanders, while he did not remember the name of the first one, the second one was called Cherno Jallow. He explained that his duties were mainly to clean the office, sorting out the files and taking care of the commander's personal items. When Cherno Jallow went on mission in 2002, General Bah signed the witness up to a commando training, called Scorpio, together with Private Soldier Alieu Jeng. When asked, where Alieu Jeng¹⁹ currently is, Yusupha Sanneh responded that he is in custody and confirmed that it was the same person who testified at the TRRC.

Asked to describe the training, he said that Scorpio 1 was done by a team of Libyans and Gambians and



that the following soldiers attended it: Alieu Jeng, Yankuba Sanyang, Buba Sanneh, Lamin Saidykhani, and Sergeant Jobe.

Yusupha Sanneh explained that he underwent the Scorpio 2 training that was given by several Libyans by the name of Commander Amad, Staff Sergeant Ramadan, one man called Faraj and Sergeant Saad. From the Gambian side General Saul Badjie²⁰, Staff Sergeant Mustapha Fall, Malick Jatta, Sanna Manjang, he added that these soldiers had attended Scorpio 1 and were instructors. He could not remember the name of the other instructors.

He said that he could not remember the names of the trainees, but that they were around 30. The training lasted for four to five months and was held at the Police Training School in Yundum. He said that the training entailed physical exercise, surviving enemy lines, infiltration (including from ship to beach) and operations in the river. When asked if his role changed after the training, the witness stated that those who succeeded the training (about 20) were posted at the State House. He noted that the symbol of the State House was a scorpion and he assumed that the name of the training came from there.

He explained that he was transferred to the Delta Company and said that there was also the Bravo Company (who was the plain cloth company), the Support Weapon Company, the Physical Guard (infantry) and the Admin Company.

Asked about the duties of the Delta Company, the witness said that they were part of the Quick Reaction

¹⁹Alieu Jeng is a former member of the death squad team “the Junglers” who testified before the TRRC on 8th August 2019.

²⁰It is to note that while both the witness and the Deputy Lead Counsel used “General” to speak about Saul Badjie, he did not have that rank at the time of the events.

Force, QRF. The QRF would accompany the President when he was going out or clear the ground in advance of his movement. He added that some soldiers were asked to guard the installations at the State House. The Deputy Lead Counsel wanted to know what the Bravo Company's (plain cloth) role was, and the witness explained that they were the bodyguards and secured the State House buildings and some were posted in Kanilai. As for the Support Weapon Company, Yusupha Sanneh said that they were responsible for heavy weapons and artillery. All troops combined were a battalion.

The witness said that he was in the Delta Company of the State Guard from 2002 to 2004 and that he became a Lance Corporal after the training at the end of 2002. He noted that in early 2003 the entire Delta Company was transferred to Kanilai and that they were under the command of Major Khalifa Bajinka, and his deputies were Kawsu Sanyang and another man whose name he could not remember.

At Kanilai, they were told that a lot of threats were posed on Kanilai, he described that there was a sense of urgency, and noted that some soldiers could not even take their belongings because of the imminent threats at the border. So, they were conducting frequent patrols at the border and were told to look for unusual movements by Senegalese groups. The weapons they had were AK47. He explained that he stayed in Kanilai until 2004. He noted that at one point the order was changed and they were no longer wearing uniforms but "casual dress".

When asked if he was involved in any operation, he remembered that he was part of one in 2003 but could not recall the exact month. He said that one day, as they were wearing "normal" clothes, a group composed of General Saul Badjie, Major Bora Colley, Staff Sergeant Sanna Manjang, Sheriff Giseh, Michael Correa and himself went to the border. At around 3 am at night, Saul Badjie who was driving went to a place around Kanifing and said that this was a mission coming from the President Yahya Jammeh and that they should burn down the Independence Newspaper office. Before continuing, Yusupha Sanneh remembered that at the time when the order had been giving to wear plain clothes, the late Khalifa Bajinka had briefed the soldiers to be careful, saying that

they should not be made to do something that is not in line with the job. He added that a similar warning (but at a different briefing) had been given to them by Major Sarjo Jarju and told them that they should be careful because *"things were changing. But if you do something wrong, one day you will be questioned. So be very careful"*. He admitted that at that time he did not understand what they meant but nonetheless he took it seriously because he assumed that they knew something that they ignored. He explained to the Deputy Lead Counsel that at that time, these commanders could not say things directly as it was too dangerous. He mentioned that later Sarjo Jarju got a problem with Yahya Jammeh because he was discouraging the soldiers. He confirmed that when Major Khalifa Bajinka did the briefing, he gave it to the entire group.

When asked who could have given them order in addition to Major Khalifa Bajinka, he said Saul Badjie, who was an officer at the time and later became a General as well as Borra Colley.

Going back to the Independence Newspaper arson, Yusupha Sanneh repeated that Saul Badjie told them that the order came from President Yahya Jammeh.

He then spoke on the phone saying "yes, Sir Your Excellency" (in listening mode) and so he assumed that he was speaking to Yahya Jammeh. He remembered that Saul Badjie had a gallon, possibly with fuel, which he gave to the members of the team (Bora Colley, Sanna Manjang, Sheriff Giseh and Michael Correa). The witness explained that because he had a problem with his knee and could not run, he was told to stay in the car. He added while this was real, he was glad that he had this excuse because he remembered the advice he had received from Khalifa Bajinka.

He mentioned that the group entered the gate, 30-40 meters away from the building while he and Saul

Badjie remained in the car. He recalled that Saul Badjie told him “*you are an idiot*” and when asked why he would have said so, Yusupha Sanneh assumed that it was because he had not joined the others. After two minutes, he recalled that he heard noise of people screaming and then they saw the others coming back running. Sanna Manjang’s shirt was burning and Saul Badjie and the witness tried to extinguish the fire with sand. When they succeeded, he realised that all his body was burnt, especially the neck. Sanna Manjang was shouting, saying “*I’m destroyed*”. He stated that the entire building was on **fire**.

At this point of his testimony, the witness remembered that at the time of the operation, the soldiers had already been issued with pistols in addition to the AK47 and that they were always carrying the two weapons when going on patrol. When asked if one of the soldiers lost his pistol, Yusupha Sanneh responded that at this point in time, he did not realise it but later, during the investigation, it was reported that Sanna Manjang had lost his. The Deputy Lead Counsel wanted to know to which investigation he was referring to and he explained that the government launched an investigation but denied any responsibility. He agreed with the Deputy Lead Counsel that the denial was done, despite the fact that Saul Badjie had told them that the order came directly from President Yahya Jammeh and was speaking to him as the incident unfolded.

When asked if he faced consequences because he had not participated in the **arson**, Yusupha Sanneh responded that he was no longer called for patrols and was only doing guard duties. He said that no explanation was given to him, but that he felt happy about the change, because he had seen what it meant to go on such missions. He stated that he never went back on patrol after that. When asked if he reported what happened to anyone, he vehemently said that he did not, explaining that the soldiers were not trusting one another, and if he had told someone that person could have turned against him. He described the atmosphere at the time and said that some would be “happy on telling lies, to lie against somebody” and get compensated.

When asked what he meant by **compensated**, he explained that when **soldiers would tell on each other they would get promoted**. So, **everybody was living in fear**.

He continued his testimony saying that by mid-2004 he was transferred to Bravo Company at State House. He was tasked to do plain clothes drills and close protection training. After six months, he was selected to become an orderly to then President Yahya Jammeh with three other soldiers Saikou Jallow, Sainey Jammeh and David Njie and was posted back to Kanilai in the residence of Yahya Jammeh.

When asked if he knew why the four of them were selected, he responded that he did not know. He remembered that before going there, they were briefed by Major Khalifa Bajinka who told them that their duties would be to clean Yahya Jammeh’s house and take care of this clothes. He recalled that he told them to be very careful, to only do their duties, to listen carefully to what the President was telling them and if they did not understand they should not hesitate to ask him to again.

Khalifa Bajinka warned them that it was not easy to work for Yahya Jammeh because he had a changing personality.

He told them that Yahya Jammeh could be very rude, if they did not understand what he said saying things like “*fucking idiot, are you deaf?*” and would not even look at them, but that they should remain calm and be scared to ask when they did not understand something. Yusupha Sanneh reckoned that Khalifa Bajinka was trying to prepare them mentally.

The witness noted that he had already heard many rumours about how orderlies had been mistreated,

dismissed and sent to detention to Fajara Barracks. He admitted that he was not comfortable with this transfer as orderly. He said he remembered the story of an orderly Buba Jammeh (he did not know if he had a nickname) who had been dismissed, **detained** and later left the army because he did not feel safe, and another orderly Wally Njie had a similar experience. When asked if he had heard the reasons for their dismissal, he said that they were accused of stealing money.

Yusupha Sanneh continued his testimony saying that upon their arrival in Kanilai, they were trained by the orderlies of Yahya Jammeh at the time who were Sarjo Badjie, Abdou W. Sanyang, called AW Sanyang and Ba Jerreh Manneh. They showed them the house, told them how the work with the cleaners, be involved in the cleaning themselves, and then showed them the area called “four houses” where they had to supervise the cleaning. He mentioned that they also were responsible for the stores, what they should do when the workers came, and supervise what the cook should get in terms of rice, meat, oil etc. He explained that the four of them were reporting to Sarjo Badjie because AW Sanyang and Ba Jerreh Manneh would only come in for a time, around one month, and leave again for Banjul.

Asked what his particular duties were, he explained that it could change; he could be asked to go to the “four houses” or to the store and highlighted that at any time someone had to be in the building, because there was a telephone switchboard that Yahya Jammeh could call to ask for something. When asked which of the four would attend to Yahya Jammeh personally, he said that he would come with an orderly from Banjul, at the time it was Tombong Bojang, but it could be Ba Jerreh Manneh or AW Sanyang.

Yusupha Sanneh said that at the time, when they were new, they did not interact much with Yahya Jammeh. He mentioned that only people who knew Yahya Jammeh well would handle the telephone switchboard because the President would talk very fast and then hang up. So, if the person did not know him well, he would not understand what he said and that would be a problem. He stated that as soon as they would wake-up, they

would try to disappear from there and go very early to different places such as the “four houses”, the reservoir etc. to be far away from Yahya Jammeh. Only at nighttime, around 10 pm, would they all be in the house. He repeated that the switchboard was the problem because Yahya Jammeh was mumbling but would be angry if he was not understood. From that moment on the witness continued his testimony in Mandinka.

The Deputy Lead Counsel asked the witness to tell the Commission about how the orderlies were interacting with Yahya Jammeh in Kanilai. The witness explained that they used to escort the stewards when they would bring food to the President. They would knock at his door, wait for him to answer and then they would get in and give him the food, adding that the President liked grilled meat. He later added that Yahya Jammeh liked to eat food from his farm; such as groundnut, bitter tomato and corn. He would even have some farm products delivered to Banjul when he was residing at State House.

The Deputy Lead Counsel wanted to know what the witness’ impression of Yahya Jammeh was when he started to work in Kanilai. Yusupha Sanneh responded that he realised that what Major Bajinka had told him was true. He reiterated how stressful it was to be assigned to the switchboard because Yahya Jammeh spoke indistinctly but would nonetheless get angry if one did not understand him. He also recounted that Yahya Jammeh would sometimes come out to see if everybody was in their position and could make some of them very uncomfortable highlighting that he liked to see know what was happening around him.

Yusupha Sanneh further explained that in the beginning, when he was still new, he was not interacting much with the President as it required time to get to know him and understand him. He reckoned that in total he must have spent two years in Kanilai from 2004 to 2006 and was only leaving the village if he had to get something for Yahya Jammeh in Banjul. In 2006, he got transferred to Banjul.

The witness explained that from that moment on he started to get closer to the President. Asked to recount an incident that happened in 2006 (he later reckoned that it could have happened in 2005 in fact), the witness gave a lot of details about a trip from Kanilai to Banjul to bring groundnuts to State House. Yusupha Sanneh said that upon their arrival, Solo Bojang went to see Yahya Jammeh and stayed with him for a long period of time and only joined them at around 2 am and told him, Sambou Barrow (a driver) and Sainey Jammeh that they would head back to Kanilai, without any further explanation.

As they were driving towards Senegambia, and passed the Palma Rima junction, Solo Bojang showed the driver a route, on the left-hand side and asked him to take a bend, saying that they were going to meet some people there. Solo Bojang was giving directions and at one point, asked the driver to stop the vehicle and horn. Yusupha Sanneh recounted that a paramilitary officer came out and as soon as he saw Solo Bojang, he opened the gate. The witness stated that he did not know who the house belonged to but remembered that there was a mango tree inside the courtyard and other vehicles in the compound.

The witness testified that Solo Bojang went to talk with the paramilitary. When he got out of the vehicle a bit later, he recognised Malick Jatta, Sanna Manjang, Michael Correa, Borra Colley, Tumbul Tamba, and three drivers called Bai Lowe, Lamin Sillah (driving Borra Colley's vehicle) and Buba Jallow (driving Tumbul Tamba's vehicle). He added that he saw four other individuals in regular clothes in the vehicle driven by Lamin Sillah, but that he did not recognise who they were as he had never seen them before. He remembered seeing some paramilitaries bringing out someone and that Malick Jatta tied the man's hands with a **rope**, like the ones they used when training commandos.

The witness said there were two individuals in Bai Lowe's as well as the person whose hands had been tied by Malick Jatta. He then recalled that another individual was brought out and that made it four in Bai Lowe's vehicle after his hands were also tied by Malick Jatta. When asked where Solo Bojang was at that point, the witness said Solo Bojang was standing aside with Tumbul Tamba.

The Deputy Lead Counsel wanted to know in which part of the vehicle the eight individuals were placed. The witness said they were seated at the back of the pickups, in the open. Asked how long they stayed, Yusupha Sanneh estimated that they left around 3 am and that therefore they must have stayed approximately an hour there, noting that nothing special happened during that hour.

When they left the compound, the witness explained, Tumbul Tamba's vehicle which did not carry anyone else (except the driver) was the first to go out, followed by Borra Colley's vehicle, which was driven by Lamin Sillah and carried four individuals, who were seated as if their **hands were tied**. He added that Sanna Manjang was in the back of the pickup with them. The third vehicle was the one driven by Bai Lowe, with Malick Jatta and Michael Correa sitting at the back. He noted that their vehicle was the last in the convoy, which headed to Kanilai. Later in this testimony, the witness added that while they were leaving the building, Solo Bojang had told their driver that those individuals were **mercenaries** and that they had come to **attack** The Gambia.

Yusupha Sanneh explained when driving to Kanilai, they took a road that leads to a village called Bambarang. The witness said when they went up to that spot, he told the driver to allow them to leave the vehicle, but Solo Bojang objected and asked the driver to continue driving.

When asked about Solo Bojang's rank, the witness said he was either a Lieutenant or a Captain and that he was part of the Junglers²¹. The Deputy Lead Counsel wanted to know how he knew about that unit and Yusupha Sanneh explained that the Junglers were wearing a particular uniform, which was black. Describing how the Junglers were dressed, he mentioned that the Junglers were also wearing black shoes and that their weapons were different from the regular soldiers as their AK47 had grenade launchers.

Going back to his testimony, Yusupha Sanneh said that they did not pass Bambarang but instead drove into a bushy area for about 10 to 13 minutes and

²¹Kanilai Farm Manager and second in command of the death squad team "the Junglers". Said to be a relative of Yahya Jammeh. Accused of participating in the enforced disappearance and killing of Haruna Jammeh in 2005, of West African migrants in 2005, of Daba Marenah, Alpha Bah, Ebou Lowe, Alieu Ceesay, Manlafi Corr, Masi Jammeh and a woman called Julia in 2006; of nine Mile 2 Prison inmates in 2012; of Ebou Jobe and Mamut Ceesay in 2103, of Ndure Cham in 2013, of Sulayman/Saul Ndow and Mahawa Cham in 2013. (next page)

then all the vehicles stopped. When asked whether he knows the area where the vehicle stopped, the witness responded that he did not as he had never been there before. At the spot, Solo Bojang left the vehicle and told the witness and the orderlies to remain inside the car. The witness recounted that after around 30 minutes, all of a sudden, they heard **gunshots** and later even the sound of a personal grenade launcher, PGL, and that this made them alight from the vehicle because the sound was so loud.

He explained that they walked towards the front and saw Buba Jallow, the driver, standing outside his vehicle and together they walked towards Bai Lowe who was standing nearby. All that time, they could hear guns being fired. Then Bai Lowe told the witness in Wolof “*this is very serious*” and to which Yusupha Sanneh responded that he did not even know why they were there.

The witness estimated that in total they remained on the spot for an hour and a half, until around 5 am, and that the gunshots were far away and lasted for almost about 45 minutes, with intervals.

He specified that the sound indicated that they were shooting inside the ground, adding that the earth was shaking from where they stood.

The Deputy Lead Counsel wanted to know who was leading the group of those who alighted from the vehicles. The witness responded he did not know who was leading because it was dark, but noted that all the individuals he saw at the back of Bai Lowe and Lamin Sillah’s vehicles were not there anymore. He stated that Tumbul Tamba, Borra Colley, Malick Jatta, Michael Correa and Sanna Manjang were not around the area, and he said that he believes they were at the place the gunshots were coming from. The only individuals who stayed with the vehicles were Bai Lowe, Buba Jallow, Lamin Sillah, Sambou Barrow (driver) and Sainey Jammeh. Asked by the Deputy Lead Counsel if Major Sarjo Jarju, Kawsu Camara, Omar Jallow

alias Oya were there, the witness said that they were not and confirmed that he saw nobody else except for the individuals he already listed.

Yusupha Sanneh recalled that after the shootings, Tumbul Tamba walked towards those who had remained by the cars and told them “*if anybody should say anything, you will follow those individuals*”. The witness said they all kept quiet. Asked what he thought the sentence “*you will follow those individuals*” meant, he responded that they all understood that it meant **killing**. When asked whether he saw the eight individuals again whose hands were tied, the witness said since he last saw them at the building and that while he believes that they were taken to the bush when they arrived, he did not see it because the lights were off. After Tumbul Tamba threats, all of them returned to their vehicles, took another road passing through a place called Alakunda where the soldiers manning the post opened the gate and went home.

The witness said he was terrified when they returned from their journey, asking himself “*what kind of evil got into us*” and decided to be very careful in the future. He promised himself that he would avoid any operation in the future, even a simple escort with more than him and a driver, and that he would pretend to be sick if he had to.

Responding to questions from the Deputy Lead Counsel, the witness said that he did not know what happened to the bodies of the individuals **executed** that night but that he believed that Tumbul Tamba was the commander of the operation as he was the senior man and also was the one who threatened them. He mentioned that Solo Bojang never spoke about that incident again. Regarding the year of the incident, the Deputy Lead Counsel told the witness that the Commission had received evidence that the incident about the mercenaries occurred in 2005. The witness said that he might have been wrong and that it could have occurred in 2005.

The Deputy Lead Counsel wanted to know when in 2006 he got transferred to State House. The witness said that it was at the end of 2006 but before the 2006 attempted coup²².

²¹He is said to have been the one selecting many of the gravesites where victims’ remains were buried. His name is on the list of wanted persons issued by Gambian authorities in 2018. Last reported to be in Casamance, Senegal.

²²The witness must have confused the months as the attempted coup happened in March 2006.

At this point in his testimony, Yusupha Sanneh was asked to clarify a statement made by Malick Jatta to the TRRC saying that he (the witness) was present when Daba Marenah and others were **executed**. When asked to tell the Commission what he knew about that incident and about his involvement, the witness said that Malick Jatta did not like the orderlies and had bad intentions for them because he envied them as they were travelling with Yahya Jammeh. He recalled that Malick Jatta once told him, “you are the ones enjoying. You are the ones travelling” and that Saikou Jammeh got so upset with him that he responded “how stupid you are, who would involve you in travelling?” He added that when Malick Jatta would join soldiers at the State House, some of them would leave because Malick Jatta “had bad intentions”. According to the witness, this would explain why Malick Jatta accused them falsely.

In regards to the **killing** of Daba Marenah, the witness swore that he was never present at the incident. He said he was at State House the day the attempted coup was uncovered, upstairs by then with Ba Jerreh and Modou Sarjo and he did not even go down on that day. He also highlighted that in his testimony, Malick Jatta failed to say that he (Malick Jatta) had been the one tying the hands of the individuals in the building around Palma Rima.

Asked to focus on his relationship with Yahya Jammeh, the witness said that in 2006 when he was transferred to the State House in 2006, he got closer to the President because Jammeh’s closest orderly Tombong Bojang had been removed. From that moment on, he and Saikou Jallow were asked to take care of his clothes and shoes, and would also select the outfit he was supposed to wear each day. He explained that within the State House there was a special room for the orderlies with a telephone, which Yahya Jammeh would call whenever he would need them, adding that the orderlies were basically living with him.

The Deputy Lead Counsel asked the witness to give the Commission examples of how Yahya Jammeh used to treat him and Saikou Jallow, Yusupha Sanneh said that some days he treated them well but that this did not last long. When asked what he meant by that, the witness said: “you are working for somebody and then you have

*him constantly abusing²³ your mother. And also, you cannot have a proper sleep; if you are seated and you are dozing off, and if unfortunately, he finds you in that stage, he sometimes comes along with a **whip (...)***

*He use to **beat us with a whip. Sometimes also he comes with a mosquito spray and if he finds you asleep, he would spray it in your faces. Sometimes you cough to the extent that some people cough blood. It happened to me, Ba Jerreh and Saikou Jallow.”** The witness said this happened many times.*

When asked whether they sustained any injuries as a result of that, the witness bent his head and showed the Commission a mark on his head which he sustained when Yahya Jammeh once took his sword and hit him on the head, which started **bleeding**. The witness recalled that when the blood oozed out, Yahya Jammeh just walked back to his room. When asked how often they went through such abuses, the witness said that while it did not happen every day, the President was doing this frequently. He added that Yahya Jammeh also sometimes poured cold water on his orderlies.

The Deputy Lead Counsel wanted to know the instances where Yahya Jammeh abused the mothers of the orderlies. The witness held a white paper up and said that if Yahya Jammeh claimed that this paper was black, one had to agree with him otherwise he would consider that you were trying to challenge him and in turn, would insult your mother. Regarding other verbal abuses, Yusupha Sanneh mentioned that Yahya Jammeh would tell “you anything he likes, whether you did something wrong or not”. He said Yahya Jammeh once told him that he would die like a dog, and they would pick his corpse on the streets like a dog hit by a car. When asked how that made him feel, the witness said it made him uncomfortable and

²³In the sense of cursing or insulting.

scared, but he left everything in the hands of God. The Deputy Lead Counsel asked him whether he felt Yahya Jammeh would be capable of carrying out his threats, to which he explained that he did take threats seriously because he had the power to do that, because he was a president.

The Deputy Lead Counsel wanted to know how the witness was treated by Yahya Jammeh when they went on tours. The witness said he is the one who used to give the biscuits to the President to throw out to people on the streets and that he would **kick** him if he was too slow in handing him the biscuits.

The Deputy Lead Counsel wanted to know whether any orderly had left his job as a result of how the President treated them. Yusupha Sanneh explained that no orderly was brave enough to leave the position. He mentioned that one orderly, Tombong Bojang, was dismissed because Yahya Jammeh had accused him of stealing his money and added that he later had an accident and his leg got broken. Yahya Jammeh used this as a threat saying: “you see Tombong, he had this accident because he stole my money”. When asked whether that allegation was true, the witness said that is was not explaining that when Yahya Jammeh wanted to sack an orderly, he accused him of stealing or doing something wrong, specifying that orderlies did not have access to the President’s money, as he would always lock all his bags and keep the keys.

The Deputy Lead Counsel wanted to know how long the witness served as an orderly at State House. The witness said he has been there from 2006 to 2014.

The witness was then asked to speak about the relationship Yahya Jammeh had with some of the women that used to come to the State House and was given a list of names with numbers, to avoid revealing the identity of the individuals. She mentioned that in his statement the witness had indicated that Yahya Jammeh was “attracted to the opposite sex” and that “some of the women that would go to the State House at very odd hours of the night” and asked him to tell the Commission what he had observed. He said that he observed this with some protocol officers, as well as with some women that Yahya Jammeh invited for grills and with female soldiers who would brew *attaya* (green tea) for him.

Asked to explain what was significant when women brew tea for the President, he said that normally the orderlies should escort anyone bringing tea to the President, but that this only happened when men prepared it, noting that when a woman would brew tea, Yahya Jammeh would request that she came alone. He noted that sometimes the female soldiers would come back after 5 minutes but that it also happened that they stayed until 10 pm or even 4 am, staying there for 30 to 40 minutes.

Responding to a series of questions, the witness noted that it would always be Yahya Jammeh who chose which woman would brew the *attaya*, that it took place late at night and that it mostly happened at Kanilai. He said that he did not know what happened when the women went upstairs to bring tea, as he would not go upstairs. Regarding rumours that might have existed, Yusupha Sanneh noted that: “*no-one was brave enough to discuss these things, even if you had some thoughts in your mind, you kept them to yourself, nobody dared talking about these things*”.

The Deputy Lead Counsel, referring to the environment the witness had described, asked him if it was possible for a soldier to say no to Yahya Jammeh.

While saying that he was not present, Yusupha Sanneh noted that in his opinion “given the *situation* that we were in, nobody would dare” to say no to Yahya Jammeh’s requests.

The witness was provided a list of names of women and pointed out those who would take *attaya* up to the President. He listed number 8, 9, 10, 12, 13, 14, 17, 18 and 19.

The Deputy Lead Counsel asked the witness to tell the Commission what he thought happened when the women were asked to bring *attaya* to Yahya Jammeh and stayed for long periods of time late at night. While highlighting that he was never witnessed anything, he pointed to the different treatment between men and women bringing tea to him. Not saying exactly what

he thought, the witness noted that when a man and a woman are together in the same room and spend a long time there, and that the woman later says something about that, then this might be the truth.

The Deputy Lead Counsel highlighted that the statement of the witness that no one could say no to the President was important, especially as the TRRC would hear testimonies from other individuals who might make certain allegations. She asked if some of the women had confided in him about what had happened there. Yusupha Sanneh responded that this never happened and that he never saw Yahya Jammeh do anything to anybody nor did he notice anything in the women's faces or attitudes, to which the Deputy Lead Counsel said that it is difficult to tell from the face of someone if something had happened or not.

Turning to the protocol officers who would come to the residence at odd hours in the night, the Deputy Lead Counsel mentioned that the witness had said that Yahya Jammeh sometimes asked him or another orderly to bring someone to his residence. The witness confirmed that this happened and explained that the President sometimes asked him to connect him with a certain person, who would then call the President saying that she was on her way "with so and so person". He highlighted that this could happen anytime between 12 and 4 am at night and that he (the witness) would get no rest at night.

The witness was asked to look at his list of names and mention those (using numbers) who had been asked to come late at night: he mentioned Number 1 and Number 2 and said that those were the names he could remember. The Counsel explained that these two women were also listed in another section under the numbers 30 and 31. He then looked at the other list and added Number 32 saying that Yahya Jammeh used to talk to her and that she would come from the Kombos to Kanilai, taking Number 28 with her²⁴. The Deputy Lead Counsel confirmed that Number 32 would bring Number 28 along. The witness explained that they would come at 1 am sometimes at 2 am and that Number 32 would sit there, maybe serve soft drinks and then come out and join the orderlies. When asked if Number 32 brought other

women apart from Number 28, including from other countries to the President at night, Yusupha Sanneh responded that it did happen and that the name of the one he was thinking about, a Gambian woman, was not on the list. He was asked to write her name on the list.

The Deputy Lead Counsel said the witness had said that Number 1 (also Number 30) and Number 2 (also number 31) were the women who President Jammeh would specifically request to bring women to the residence and asked him what positions they had. Yusupha Sanneh said that they were working as protocol officers and explained that they lived in the Kombos but spent a lot of time at the State House. As he had mentioned that these two women would bring women late at night to Yahya Jammeh, he was asked to see if some of the names were on the list: he recognised women Number 3, Number 4, Number 5, Number 6, Number 26 and Number 29.

He was asked if he ever interacted with Number 7 and he said that he did not know her. For Number 6, he was asked if he remembered how many times, she was asked to come to the State House Residence or Kanilai, he said that he did not count the number of times but said that they were many, noting that she used to come with Number 1 and sometimes with Number 2. Sometimes when she would come, he would be the one to relay the message to the President that she had arrived. He explained that when a woman arrived, she would take a seat where he was posted, and that he would then call Yahya Jammeh over the phone to inform him that Number 1 or Number 2 had arrived with a visitor.

He specified that he never went inside and always stayed in the parlour and that is why he never witnessed any inappropriate behaviour. The Deputy Lead Counsel reminded him that in his statement, he had indicated that he had seen some of the women massaging the President's feet. He explained that this had happened when he was in tour or in Kanilai and that he and his colleagues would be the ones bringing the water. Number 1 or Number 2 together

²⁴From the information given by other witnesses during session 9, such as the Unidentified Witness, Alhagie Ousman Ceesay and Toufah Jallow, it is likely that Jimbee Jammeh is one of those persons.

with some of the women he had identified on the list would then massage Yahya Jammeh. He said that he did not see anything else.

Talking about his own victimisation, Yusupha Sanneh explained that in April 2012, one morning as he was at State House he was informed that General Alagie Martin (the witness later explained that at the time he was the Personal Protection Officer of the President) wanted to see him.

When he went to see him, Alagie Martin hit him at the back at his head and pushed him down the stairs. He recalled that Yahya Jammeh was standing there and watching.

Alagie Martin then pulled the witness out and Captain Nuha Badjie and a military police officer, whose name he believed was Sergeant Jobe, handcuffed him. They pushed him in a pick-up and they sandwiched him and took him straight to the National Intelligence Agency, NIA and he was put in a cell, the one at the left hand-side when entering the NIA, with an iron door painted black.

The place was very dark, there were no windows but only small holes in the wall. A lot of things were written on the wall, the floor was made of concrete and was covered with **urine**. He explained that the detainees would cut plastic bottles in half and use them to urinate but that nonetheless, the floor was full of urine. The witness said that there was a carton there, but it was also wet of urine.

He remained there until around 2 pm, until he was taken to the office of the then Director General Luis Gomez, who was accompanied by an NIA officer called Jobarteh, which he described as being as dark in complexion and tall. They asked the witness what had happened and he explained that he did not know. They informed him that Yahya Jammeh had accused him of removing the firing pins from his guns and of stealing money. Yusupha Sanneh said that he denied all of it. He noted that the

NIA officers did not do anything to him other than questioning him and that Alagie Martin was “around the area”.

The witness said they took him back to the cell and at around 3 am, General Saul Badjie, Nuha Badjie and two other people that he did not know, came and took him to another room at the NIA premises where he was told to undress completely. The lights in the room were then turned off, but Yusupha Sanneh explained that he knew General Saul Badjie and Nuha Badjie so well that he recognised their voices. He recounted that General Saul Badjie was talking on the phone with Yahya Jammeh and he asked him (the witness) why he had removed the firing pins from the guns, to which he responded that he never did that. General Saul Badjie then asked him why he had taken Yahya Jammeh’s money, which he also denied.

The witness said he heard Yahya Jammeh saying to General Saul Badjie in Jola: “make things hot on him” and that subsequently the four of them started beating him up with rubber whips, which left marks on his back.

He indicated that the two people he did not recognise were speaking in Jola.

When asked whether Alagie Martin was present while he was being **tortured**, the witness said he was not. The witness said the **beating** continued for about 45 minutes or 1 hour. He said that only his hands were tied and he was lying sideways when they were **beating** him, adding that they **kicked** him as well. He said that he has suffered from back pain ever since. After the **torture**, all but Nuha Badjie left and he remained with him for a while. Then the others came back, took off his handcuffs, threw his clothes at him and brought him back to his cell. He stated that he did not eat anything for three days, and was

given water only on the third day in the evening. He noted that the guards who gave him the water, were a tall “boy” called Sawaneh and Yusupha Kujabi and that they were feeling sorry for him.

When asked how long he spent at the NIA, the witness responded he was there from 12th April to 29th May. He explained that “the Cubans” took him to the hospital the day he was released because he suffered from back pains. He said that was the first time he received medical help after he was **tortured**.

The witness explained that while he was **detained** at the NIA, both his parents were **arrested** and taken to the NIA. They spent two weeks at the NIA, but he did not know that they were there. He made a call after he was released and his brother told him that his dad was sick and he talked to him on the phone. He said his dad told him that they were **arrested** and they were threatened with a **gun** asking them questions like: “*what did your son give to you? What did he tell you?*” The witness noted that his mother is blind but that she was nonetheless **arrested** and that “they disturbed her there a lot”. He said his father got very sick and suffered a stroke when they released him and that he is still under treatment. The Deputy Lead Counsel wanted to know the age of his parents when they were **arrested** and the witness responded that his dad was 80 and his mother might have been around 65 at the time.

The Deputy Lead Counsel wanted to know whether the witness returned to his duties as an orderly after he was released. Yusupha Sanneh explained that General Saul Badjie and his driver, Lieutenant Sow came to pick him up and took him back to State House. When he entered the building and reached the first floor, he saw Yahya Jammeh coming down telling him “*this is nothing*”. He explained that despite everything he went through, he had no other option to go back to work for Yahya Jammeh. He underlined that he said he was very scared by then because he kept remembering something Yahya Jammeh used to say, which was that he is capable of reaching anybody no matter where they are in the world. He therefore remained an orderly to Yahya Jammeh until 2014 and continued to serve for another two years.

He explained that for a while the President did not **maltreat** him but after six months, he started being aggressive again. The witness said that he was bearing with that while trying to find a way to leave. In April 2014, Yahya Jammeh demoted him from Second Lieutenant to the position of Warrant Officer Class One and in September he was demoted again to a Corporal, all the while getting more aggressive. Yusupha Sanneh indicated that he looked at how things were going and how the government was operating and realised that things would not last. So, when he got a chance to travel to America he absconded and went to live with one of his friends. The Deputy Lead Counsel thanked the witness for answering her questions. She said she would stop here and allow the Commissioners to ask additional questions.

The floor was opened to the Commissioners and the Deputy Chair said her first question was about the persons who he was told were mercenaries. She asked the witness whether he was able to give the Commission an estimate distance or the time it took to travel from the place where the **killing** took place to Alakunda junction or to the back gate of Yahya Jammeh’s fence. The witness said he knows that the road that goes to Bambarang is by the side of Yahya Jammeh’s garden fence towards Bambarang.

He added that they did not reach the village of Bambarang but that they were not far away from it. Her second question was about the witness’ knowledge of any attack by Casamance rebels or Senegalese soldiers. The witness responded that this never happened. She then asked the witness how he was able to perform as a soldier when he was living in fear and did not sleep at night. The witness said that it was a very difficult thing because a soldier cannot be effective if he does not have enough sleep or if he leaves in fear.

Commissioner Samba wanted to know where Yahya Jammeh’s wife used to be when the women were asked to bring him green tea upstairs. The witness

responded that Yahya Jammeh's wife was usually not in the country when those things happened. She then asked the witness whether he was part of those who **killed**. The witness said he was once with them in one company and he worked with them for a short time, but he was lucky to leave the group. He said he would be telling lies if he says he never worked with them because he went with them on patrol when The Independent Newspaper was **attacked**, but claimed he did not alight from the vehicle. He stated that he was never present when they **killed** anyone.

In his concluding remarks, Yusupha Sanneh appealed to the Gambian people to forgive them. He explained that they were just young and they were looking for jobs in order to help their parents. Army was not the first choice for some of them; some wanted to do other things but were unsuccessful so they joined the army. Their intention was to protect the country when they joined the army, but things changed in a way that he cannot explain. He expressed his regrets and asked for forgiveness from all those they wronged. He explained that there were certain things they did not know when they were in the army because they could not read. They did not know about human rights violations and the legal duties.

He noted that they were not even allowed to have Facebook accounts, read online news or even have access to the internet when they were at the State House.

He said other people out there were encouraging people not to say the truth and he had his own experience. He explained that when he was working at State House, he was beaten and insulted. He was detained in America after Malick Jatta gave his testimony; he tried to make phone calls to certain people for help when he came home but they all ran away from him and never returned his calls. He encouraged everyone who is going to testify to say the truth. He stated that those who encourage people not to say the truth are the ones who detach themselves from you when something bad happens.

The witness concluded by saying that he decided to come home once he received an order from the U.S. He said when he was asked whether he was ready to board the flight, he told them he was ready. He narrated that one person once told him: *"you are going home to testify? Have you heard that UN has approved and Yahya Jammeh is going home?"* The witness said he told him: *"you are fooling each other here. If that is what is keeping you here and stopping you from telling the truth; then you are fooling yourself."* He stated that Yahya Jammeh is looking for a place to hide and that people should not be afraid to come and testify.

Persons Mentioned By Witness During Testimony:

Arson of the Independent Newspaper

Yahya Jammeh, Saul Badjie, Borra Colley, Sanna Manjang, Michael Correa, Sheriff Giseh (Yusupha Sanneh said he was present but did not participate)

Extrajudicial killing (of West African migrants)

Tumbul Tamba, Solo Bojang, Malick Jatta, Sanna Manjang, Michael Correa, Borra Colley

(Yusupha Sanneh said that Bai Lowe, Lamin Sillah, Buba Jallow, Sambou Barrow and Sainey Jammeh were present at the scene but not involved)

Torture (of Yusupha Sanneh)

Yahya Jammeh, Saul Badjie, Nuha Badjie, Alagie Martin



Photo: ©Jason Florio

UDP member Jukuna Susso was arbitrary arrested in 2016. During her arrest, Police Intervention United officers undressed her to the point she was almost naked. She was then detained almost naked in a room with 30 men.



WITNESS NAME: Fatoumata (Fatou) CAMARA

TRRC HEARING DATE (S): 24th October 2019

EVENT (S) DISCUSSED: 14th April 2016 incident, victimisation of the witness and impact on her life

POSITION BEFORE THE EVENT (S): Petty trader

ROLE DURING THE EVENT (S): UDP Chairperson in Ebo town, Jeshwang

POSITION AT THE TIME OF TESTIMONY: Unemployed

[The witness testified in Mandinka and the interpreter on a number of occasions had to ask for clarification. There were also issues with the quality of the interpretation]

SUMMARY OF TESTIMONY:

Fatoumata Camara told the Commission that one Thursday in April 2016, she was to attend the marriage ceremony of her younger sister's daughter. Dressed in her attire, she first went to the Serrekunda market to buy a special type of "grass" but once there, she was told to go to Kanifing instead to get it from a Malian woman and therefore proceeded to do so. However, when she arrived at the main Westfield junction, she found a crowd, with the majority being members of the United Democratic Party, UDP.

She stated that she asked a Fula man what was happening and he told her he did not know. She therefore joined the crowd to enquire about the reason for the gathering. The witness said there was someone holding a white banner and so she took out her mobile phone and asked the Fula man to take a photo of the banner.

Asked why she wanted a photo, the witness said that she had never been to school and so whenever she went out and saw something interesting, she would take a photo and ask her children to read for her once at home.

Further testifying, Fatoumata Camara explained that she saw Falang Sonko, the then head of the UDP youth wing and Solo Sandeng. She asked them what was happening and Falang Sonko told her nothing was going on. The witness insisted and Falang Sonko told her to continue to where she was heading, and he would later explain.

The witness recounted that she then went up to Solo Sandeng, told him she was going to a wedding and asked him what was happening as she wanted to have peace of mind whilst there. However, Solo Sandeng also told her nothing was happening and told her to go to the marriage ceremony.

Fatoumata Camara told the Commission that she decided to stay to further observe and sat next to the Fula man. She then saw a policeman in white uniform arrive, he grabbed Solo Sandeng's shirt and an argument ensued. She added that people intervened and separated them. After the policeman left, the Fula man told her that the paras²⁵ had arrived in a truck. The witness said she turned and looked back, and recognised the paras as they were wearing their blue uniforms with some holding batons. The witness could not estimate the number of paramilitary officers but she remarked there were many.

Describing what she observed, the witness said that the paras started chasing people and if anyone fell, they would grab them and throw them inside the truck. The crowd dispersed in a panic and within a few minutes, the place was empty.

Then a lady who the witness said she did not know, came out and to Fatoumata Camara's surprise accused her of being an enemy of the state. Two paramilitary men went up to the witness and ordered her to stand. When she did, one of them insulted and slapped her.

²⁵Paramilitary soldiers usually called "paras" by locals.

The witness said that as a result, **one of her ears started bleeding.**

The other paramilitary angrily asked him why he had slapped the witness seeing she had not resisted and the man responded *“Tomorrow, I will beat her up”*.

Fatoumata Camara recalled that they then threw her into their truck, where she estimated there were about 40 civilians. They were then taken to the Police Intervention Unit, PIU camp, near the Kanifing Municipal Council, KMC Headquarters (not far from the Westfield main junction). When they arrived, they told them to alight and made them stand in line under the sun. The witness stated that one officer then came and asked them to be taken inside the building.

Once inside the main big room, senior PIU officers started calling one another and discussing amongst themselves as to what to do with them. She added they were like *“witches who saw raw meat”*, meaning as if they were going to **kill** them. Describing their behaviour, she said they were using very harsh words and insulting them.

One officer told the then KMC Mayor, Yankuba Colley, to let them go but he refused. He said he would first inform then Minister Ousman Sonko²⁶ and went into another office in the opposite building. The witness explained she knew Yankuba Colley very well as he played football near her home.

The witness testified that when Yankuba Colley left, the then Head of Police Yankuba Sonko arrived. He stood and stared at them. She recalled that another person who she did know came and said *“It is now time for elections and you people decided to come out like this, I feel sorry for you people”*. Then Yankuba Colley came back and Yankuba Sonko asked what they were to do. Yankuba Colley responded that Ousman Sonko had said they wanted to stage a coup d'état and they should be taken to Mile 2 Prison. The detainees were taken away including Kafu Bayo, and Nogui Njie (the witness could not recall the names of the others). She said Solo Sandeng was taken elsewhere but Falang Sonko was with them.

Continuing with her testimony, she said the officers came back, handcuffed those left behind (including the witness and Fatoumata Jawara), made them board a truck and took

them to Mile 2 Prison, where they were processed. The witness recalled that there was an old woman at Mile 2 Prison called “Ma” who begged the officers to release the witness. She added that you could tell from her hands and legs, which were dyed with henna that she was not attending a demonstration.

Fatoumata Camara remarked that up until that point, they had not told her why they were **detained**. They only **insulted** them and told them they were criminals. She added that when she asked to break her fast, they mocked her. The witness was then taken to a room where she found some other women. The women offered her some water to drink but there was no food.

Continuing her testimony, the witness said that later at night, a male officer who was not wearing a uniform opened the door and called for the witness and Fatoumata Jawara. She also remembered that there was a female prison officer called “Bana” who was escorting them and she asked the male officer what they were going to do with the witness and Fatoumata Jawara. The officer responded *“we are going to deal with them, even if they don't die, they will never be whole again”*.

Bana then said “I have heard from my grandma that even in war, however worse the fighting is, they never do anything to women” and the man replied that these women were just like men and deserved such treatment.

Fatoumata Camara then told the Commission that they were made to board a vehicle and were taken to the National Intelligence Agency, NIA in Banjul. She recalled that when they arrived, she could hear people screaming from within the NIA and told Fatoumata Jawara not to be afraid. Asked what she thought was happening to the people who were screaming, she said they were being **beaten** and seriously **tortured**.

²⁶We assume here that the witness was referring to Ousman Sonko who was Minister of Interior at the time. He is in Switzerland awaiting trial for torture and crimes against humanity including rape at the time of the testimony.

The witness explained that together with Fatoumata Jawara, Lang Marong and Falang Sonko, they were taken to an office and made to sit. An officer then arrived and asked the witness what she was doing there. The witness explained that she was going to a marriage ceremony but he refused to believe her. He insisted, shouted at and insulted the witness but she kept explaining that she was on her way to a wedding. Another officer came in, insulted them and asked them to sit on the ground. When the witness refused, he kicked the chair which hit Lang Marong on his side. The witness said she still refused to sit on the ground.

Then another officer came in and said if the witness did not speak the truth, the others would not either. The witness was then blindfolded, taken upstairs to another room where she was made to lie on a table and was questioned again. They told her that she was one of the chairpersons of the UDP and she was claiming that she was not aware of the demonstration. The witness stated that when she again explained that nobody had sent her and was on her way to a marriage ceremony, a man called Harona²⁷ was asked to bring sticks.

Fatoumata Camara narrated how they told her to open her mouth but she refused. They then grabbed her mouth and tried to force it open but she resisted.

She explained that they proceeded to grab her legs and hands and beat her until she fainted.

Struggling to hold back tears, she explained that when she regained consciousness, she realised she was lying on grass and they had poured cold water on her.

The witness recalled that she tried to remove her blindfold and called Allah's name, giving thanks to him. They heard the witness speak and said "*Oh, she is not dead*", so they came back and whipped her again. The witness told the Commission that she kept calling Allah's name and an officer came running and told them to stop as "*this woman is cursing you*". They started arguing as to whether she was cursing them or just calling Allah's name.

The man who had intervened finally lifted her up and took her to another place. The witness said her throat was dry and she asked for water. Someone brought water but another officer kicked the cup before she could drink. She added that an officer came in and when he saw the witness, he **kicked** her. At this point, the witness stopped her testimony and started crying.

Continuing on, she said that she was then taken to another room and made to sit. They continued to question whilst insulting her but she was unable to talk. She added that she thought most of their leaders were around and recalled one Tamba Masireh who was also shouting "*give me vinegar, I am going to kill all of them*".

When the Deputy Lead Counsel asked questions for clarification purposes, the witness confirmed that when she was **tortured**, she could not recognise anyone else because she was blindfolded. The witness was asked how many people were in the room and she responded that she could not confirm. Asked if they said anything to her whilst they were beating her, the witness explained that they insulted her but she did not want to repeat the insults. The Deputy Lead Counsel asked what types of insults were hurled at her and she said that these were insults against women and against her mother as well.

Asked what they used to beat her, the witness specified that they had whips. Her back was swollen and she suffered cuts. The witness was asked how long they beat her and she said it took a long time because they beat her until she fainted and when she woke up she found that she was on the grass and they had poured water on her.

Going back to when she was taken to the panel that included Tamba Masireh, the witness said she was unable to talk and whenever she tried, her chest became congested. The witness was asked if the panel could tell that she was tortured and the witness said yes because at that time, she was unable to walk or talk. The witness explained that

²⁷This must be Harona Susso, mentioned by Nogui Njie during her testimony as one of the torturers at the NIA.

she fainted again and only regained consciousness when she found herself in another room with Fatoumata Jawara and Nogui Njie.

The witness said she (the witness) was in **pain** and at some point lost consciousness again. She was taken to the clinic within the NIA premises and when she regained consciousness, Nogui Njie told her that a doctor had wanted to “inject” her but she had refused. She warned the witness to be careful so when one Dr. Sanyang came to treat the witness, she refused. She added that she had also heard a lot of things about people who had been injected and had subsequently died.

At the clinic, the witness stated that she needed to go to the restroom and they had to put her in a wheelchair.

When she peed, she saw blood come out which had never happened before and this lasted for 15 days.

She explained that when she realised she was urinating blood, she alerted then Operations Commander at the NIA Sergeant Jeng who did not believe it was blood. The next time when she went to the restroom, Sergeant Jeng realised that it was blood and it was after that the doctor came. The witness was asked if the doctor told her what had caused this and she responded that it was due to the **beatings**.

The witness said she was in extreme pain. She was unable to sit and one of her eyes, which had been hit, kept **bleeding**. She also had many wounds and she was unable to do anything with her left hand. The Deputy Lead Counsel asked the witness to describe the pain and the witness said that the pain was so intense that from her back going down to her thighs, she was in pain. She added that she could not move certain parts of her body, her left side was swollen and her leg was almost paralysed.

Continuing on with her testimony, the witness told the Commission that when she refused to be treated by the doctor, a nurse by the name of Fatou Darboe was brought in. When Fatou Darboe came, she bought some medicines (spray, penicillin and tablets) and the witness said “*Fatou Darboe, you are a woman and we too are*

women and all of us are citizens of this country. There is no single person here that I can trust...Before you will touch us, you will swear that you will assist us and that you will not betray us”. Fatou Darboe promised she would do all she could to help them and the witness accepted to be treated. She said she gave them tablets to subside the pain.

Fatoumata Carama stated that Fatou Darboe did her best but once the NIA officers realised she was actually assisting the witness, she had to abscond and flee to Senegal.

The witness recalled that she spent a month at the NIA and during that time, she was not allowed any family visits. She added that they were given food but never ate it because they did not trust them. When Sergeant Jeng asked Nogui Njie why they were refusing to eat the food supplied, she told him that they would not eat their food because they knew they wanted to **kill** them. He tried to reassure Nogui Njie that they did not want to **kill** them but Nogui Njie did not believe him. According to the witness, Nogui Njie said “*what you have done to us, you have shown us that you are capable of killing us*”.

The Deputy Lead Counsel then asked the witness to explain what had happened to Nogui Njie and the witness stated that she saw Nogui Njie and Fatoumata Jawara being **beaten** mercilessly to the point they could not walk. She added that Nogui Njie fought back. The witness was asked if she observed any other injuries or difficulties as a result of what they endured and the witness responded that Nogui Njie’s finger was broken and Fatoumata Jawara’s back was bruised. The witness was asked about the other detainees that were taken with them to the NIA and she said, she never saw them.

The witness was asked where she was taken after one month and she explained that Sergeant Jeng took them out of the clinic and locked them up in another room after Ousainou Darboe and other people started enquiring about the whereabouts of

the witness. On where she got this information from, the witness explained that Sergeant Jeng had stated that.

Fatoumata Camara told the Commission that after a month, they were taken to Mile 2 Prison and though she could not recall how long she spent there she remembered that at some point they were taken to court and then taken to MacCarthy/Janjanbureh Prison.

On what the charges were, the witness said they claimed that they had come out to demonstrate without a permit, which was an offence.

She said she suffered a lot during her time at MacCarthy/Janjanbureh Prison. She recalled that there were maggots on the bed and when she pleaded with the female officer to allow her to go out to perform ablution for her prayers, the officer refused.

The witness said she told her “imprisonment, you can do that to us but you cannot take my religion away from me”.

Fatoumata Camara also remembered that they were taken to Mansakonko court where their family members attended. She said they were sentenced to three years imprisonment with hard labour. At some point, she fell seriously ill and was taken to another place (she was not sure if it was a hospital or an ordinary house) where they fixed a drip for her.

The witness stated that by the grace of Allah, they were eventually moved from Janjanbureh Prison and transferred to Mile 2 Prison where she spent eight months before being released following the election that saw Adama Barrow come to power. She said that when she was released, she went home but still had to attend court sittings from time to time until she was cleared of all charges.

The witness said that she thanked God and praised her colleagues who helped her family members with food and clothes. She was very grateful to all the members of the UDP and the diaspora for coming to their aid. She thanked Auntie Yam Secka, Antouman Gaye and his team.

Persons Mentioned By Witness During Testimony:

Arbitrary arrest and detention

Yankuba Colley, Yankuba Sonko, Ousman Sonko, Sergeant (Sheikh Omar) Jeng

Torture

Harona (Susso), Tamba Masireh

In her closing remarks, the witness called on her fellow women in The Gambia and those who had fled to come to the TRRC and finally tell their truth.

WITNESS NAME: Jukuna SUSSO

TRRC HEARING DATE (S): 24th October 2019

EVENT (S) DISCUSSED: Experience of the witness during the 1996 UDP campaign, events that happened in 2006 up to the death of Solo Sandeng in April 2016, the detention and trial of the witness and the human rights violations she suffered

POSITION BEFORE THE EVENT (S): Cleaner at the Gambia Hotel School

ROLE DURING THE EVENT (S): UDP member

POSITION HELD AT TIME OF TESTIMONY: Not mentioned

[The witness testified in Mandinka and there were issues with the quality of the interpretation]

SUMMARY OF TESTIMONY:

Jukuna Susso told the Commission that she was a resident of Wullingkama (around Brufut). She was born in Dippa Kunda and though she did not know her date of birth, she could ascertain her age, which was 55 years old at the time of her testimony.

The witness recalled that not long after the 1994 coup d'état, she stopped working at the Gambia Hotel School, which was under the Ministry of Tourism. She explained that there was one woman who was a member of the Alliance for Patriotic Reorientation and Construction, APRC party who worked in the kitchen and who used to "disturb" her a lot because she was a member of the opposition, the United Democratic Party, UDP

The witness decided to resign and when she went to the Ministry of Tourism to ask for her salary, they said "yes *this one is on the campaign and therefore she does not have time for even her money*". Jukuna Susso stated that she left it as that because soldiers were in government and she was with Ousainou Darboe. She believed that if she continued working there, they may come and trouble her.



The witness was asked if after the July 1994 coup, anything significant happened and she responded in the affirmative. The witness proceeded by explaining that at the time, she lived in Ousainou Darboe's compound in Pipeline as her family were the griots²⁸ to Ousainou Darboe's family. The day after the coup, armed and masked soldiers in uniform came to their compound.

Jukuna Susso recalled that the soldiers came in pickups, alighted and filled the whole house. They asked where Ousainou Darboe was and the witness said she had not seen him. The soldiers, incredulous said "since yesterday, you have not set eyes on Ousainou?" The witness stated that she told them that Ousainou Darboe's wife was not there either and they retorted that she was lying. She then offered them the key to go inside and check for themselves but they instructed her to tell Ousainou Darboe to report to State House and warned that if he failed to come, "that would be it".

The witness explained that at the time they came to the house, she was there with Ousainou Darboe's siblings, cousin (Jalika) and children entrusted to Ousainou Darboe. Asked where Ousainou Darboe was, the witness said he was in Kanifing with his wife.

When the soldiers left, they requested the witness' number and her name as they would call back at

²⁸Class of traveling poets, musicians, and storytellers who maintain a tradition of oral history in parts of West Africa.

6 pm. Asked if she recognised anyone, the witness responded in the negative. The witness remarked that the soldiers came with their **guns** “so excited”. She was terrified but she did not want it to show because children were around and did not want to frighten them.

Continuing on with her testimony, the witness stated that Jalika then went to Kanifing to alert Ousainou Darboe and together with Sidia Darboe, they made their way back to Pipeline from Kanifing on foot as there were no vehicles. Ousainou Darboe then told them he would not go to State House and at this point, Counsel Jahateh interrupted the witness and asked her to discuss the next incident.

Moving on, the witness recalled Ousainou Darboe was **arrested** in Pipeline within a year of the 22nd July 1994 coup. Jukuna Susso explained that Ousainou Darboe went out in the morning to Bakau to extend condolences to a bereaved family member and when he arrived at the office of one Mr. Boro, he was **arrested**. He was then taken to the Depot in Bakau (referring to Fajara Barracks).

According to the witness, she saw Ousainou Darboe three weeks later when he was released. Describing his condition, she said he had a long beard, his shirt was dirty and he had lost weight. She added that

she cried at the sight of him as she knew what they used to do to people who were arrested.

The witness told the Commission that after the presidential elections in 1996, they never had peace again. They were being monitored by the National Intelligence Agency, NIA who used to park their vehicle in front of the compound and when they went to the market or to the shop, they would follow them. However, at some point, the NIA got tired and left them alone.

The witness then narrated an incident that took place during the presidential election campaigns. She explained that that she did not go to the bridge²⁹, instead left the others³⁰ at Ice Man and went back to Pipeline whilst they headed to Banjul. She stated that at one point she

saw those who had gone to Banjul trickle into their compound. All of them were bleeding as they had been **beaten** and others had injuries.

She added that there was a pregnant woman who was beaten until she lost consciousness.

They came and sat in the living room where Dr. Sheriff Ceessay treated some of them and many in his clinic.

Asked if all of them had survived their injuries, the witness said not everyone. She could only name one Kebuteh and another Kebuteh (the drummer)³¹ who died as a result of the **beatings**. She recalled that people were crying because the beatings were so serious.

Moving on to the April 2016 incident, Jukuna Susso told the Commission that she heard of the death of Solo Sandeng through her father who also informed her that people had gathered at Ousainou Darboe’s house. She headed to Ousainou Darboe’s and found Ousainou Darboe, Yam Secka, Aji Sukaina Kah, Dembo “By Force” Bojang, Adama Barrow (the President of The Gambia at the time of testimony), Alhagie Darboe and Ousainou Darboe’s family in the sitting room. She specified that they were planning on leaving when she arrived. She added that they, (referring to Lamin Dibba, Kemesseng Jammeh, Modou Sanneh and Fa Kebba Colley) were heading to demonstrate to request for the corpse of Solo Sandeng.

Regarding the circumstances of Solo Sandeng’s death, the witness explained that she heard that Solo Sandeng had gone out for a demonstration, was **arrested** and taken to the NIA. Asked where he actually died, the witness said that she was told that he died at the NIA.

Ousainou Darboe left with the others and the witness stayed behind. Jukuna Susso told the Commission that at some point, someone came rushing in and said that they had **arrested** members of Ousainou

²⁹We assume she was referring to Denton Bridge.

³⁰We assume the witness was referring to UDP members and supporters as the timeline and description of events would coincide with the Denton Bridge incident on 22nd September 1996 when UDP members were attacked by security forces headed by Yankuba Touray.

³¹We believe the witness was referring to 59-year old Kebuteh Jafuneh who was famous for his traditional drumming, especially during political rallies.

Darboe's family and party members. Mai³² decided to go and the witness followed her. The witness added that she tried to dissuade Mai from going but she insisted then suddenly, the Police Intervention Unit, PIU arrived and found the witness and Mai outside. Mai got into the house but when the witness tried to go back inside as well, the PIU blocked her way.

The witness narrated that she therefore went to a small canteen close by and stood there. She heard the "boss of the PIU" utter "*these are bastards*", "*Ousainou is lying in his house*" "*you people want to kill yourself for Ousainou*". The witness said she was very unhappy when she heard those words but she was also amused because she knew Ousainou Darboe was not at home.

She recalled that they eventually caught her, flung her on the floor and undressed her to the point she was almost naked.

She remembered that she kept telling them that she was not involved in anything, she had only come to extend condolences but the "boss" responded, "*that's not my business, but you bastards what we are going to do today*". A paramilitary told the witness to get up as their boss was acting "like a mad person" today.

The witness added that when she was kneeling on the road, she saw a lady who was said to be a member of the NIA from Dippa Kunda. She accused the witness of being part of the demonstration and the witness was instructed to get up and board the vehicle. The witness said it was difficult for her to board the vehicle, so they just threw her inside the truck. They told the witness she should show them the way to Solo Sandeng's compound but the witness refused.

At this point the Counsel asked the witness how she knew they were PIU officers and she responded that she could tell from their uniforms. Regarding their "boss", the witness admitted that she did not know his name but remembered that he was a short man. The witness also clarified that she was **arrested** with two others. One of them was selling and the other one was Alhagie Modou

Sanneh's driver. He was standing by the vehicle when they came for him and forced him into the truck.

Going back to when she was thrown into the truck, the witness said she knocked her head and dislocated her waist however, she did not feel the pain because of the adrenalin rush and only realised after that her waist had been dislocated and her eye injured.

She recalled that during the drive, the PIU officers were acting very aggressively and kept asking her to show them where Solo Sandeng's compound was. They eventually took her to the PIU Headquarters, where she said that "*what they did to me in Pipeline, they did to me at the PIU*".

The witness recalled that she got to the PIU Headquarters around midday. Once there, she saw Ousainou Darboe holding his daughter Fanta Darboe, and there was blood on the ground. She also remembered seeing Kemesseng³³ who was bleeding as well as Lamin Dibba, whose eye was bleeding. She added that everyone from the UDP was injured except for Modou Sanneh. They told her that when they got to Comium³⁴, the paras came and attacked them.

Further testifying, Jukuna Susso said she found herself almost naked in a room with 30 men.

The room was surrounded by NIA officials and they blocked the ventilation. They spent the day there, sat in the heat and her blood pressure rose to over 200. The witness added that her correct medication for high blood pressure was not given to her. She remarked that Fanta Darboe had suffered two cuts on her thigh and her hand was bleeding. Her braids were also uprooted from her scalp. The witness said she could not sleep as she was anxious. She kept going to the restroom to urinate, always escorted by the paras.

On being asked how it felt to be in a room full of men, almost naked, the witness said she was scared but there was nothing she could do about it. She added

³²We assume that the witness meant Maimuna Ndure-Darboe, wife of Ousainou Darboe.

³³We believe the witness was referring to Kemesseng Jammeh.

³⁴A telecommunications provider in Serrekunda.

that she could not even pray because her clothes were torn apart and she constantly had to pee. Asked why she was releasing urine so frequently, the witness said she was told by doctors that it was as a result of the panic she was experiencing.

Asked if she had been told the reason for her **arrest** once she got to the PIU Headquarters, the witness responded in the negative. She added that she was asked to give a statement at the PIU Headquarters where she found three people, two Fulas and one Jola. The Fula man asked her if she was called Jukuna and she said yes and told him she had not done anything. He asked her where she was from and she said she was from Wullingkama.

Asked if she was told she could have access to a lawyer, the witness responded in the negative. She recalled that that when she told them she was related to Ousainou Darboe, they wrote the information down. They then asked her which party she supported and she said UDP. They asked her who she voted for and she responded *“my friend, don’t disturb me”* and added *“the person you vote for is the person you support”*. He insisted she respond and the witness said she voted for Ousainou Darboe.

Jukuna Susso told the Commission that she spent the night at the PIU Headquarters with the 30 men in an office. They did not separate her from the men. They gave them water and food, but given the circumstances, they did not feel like eating. Asked whether she was provided with any clothing, the witness said she did not feel like she was allowed to ask for new clothes. She said at the PIU Headquarters, her rights were denied.

On her injuries, the witness explained that the pain was still there but *“when you are terrified, you don’t tend to feel pain”*. Her family members did not know where she was. However, her relative, Fatoumata (also known as Fa Fatou), a PIU officer was alerted and she went to see the witness. The witness said that when she saw her, she thanked God and told her to go tell her people if not they would go searching for her at the NIA, not the PIU.

The following day (on Sunday), the PIU officers left to go welcome Yahya Jammeh at the airport who was coming back from an overseas trip. Then they came back to the PIU Headquarters and they were more aggressive than

before. The witness and the other detainees were transferred to Mile 2 Prison with the then Head of Mile 2 Prison, David Colley leading the way. Asked what David Colley was doing at the PIU, the witness said she did not know but it looked like he had come to collect them.

Jukuna Susso narrated that once at Mile 2 Prison, with Fanta Darboe, they were taken to the remand wing (the women’s wing) and Ousainou Darboe and the other men were taken to confinement. Asked if there were any other senior officers apart from David Colley at the PIU, the witness said yes but she did not know their names. Asked how she recognised David Colley, the witness said that when they got to Mile 2 Prison, they called his name and that is how she got to know he was David Colley.

Describing the female wing, the witness said it was extremely dirty. She added that inside, she found other women and when they saw that all her clothes were torn, one person called Maimuna took off her wrapper and shirt and gave it to the witness whilst one Marie-Louise took off her shirt and gave it to Fanta Darboe. The witness said it was so tight in the cell that she could not breathe. The smell made her chest congested and she had to sit down. When it was time to go to bed, there were two small mattresses, which five people had to share. The witness said she could not lie down and when she wanted to pray, she saw rats.

Jukuna Susso also attested that there was a pregnant woman amongst them. She started going into labour and the officers took her to the hospital. Once at the hospital, they told her she was not fully dilated yet so they sent her back to the prison. Then some time after, the witness called the officers again, they took the lady to the hospital, she delivered and spent a week there before being brought back to the same dirty cell.

They also took her child to the SOS Children’s village and the woman cried.

Witness Susso told the Commission that one night, a snake was killed in the cell they were in. Further testifying, she stated that there were electrical sparks that would cause smoke and they would cry out for help. When they did, the officers would say “*Well, have faith in God there*”. They would only rush in when they would see that some of them would faint as a result inhaling the smoke. They would take those who had fainted out.

The witness explained that she spent three months at the remand wing under the same conditions she described earlier. Asked about the food, the witness said the food was **rotten** and not fit for human consumption.

They were eventually taken to court on a Monday where they found their lawyers who tried everything but they were refused bail. Asked what they were actually charged with, the witness said she was not told what the allegations were against her. She explained that she is illiterate and cannot speak English so could not understand the proceedings.

Asked how many of them were charged, the witness responded that they were many. She said there were two women including herself but she could not give the number of men. When they were convicted and went back to the prison, the officers had already prepared their uniforms. According to the prison officers, anybody who is **arrested** with Ousainou Darboe, “*You are somebody who will never come out again in The Gambia*”.

Further testifying, the witness told the Commission that the uniform was very hot and heavy and with her high blood pressure, it was very difficult. She also had to wash it everyday as it was very smelly. She was sentenced to three years but she only served about eight months and was finally released after Adama Barrow was elected President.

On the impact of the human rights violations she suffered, Jukuna Susso said it caused a lot of pain for her because her relatives suffered greatly as a result of what happened to her, including her husband. She recalled that Yam Secka used to cook a big basin of food and take it to Mile 2 Prison but the officers would not allow it to be given to the detainees.

The witness said she suffered greatly and when she thought about it she felt very angry because she did not commit any crime.

Jukuna Susso also explained that she had to go to Senegal for treatment after her release as she was ill and the doctors in Gambia could not treat her. When she got to Dakar, the doctors told her waist had been dislocated and referred her to another doctor who confirmed with an X-ray. She was given some medication and went back home to Gambia.

She recounted that one day, she went blind and called for help. She said she was taken to Matida Ceesay’s place and her eyes were checked and was informed that one of her eyes was injured and the eye could not be operated on. She was prescribed glasses. Ousainou Darboe was very unhappy and felt guilty as he felt like he was the cause of the witness’ suffering.

The witness further stated that when she came out, she did not find her child who was taken to Niani Touba because of the pressure and hardships put on them. Auntie Yam and Awa Ceesay Sabally used to take money out and buy clothes for the child because during the feasts the witness was at Mile 2 Prison.

The floor was then given to the Commissioners and Chairman Sise said the ordeal she went through was quite extraordinary but notwithstanding, her resilience and strength were quite admirable. He added that the witness and the other detainees endured tremendous suffering for absolutely no reason and all in the hands of agents of the state. He added that he was truly sorry she had suffered so much at the hands of agents of the state.

In her concluding remarks, the witness thanked her father, Alhagie Tamba Susso who suffered a lot when she was **arrested** and **detained**. “*They did all kinds of things to him at the courthouse but still he did not give up*”, she stated.

She thanked her mother, Fatoumata Susso, her aunt Jukuna Kebba and the entire griot family as well. She asked Gambians to respect lawyers and added that their lawyers went after them all the way to Mile 2 Prison. She named Amie Bensouda, Awa Ceesay Sabally, Neneh Cham, “AC”, Yassin Senghore, Hajom Gaye and Combeh Gaye who tried to help the powerless.

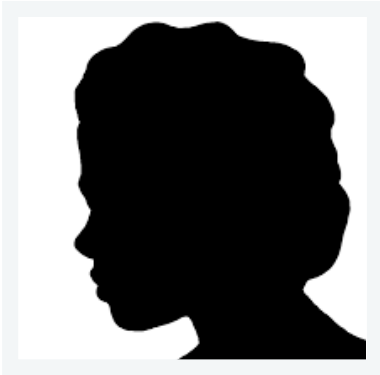
She thanked the UDP who suffered greatly and sent her regards to the Victims’ Center. Finally she thanked Amadou Sanneh, Ousainou Darboe, his two wives and his entire family.

Persons Mentioned By Witness During Testimony:

Arbitrary arrest and detention

David Colley

He added that **the witness and the other detainees** endured **tremendous suffering** for absolutely **no reason and all in the hands of agents of the state.**



WITNESS NAME: Unidentified Witness

TRRC HEARING DATE (S): 28th October 2019

EVENT (S) DISCUSSED: Experience of the witness of sexual and gender-based violence by a religious leader when she was 12 and by high-level state officials; her experience as Protocol Officer at the Office of the President and the system of sexual abuse and exploitation put in place by Yahya Jammeh and Jimbee Jammeh; the impact it had on her life.

POSITION BEFORE THE EVENT (S): Student

ROLE DURING THE EVENT (S): Protocol Officer

POSITION HELD AT THE TIME OF TESTIMONY:
Not mentioned

[The witness testified via skype and had requested voice distortion, which however did not work due to technical issues. After one hour delay the witness decided to go ahead without that protective measure]

SUMMARY OF TESTIMONY:

The Deputy Lead Counsel explained that the witness had requested protective measures, her face been shown, and her voice distorted. She called upon the public not to disclose her identity even if they knew who she was. She added that these measures are specific to sexual and gender-based violence, SGBV and specified that it is an offense to interfere with a protective witness and to make an attempt to reveal her identity.

She noted that if these warnings were not respected, future testimonies would be given in closed sessions.

She also informed the public that a protected statement was shared with the Commissioners for them to fulfil their fact-finding mission. Using the protected information sheet, the witness and the Deputy Lead Counsel would refer to the numbers to identify survivors but not give their names while the Commissioners would however be able to see the names. She announced that similar protective measures would be taken throughout the week for other survivors of SGBV.

The witness started her testimony recounting her experience of sexual violence by a religious leader. She explained that her father is a very religious man, and so when she was young - 12 years old – he took her to a darra³⁵. She said that it was not the Oustas³⁶ who was taking care of the teaching but another person. But whenever they had done one verse, and mastered it, the pupils had to go and see the Oustas in his room to get a new verse.

She narrated that one day, when she entered the room to ask for a new verse, the Oustas was laying down on his bed, which was surrounded by a mosquito net and asked her to come inside the mosquito net and massage him.

She explained that when she refused, he took a knife, which he had kept in his bed and grabbed her.

She said that they then engaged in a push and pull and as she tried to escape, he wounded her on her back. She mentioned that she still has the scare of the injury. The witness noted that she was not sure if the wound was from the knife or something else because she was focused on her escape. When she reached home, she waited for her father to go for prayers because she was too “shy to tell him” and confided in her mother what had just happened. Her mother however told her father and the family’s reaction was to confront the Oustas. Her father went to the darra to confront the Oustas, but he had left and they could not find him.

³⁵ Islamic school.

³⁶ Arabic word for teacher.

She explained that one day, as her brother was walking in the street to go to the market, he heard and recognised the voice of the Oustas coming from a compound. The family then went to that compound and confronted him. The Oustas eventually came to the witness' house to apologise to her father, to which he responded that it was not for him to forgive him but for his daughter. Her father also added that he was very disappointed telling him that if an Oustas could do that, everybody could do such a thing. She mentioned that her father got so confused because of the incident that he even "started talking to himself". She also mentioned that she went to the hospital after the incident to get treatment for her back.

The witness said that her father tried to take her to other darras, but she always pretended to go but never did as she was afraid that this could happen again. So, her father taught her the Quran at home. She noted that she was also very afraid for her sisters when they were going to the darra, as she feared that something similar could happen to them.

Describing the impact it had on her, she noted that this incident deprived her of knowing the Quran well because she stopped going to the darras. She also discouraged her sisters from going to the darra even if their father insisted that they go.

The witness said that it is difficult to know "which ones are good and which ones are bad" and that she could never trust anyone, adding that the Oustas who did that to her was really trusted by her family.

She said that she remembered him very well and how he would teach them the Quran and concluded: "*I am sorry, I am a Muslim but I will no trust them*". She explained that she would never send her children to a darra and will try to teach them herself what she knows about the Quran. She concluded that this incident really affected her trust in religious leaders because the one who did that to her used to teach children the Quran.

She continued her testimony saying that she was privileged to be involved in many activities when she was in junior school, such as awareness raising about sexual violence and children's (rights). She recalled that one day when she was 15, she delivered a statement on behalf of children at an event. A senior official from the Ministry of Justice who was present, told her that he was very proud of her and congratulated her for her speech, which made her happy. The man told her and her friend that he wanted to give them a lift and used the opportunity to ask for her number. The witness said that after that he started sending her messages saying that he wanted to go to a hotel with her, describing what they would do on the bed and on the beach. Referring to him, she noted that when that happened, he was an older person and added that she did not even know if he was still alive. When asked to refer to the name of the person on her statement, she pointed to number 44.

She explained that at the time her family was very poor and that they did not have enough money to eat. She cried recalling the difficult situation her family lived in. The man was telling her that he could give her money but only if she went to a hotel with him, adding that he would soon be made ambassador. She recalled that he was sending her messages continuously and that he would not stop. She became worried that her mum would realise that something was going on. She therefore decided to report him to an NGO (she said that she could not reveal the name of the NGO publicly), but there they told her that she should pretend to agree to the man's demands to go with him to a hotel room to trap him, which she refused because she was too scared.

She turned to someone she knew at the Ministry of Defence, who was holding a senior position there and supporting her with her education. She noted that it was the only person who she knew in the government. That man called the offender, who first tried to deny it but when the official of the Ministry of Defence pointed out to him that he was using the same number the man had used to send the messages to the witness, he apologised and said that it would not happen again.

The Deputy Lead Counsel asked the witness to confirm that the only way to make that man stop sending her the messages was to reach out to another government official, who was in a senior position at the time. The witness agreed that this was how it was.

When asked about how she felt about issues of sexual violence involving people who were influential in society,

the witness said that in her opinion it all “comes to vulnerability because these were people who were in position, these were powerful men who use their positions, their money to target people like us (...) The reality is, poverty put us in very high risk. People take advantage of our situation”.

From that day on, she became scared of men in official positions and she mentioned that up until today she is very worried about those girls and women who are still going through this because this practice has not stopped. She said that there are men out there who are looking for girls they can abuse based on their vulnerability. She stated that poverty should not mean that people can take advantage of you.

The Deputy Lead Counsel asked the witness to confirm that she mentioned two factors of vulnerability which put her, and people like her, at a higher risk to experience sexual violence: poverty and youth, to which she agreed. The witness added that this did not only happen to her. She remembered that one of her sisters, when she was very young, told her mum that a man had given her food, taken her in his room and touched her body. She said that her sister was saved because their mum would always talk to them “about issues like that”. She mentioned that she now sometimes overreacts but that it has become a survival strategy.

The Deputy Lead Counsel asked her to continue her testimony and referred to her statement, which explained that she met Yahya Jammeh through her youth activities. The Deputy Lead Counsel said that her statement described how she met Yahya Jammeh, including the dates and through whom she met him but that this could not be disclosed to the public to preserve her anonymity. The witness was then asked to recount this first encounter, bearing in mind the protective information of her statement.

The witness said that during her first one-on-one meeting with President Yahya Jammeh, he offered her a job as a protocol officer at the Office at the President. She told the Commission that this was “quick and new to her” so she asked if she could get some time to talk to her parents first, to which he agreed and told her to contact the chief of protocol when she was ready. On that day, he gave her 100,000 dalasi for a project she was working on and that led her to meet him in the first place. She remembered that she appreciated that a lot.

When she told her family about the offer, they advised her that she should accept the position only if it went through the normal governmental procedure, which she then said to the Office of the President. So, it took about four to five months for her to get the position, because she had to do interviews and receive the paperwork. She was appointed protocol officer grade 8 and her salary was a little more than 6,000 dalasi per month. Regarding the Protocol Office, she explained that there were two categories of persons working there: one group of women related to Yahya Jammeh and one group of “outsiders”. She estimated that there were about 10 to 12 women working there in total.

When asked to describe her functions, she explained that they had to be at the office at around 8.30 am and that their duties included preparing meetings, welcoming guests and sometimes serving drinks. When the President had to travel abroad, in turn, some would accompany him to the immigrations or in advance. Sometimes they would type letters, but that was only for big events.

She noted that however, most of the time they had nothing to do. She noted that the other officers did not dare to give them work because they were considered the “President’s girls”. When asked what she meant by that, she explained that it referred to the fact that they “were brought there by him”. She explained that she was not comfortable with this situation because she was not expecting the work to be like this – she said that it was too idle for her as they were just sitting and chatting.

When asked about any privileges they received apart from the salary, she explained that a car was allocated to them, which they shared. They got phones, laptops and other privileges. These privileges came from Yahya Jammeh.

She explained that some protocol officers lived at State House, in an apartment called “Marenah”, close to Yahya Jammeh’s residence near the Marina Parade side.

When asked why some were living there, she said that she did not know for all of them but that one who lived there spoke to her and told her that “he was sexually abusing them”.

Asked to first concentrate on her story, she stated that she never lived at “Marina”. Responding to the question if Yahya Jammeh had made promises to her, she explained that after she started working as a protocol officer, he had told her that she could apply for any school of her choice and that he would pay for everything. She mentioned that this was very important to her because she wanted to be educated. She applied and was accepted in one school abroad. She remembered that the day he offered her the scholarship was one of the happiest days in her life because it would have been impossible for her family to pay for her studies, and so that offer meant everything to her. She added bitterly that he failed that promise and that she later realised that “with him, you got nothing for free”.

The Deputy Lead Counsel then asked her if the female protocol officers had to go on trips within the country with

the then President as well, the witness responded that they would go to Kanilai, almost every weekend and sometimes stay up to a month because there were so many events there. She explained that they, the young women, would be lodged in a house about a minute walk from the President’s residence. He would call them to come to his residence mostly at night, between 10 pm to 1 am. She said that sometimes they would sit with him and talk but noted that sometimes the women would stay in the corridor and he would call a specific individual - “whoever he wants” - to come inside.

When asked for what reason Yahya Jammeh would call one individual in, she responded that they all believed that he called her for sex.

When asked why she believed that, she explained that she thought so because of her own experience and also because she had spoken to women who experienced it.

She explained that when Yahya Jammeh called the entire group that would be as a cover up but noted that sometimes he would not even bother to call the entire group and just ask one directly. She added that it was very stressful and uncomfortable waiting outside as it was cold and boring. She added “you get so angry. He doesn’t need us so why did he call us up to here?”. She remembered that there were times when he would call them all inside and they would watch TV: “he tells stories, we laughed, that was nicer”.

When asked if all the women called in were protocol officers, she said that most were but sometimes it could be others who were not part of protocol. Regarding the age, she said that she cannot remember seeing any woman called in being under 18. Responding to the question, on what other victims had told her, she explained that one woman spoke to her saying that Yahya Jammeh **abused her sexually** and that Jimbee Jammeh took her to him.

The witness said that the **victim had explained to her that she initially refused to sleep with him but that Yahya Jammeh punched her and that she (Jimbee Jammeh) told her that she had to have sex with him.**

The witness said that she tried to advise that young woman that she should not do it if she did not want to do it and that she should report it to her mum. She noted that however the victim was too scared because he was powerful. She recalled telling her that she could say no but warned her that she would then go face the same consequences as the ones she, the witness, had experienced, meaning that he would side-line her and would refuse to have anything to do with her. Asked to identify the victim on the protected information sheet, she said it was number 36.

Responding to the question who **Jimbee Jammeh** is, she responded that she is a **niece of President Yahya Jammeh** and that she was a protocol officer. At that point the witness said that **she would call her a pimp because most of the time she was the one taking girls to the former President:**

“for her that was very normal and with her, if it was successful with the President, she becomes more close to you, more friendly. Her mood depended on what the President was doing. When the President was happy with you, she was happy, when the President was not, she was not”.

Responding to the question of what other individuals, other protocol officers experienced, the witness said that there were people who did not want it but mentioned that she also experienced that some people wanted it, adding that some saw it as pride, some women were trying to get his attention. She said that in her opinion Yahya Jammeh

took advantage of how vulnerable the women were, adding that he had money, power and a position of authority and that he took that to his advantage to abuse women. When asked who were some of the women called in by Yahya Jammeh at the time, she listed number 36 to number 42 and later identified another individual in her statement.

Describing the way Yahya Jammeh would treat an individual that he had chosen to call into his room, she said that he would give that person a lot of attention, giving “*so much gifts*”, money but he also treated that person like his own property. At first that person would feel very special.

He could give a woman a phone, laptop, sometimes a house, even a car but in exchange “you had to be ready whenever he wanted, at any time. It was more like being a sexual object to him”.

She noted that Yahya Jammeh was “very good at taking back everything” he had given the women, the car, the house, the laptop while others were dumped or sacked.

She remembered that one of the young women who slept with Jammeh told her that she got pregnant. The witness noted that Yahya Jammeh did not use protection, as a result some got pregnant “*and had to get rid of that*”. When asked to point to the list she referred to paragraph 17 and listed two individuals and said that both of them got pregnant. One of them spoke to her and they (the witness and her) went together to the hospital so that she could get an abortion. They did that because they had seen how they had treated one of the girls who became pregnant.

She added that that girl, who was not a protocol officer but was staying at the State House, was **forced to terminate her pregnancy** and was then sent back to her village. She noted that the one who confided in her and who she helped was at risk because her

family could have *“been sent out and anything could have happened to her”*. She specified that number 36 is the one she accompanied to the hospital and number 42 was the one who was sent back to her village.

When asked if there was any cover or any kind of phrase that would be used to get women to go to the President **for sex**, the witness responded that generally Jimbee Jammeh would say *“let’s go for massage”*. The witness explained the difference between when they all had to go and sit at the veranda and Jimbee Jammeh would just call one individual and go inside with her. At other times, when she was alone with one person, she would use the phrase *“to go for massage”*. Responding to the question, what she understood from that, the witness said that it meant, to go for **sex**. She said that it is possible that it was sometimes just for massage, but for the ones she knew, it was for **sex**.

The Deputy Lead Counsel asked the witness to relate her own story recalling that she had previously mentioned her own experience. The witness said that it happened in Kanilai, and that she had just been on a trip with the then President during which he had mentioned the scholarship. One evening or night, Jimbee Jammeh told her that the President wanted to see her in his apartment. Once there, he told her to undress, which was *“very weird”*. He told her that he would do some spiritual bath. She explained that it felt *“weird”* because she came from a home where her father would never do that, adding that her father believed that the God who created them would always protect them as they were. She mentioned that when Yahya Jammeh did that, she felt special because for her that meant that the President wanted to protect her in a way that her parents did not.

She remembered that she looked at him and said *“it’s okay because you are like my father”*. She recalled that she undressed and that they went to the bathroom and that he covered her with a white cloth. The room was cloudy because of the incense. He gave her a spiritual bath in the presence of Jimbee Jammeh. When asked what he did exactly, she responded that she did not know because it was the first time that she went through something like that. She explained that Yahya Jammeh poured water over her, from head to toe. She noted that

on that day she did not realise if he touched her, because he had covered her and for her everything was normal. After that she went back.

The Deputy Lead Counsel asked her how she felt when she went back to the residence. She responded that she thought that at that time she felt happy about the fact that the President wanted to protect her and that it felt good. The next day, Jimbee Jammeh called her at night and told her that they had to go and see Yahya Jammeh again (here she added that he would always call the girls through Jimbee). When she arrived in his room, Yahya Jammeh asked her to undress, which she did:

“But this time it was something different. He even looked at me and said you look like a primary school girl and he started touching my body, my breasts. It was awkward for me and I remember that I started crying and I was pushing back, going back until an extent that I touched the wall.”

She remembered that he asked Jimbee Jammeh *“what happened?”* and that Jimbee responded: *“she is like that, she is very shy”*. The witness explained she responded that she was not a shy person and told him that she saw him like her father and was not expecting this from him. She realised that with Yahya Jammeh one could not try to be assertive and wondered if this what had made him angry, noting that she later had to pay for that. She added that she had received trainings on how to be assertive (and that it helped her). She described Yahya Jammeh as being angry and said to Jimbee Jammeh to take her out of the room. The witness said that she was scared and was shaking and the next morning she was expelled from Kanilai and told to go home. Yahya Jammeh also conveyed the message to her that he had terminated her scholarship and that he did not want to see her again.

Despite this, she continued working at the Protocol Office, which she explained as being very difficult for her, but she did not have a choice because her entire family was depending on her. She added that if one wanted to resign, that person would have then to go away (probably meaning leaving the country). After that incident, she said that he treated her badly while others were getting all kind of support and she knew that they got this, not because they were more hard working or better at work, but because they were sleeping with him.

Being side-lined in such a way was difficult for her and she described feeling jealous of the others and started wondering if she should not have accepted to sleep with him. She said that from that point on, when all the female protocol officers including her were in Kanilai, they would not even wake her up anymore when the group was told to go to Yahya Jammeh's residence. She remembered that several times, she woke-up alone in the room. Because of this situation, she admitted starting creating excuses, like stomach ache or a funeral, in order not to go to Kanilai, to the extent that one of her colleagues once warned her and told her to drop everything and come to Kanilai, adding *"do not cause a problem for yourself"*.

She said that she felt side-lined and isolated. She noted that after a while Yahya Jammeh took an interest in her again. She remembered that the day Yahya Jammeh pardoned prisoners, she congratulated him on his gesture, as many people were released on this occasion³⁷. She recalled that he told her that he was impressed by her remark and that she was the first one to do that. She noted that she had been genuinely impressed by his gesture because some of the prisoners had been considered dead, so for her it was a sign that people had been wrong about him.

After she had congratulated him, he told her *"come here and hug me"* and then asked her to sit next to him. As she did that, he took her hand and caressed her palm with his fingers. She added *"I know about those things, it was odd."* She explained that she tried to withdraw her hand in a respectful way and got up from the couch. She said that she did not think that he would notice that but realised that angered him. She explained that previously she had been working on a project and that he had promised to help her and had even told her to bring

the receipts and that he had even offered to pay for another scholarship. But the next morning, again, she was told to go home and for a second time, her scholarship was cancelled.

The Deputy Lead Counsel asked the witness to recount some incidents that happened on nationwide tours or public gathering. The witness recalled a time when the then Chief of Protocol Sanna Jarju asked her to take the number of a girl in the crowd pretending that she used to be her classmate, she noted that she however later saw that girl at Yahya Jammeh's residence in Kanilai. For her it was obvious that President Jammeh wanted her for **sex**.

She also remembered that during a nationwide tour, in Basse, Jimbee Jammeh approached a light skinned girl (she thinks that she was above 18) and later in the morning, the witness saw her coming out of the President's room with a big envelope, which she supposed contained money. She noted that she had said to herself *"that's another one"*. When asked what she meant by that, she explained that she thought that it was another girl Yahya Jammeh took advantage of. She stated that both seemed to be over 18 years-old but she did not know their names.

The Deputy Lead Counsel said that she wanted to focus on specific interactions that Yahya Jammeh had with young women the witness knew of and referred to number 36 on the protected information sheet.

The Counsel recalled that the witness had mentioned that this person had told her that she had tried to refuse to have sex with the President and was punched, and that she was raped at that point.

The witness confirmed that account and added that Victim 36 had told her that Yahya Jammeh was not protecting himself. She explained that she (the witness) was very scared of diseases and rituals. She remembered that at the time, she spoke to a few close male friends about her incident with Yahya

Jammeh and they strongly advised her not to do it, saying it could be possible that Yahya Jammeh was doing it for some kind of rituals. She added that (his sexual appetite) was *“too much. You cannot have taste for every woman. And the fact that he was not protecting himself makes it worse.”*

The witness recalled that one night she was in a hotel room with Victim 36 because they were accompanying a delegation. She explained that she and Victim 36 were close at the time and that they told each other what they were going through. At around 2 am, Victim 36 received a call from Jimbee Jammeh telling her that she had to go to the State House and the witness said that she could see how terrible it was for her. She explained that Victim 36 did not even want to take the call, adding *“when Jimbee calls you at that time of the night, it is obvious she wanted you to go. She did not want to go but there was nothing we could do. So, she went and I saw her the next day. She told me ‘I don’t like what is happening but I don’t know what I have to do’”*. The witness explained to the Commission that Yahya Jammeh was the one taking care and helping the family of Victim 36. The Deputy Lead Counsel summarised the witness statement by saying that while Victim 36 did not want to go, she felt that she had no choice.

The Deputy Lead Counsel then asked the witness if she could recall any other interactions Yahya Jammeh had with women. The witness explained that she used to see Yahya Jammeh as a father figure, as a great religious leader, a true African. The day her incident happened and he terminated her scholarship was the day she realised that he was not that person, the person she used *“to love so much”*. She explained that she became very disappointed with him, recalling that he was saying one thing to the public and then *“doing those particular things”*.

She cited an example, that once at a Quranic program, he asked the religious leaders what their opinion was about married men being with other women. She explained that this was very awkward for her as he was doing the same thing. She said that she saw him going with women to his house and treated them in a nice way: *“but he is good at that. He treats you as you are the one. I’m interest in you. I will marry you, and all of a sudden, he dumps you, and*

then you will struggle to see him (...) You see him with somebody else, he is interested in another person. He created an environment of jealousy and hatred within the unit.” The Deputy Lead Counsel asked her to cite a few specific examples of persons with whom he did that. The witness mentioned number 37 and 41.

She added that he even had sexual relationships with two sisters from the same mother and father (number 41 and 42) and said that this created chaos, but that he did not care.

She noted that he even had sexual relationships with women related to him and said that one of his family members got pregnant from him, adding that the pregnancy was aborted.

Regarding the fate of women who refused to have **sex** with him, she explained that they faced consequences. She mentioned that one female protocol officer had told her that she had refused advances to sleep with Yahya Jammeh and that she ended up being sacked. Going into specific examples, she said that Person 39 on the list was promised a scholarship, but was eventually sent back home. The witness said that she saw her **crying**, but did not want to give too many details about her, adding that she thinks that she had been **abused**.

Regarding Person 37 on the list, the witness said that she does not know if the President **raped** her as she was not inside the room. But she said that generally what she knows about **rape** is *“when a person uses his powers over you to have sexual relationship, it is rape.”* She noted that Yahya Jammeh gave her a lot of attention and she was coming to Kanilai and concluded that he was taking advantage of the vulnerability of these young women by providing support to the families, giving money and phones.

Regarding Person 38, the witness said that she was below 18 years old, was in secondary school and was

living at Marenah. She added that she was one of “these young children who had been empowered”. She assumed that she would know a lot about violence against women and children. She described her as being very calm and added that while she did not witness it, she heard that she also **refused to sleep** with Yahya Jammeh and was later expelled from State House. When asked why she thought that the expulsion was because she had refused to sleep with him, the witness explained *“with him, the consequences would always come. It’s either he stops supporting you, sends you out, he fails the promises that he made especially when it comes to education. It was certain, that it was the reason why he did that.”*

The Deputy Lead Counsel asked her if in addition to Jimbee Jammeh, there were other persons who were acting as an intermediary between women and Yahya Jammeh. The witness said that she remembered that the then chief of protocol once asked her to take a number of a young woman, but stated that in most cases, Jimbee Jammeh was the one doing it. When referred to her statement, she mentioned that Lamin Manga, the former Press Secretary of the Office of the President, was very close to Jimbee Jammeh and Yahya Jammeh and that he would know a lot about these things. She said that she knew that there was one specific woman who would come from abroad to Gambia and that it would be through him.

She noted that Lamin Manga and Jimbee Jammeh were always together and that there were situations “he took care of”, adding that these were when women were coming from other countries to The Gambia. When asked if she was saying that Lamin Manga was taking these women to Yahya Jammeh “to interact sexually with him”, she confirmed the statement and recalled that on one occasion, she even accompanied Jimbee Jammeh to the airport to pick-up one of the women.

When asked about the Junglers, she said that at the time she did not know about their role and noted that they, the protocol officers, used to hang out and have meals with them during events at Kanilai, recalling that they sometimes had to stay in there for up to a month. She said she would never have believed that those were **killers** and specified that she saw them “as normal people”, not knowing the jobs that they were doing. She remembered a man called Malick and another one called

Nuha, but did not know their last names. She recalled Sanna Manjang but added that she did not have any interaction with him. She noted that it is now scary to know that they were surrounded by people like that.

Moving on to other incidents of **sexual violence** by other public officials, the witness recounted that she had such an encounter with an individual, an elderly person, who was working on at the Ministry of Justice (and is still working there). She explained that as she was working on one of her projects, she went to his office after having called him. When she went to the Ministry to explain to him what she was doing, he opened his office, describing it as an isolate place and once she was inside, he locked the door, and started behaving in a very different way.

She remembered that he asked her if she liked bananas.

The witness said that she did not understand what was going on until he pulled out his penis, asked her to touch it and even grabbed her hand for her to touch it.

She managed to get out and promised to come back as a strategy to escape. She noted that recently, as she was back in The Gambia, she saw him again and he even asked for her number, but she gave him a wrong one. At that point, the witness said that he might even be listening to her testimony and if he did, he would know who she is. She continued saying that she is wondering if he was not doing it to other women as well.

Asked why she felt it was important to report such incidents, the witness said that she knows that there are many women who are in her situation, who want a better life for themselves and she is aware that there are men out there who use their authority to take advantage of them. She stated that she did not want other women to experience this, that she did not want her sisters to need support from men like that. She specified that she has known great

men in her life, men who guided her, stood by her and protect women. But other men are abusing women and are taking advantage of vulnerable women. She said that while it was not easy to speak about these things, she was testifying for other women who are currently going through the pressure and the pain. She wanted to tell them that it is possible to challenge those men and made them pay for their actions.

The witness said that there are even men who appear to protect women in public when in fact they are the ones exploiting them. When asked if the fact that she was a protocol officer helped her to escape from the situation with the official from the Ministry of Justice, she acknowledged that it could have but mentioned that even before that she had been taught to be assertive and how to escape certain situations. She attended trainings on the issue of sexual violence and ways to protect oneself.

She then recounted another situation, when she was with a minister on an official mission abroad (at the end of her testimony she said that the Minister in question was Ousman Sonko)³⁸. She explained that due to her family situation, she had to leave 80% of her per diem at home because the family needed the money. The minister was aware of that and of the fact that she could not afford to pay for the hotel for the rest of the delegation's stay. Right from the start of the trip, the minister sent her messages, proposed that she shared the room with him and that he would pay for everything she wanted. She explained that she declined and stayed in a cheaper accommodation.

The witness noted that she had documents for him and whenever she wanted to give them to him, he claimed that he was busy. It was only late at night that he would ask her for the documents, saying that he could send her his driver and that they could spend the night together. She remembered that he told her *"I like you. I find you very attractive"*. She said that she was "fed-up" with the situation and one day, she gave him the documents during the day and used that opportunity to tell him that they were appointed by the same boss (Yahya Jammeh) and that she therefore deserved respect. She added that she did not talk to him after that, even when he was trying to make jokes with her at cabinet meetings. She said that she spoke to some of her colleagues about it.

The Deputy Lead Counsel said that after these different incidents of **sexual violence**, in particular the one involving Yahya Jammeh, the witness left The Gambia. The witness was asked to explain what impact all of these incidents have had on her and her family. She responded that it directly affected her education but also her well-being because she had been bullied and side-lined. It went to an extent that she envied other people. It was difficult.

She explained that it was traumatic to be away from her family and that her mother became a totally different person because they used to call her in the middle of the night.

The witness said that she used to have high hopes about her future and that education could have shaped her life. She told the Commission that she had to go to the hospital abroad and was diagnosed with **post-traumatic stress disorder**, PTSD. She explained that she does not sleep at night, and when she does, she has the feeling that someone is **strangling** her. She also has recurrent nightmares of people laughing at her and doing other horrible things to her. She confided that it went to an extent when *"she tried crazy things to get rid of everything."* She added that she kept questioning herself why she had allowed the others to bully her and why she had allowed Yahya Jammeh to break his promises.

She explained that her family also suffered from this situation. She mentioned that she used to be active and outspoken, but today she does not interact much with people anymore because she got scared of them. She added that she does not even make any comment on Facebook, while before she was "out there". She described herself as isolated and as a different person, a quiet type who takes everything very seriously: *"I don't even enjoy the company of people"*.

The Lead Counsel asked her what were some of the medical or psychosocial consequences of these

³⁸Ousman Sonko was Minister of Interior at the time. He is detained in Switzerland and under investigation by Swiss authorities for torture, including rape, as well as crimes against humanity at the time of release of this publication.

cumulative experiences. The witness repeated that she was diagnosed with PTSD and mentioned that even within her family, some people said that she has mental problems and that something is wrong with her. As a result, the witness said that she tried to **kill herself**, she cut herself, she tried to get rid of herself. But her brother came to her rescue and called the ambulance.

Regarding the support she received from her family and her decision to testify, the witness said that it had been a difficult decision but that thanks to the support of everyone in her close family, especially her husband, she decided to do it for other women, highlighting that no women should suffer any assaults because of their gender. She noted that she wanted “those men” to know that one day it will come out, saying that they certainly did not think that she would have talked about this.

While it has been a very difficult journey and decision for her, she did it in the hope that it would empower other women and make men to be more cautious, adding that “certain person who are still in the system, in government, they will know what I say, they will know themselves”.

The floor was given to the Commissioners, and Chairman Sise noted that the Kanilai “love nest” was in fact a house used to abuse young vulnerable women. He said that he was truly sorry that she had to endure such **sexual abuse** from people who were doing nothing but exercising power over young vulnerable women and thanked her for being very brave, strong and frank about this difficult issue in the country.

Bishop Odico asked the witness where the First Lady was during all those incidents that happened in Kanilai. She responded that the First Lady was always out of town, and while she sometimes came to Kanilai, she could not remember that she ever spent the night there. When asked, if the First Lady was not aware of the things that were happening in the marital home, the witness responded that she could not tell but wondered if they had an arrangement in their marriage. She mentioned that there were so many things written on Facebook and since the First Lady was very active on Facebook, it seemed impossible that she would not have been aware of these stories.

Deputy Chairperson Sosseh Gaye highlighted that people in power misuse that power to abuse others and stated that she was glad that the witness had been empowered through the training she received. She asked the witness, how the fact that Yahya Jammeh had relationships with two sisters, impacted their family. The witness responded that she did not know what impact it had on the family, but that it was difficult for the two sisters highlighting that even people not related by blood do not want to share a man.

She mentioned that she does not believe in blaming a victim, in as far as a person uses his power and authority, she would not blame the woman but she blamed Yahya Jammeh as he knew what he was doing and that it was wrong.

Commissioner Jones referred to the statement of the witness saying that for international travels, the female protocol officers would go in turn and wanted to know if this was the same for national travels. The witness responded that for the in-country tours, usually all of them would go. The Commissioner then asked if other protocol officers who had confide in her, had also mentioned that Jimbee Jammeh was present during their encounter with Yahya Jammeh. The witness responded that Jimbee was “*until she knows everything was okay, and then she leaves.*”

Imam Sey asked the witness if she and the “ladies” could have killed him (Yahya Jammeh) if she had not been scared. She responded that she did not believe using violence is a good means to fight violence. Life belongs to God and God is more powerful than him, noting that this is what is happening to him now. She said that while it is difficult for her and for other women, it is more difficult for him because this is a shame for him.

The witness was then asked to read her closing remarks. She said that she wanted to stress that at the TRRC, powerful people, former ministers and men in uniform have testified to the fact that it was impossible to say “no” to Yahya Jammeh. His closest associates feared him and Junglers said that Yahya Jammeh had ordered the killing of his own relatives. Rumours said that he even ordered the murder of a soldier who was expecting a baby from him. She called on the public to remember all of this and try to understand the environment in which they, the young women at Protocol were working.

She said that Yahya Jammeh, was powerful and cunning: using his position of authority, he put a system in place, using State institutions and resources, to ensure that women would not or could not say no. She described the system as wicked: he targeted young vulnerable women from poor families. Most of the time, these young women were the ones supporting their entire family. She added that he sometimes even directly supported the families, appearing as a generous benefactor and he made you believe that he was a father to you, a mentor. He made promises of education and scholarships:

*“we all longed for a better life. And it is when that confidence was built, that he made **sexual demands** in return. If you said **no**, he would make you suffer, **humiliate** you and use others to **belittle** you. **This is my story**”.*

She mentioned that others felt that they had no choice but to accept his advances and became his **sexual slaves** that he could call whenever he felt like it, even in the middle of the night. She said that she witnessed that. She continued, saying that others believed him when he was making all his promises and fell for them because he was skilled at making people believe that they were special and that he had a real interest in them only to be dumped after a short time and treated badly by his entourage. She explained that she witnessed that as well.

She described Yahya Jammeh’s tactic as “rule and divide” and said that Jimbee Jammeh used the same technic with them: “*we mistrusted each other and it was hard to find someone to confide in, working for Jammeh meant constant stress, constant anxiety and no-one to turn to*”. She explained that working for Yahya Jammeh meant constant stress and anxiety and no one to turn to.

She said that she was there at the TRRC to call on the Gambian people to stop blaming the women and being judgmental noting that “*the least you can do for a victim is to be supportive*”. She referred to the testimony of the expert on sexual violence³⁹ that said that “*our society always blames the girls and the women, when in fact the ones to condemn are the men who are abusing their position of authority for their own pleasure*”.

She highlighted that this practice did not stop at State House. It is a societal problem that affects every layer of society. She mentioned that she had to endure **sexual assaults** and harassments not only from Yahya Jammeh but also from other senior officials and that today she had mustered all the courage that God had given her, to testify with the hope that the “Never Again” would also concern **sexual violence** in the country.

She noted that she had been **sexually harassed** by many men, men in positions (at that moment the witness paused and then read out the name of one of them), men like Ousman Sonko. She continued by saying that she had gone through so much anxiety, so much fear and “*as I speak to you, I shake wondering what people will say about me. But I have decided to be strong, because this is bigger than me. I feel very unsecure about my sisters, because this happens everywhere and I don’t want them to experience anything like I had to go through. I call on women to find the strength to speak out about what they have experienced or worse, what they are still going through now*”.

³⁹Haddy Mbodge testified at the TRRC on 15th October 2019.

She concluded that most importantly, she wanted to call on all the parents to make sure that girls do not have to go through this, to empower them, to tell them that they can say no, to support them, believe them and never, never blame them, for they are the victims. She ended by thanking all those great men that she could not name in her testimony for confidentiality reasons but said that they would recognize themselves and thanked them, her family, her husband and all Gambians who understand and who believe in them and do not doubt the women.

Persons Mentioned By Witness During Testimony:

Rape

Yahya Jammeh

Sexual assault

Yahya Jammeh

Aiding and abetting rape

Jimbee Jammeh

Forced abortion

Yahya Jammeh, Jimbee Jammeh

Sexual harassment

Ousman Sonko

Aiding and abetting sexual exploitation

Jimbee Jammeh, Lamin Manga

WITNESS NAME: Alhagie Ousman CEESAY

TRRC HEARING DATE (S): 28th October 2019

EVENT (S) DISCUSSED: Experience of the witness in the protocol unit of the State House and information the witness may have regarding sexual and gender-based violence allegations

POSITION BEFORE THE EVENT (S): Officer within the Protocol unit at State House

ROLE DURING THE EVENT (S): Chief of Protocol to President Yahya Jammeh

POSITION AT THE TIME OF TESTIMONY: Chief of Protocol to President Adama Barrow

SUMMARY OF TESTIMONY:

After giving a brief history about his education background, Alhagie Ousman Ceesay told the Commission that in 1995, he started working at the Ministry of Education as a cadet administrative officer as well as the secretary to the scholarship advisory board. The witness stated that initially, the scholarship was under the Ministry of Education but at some point, then Chairman Yahya Jammeh requested that the scholarship board be transferred to the Office of the Chairman.

On the reason Yahya Jammeh decided to bring the scholarship under his portfolio and withdraw it from the Ministry of Education, the witness said that the information he got from the then Chairman of the board, Secretary General Alhagie Mustapha Wade, was that Yahya Jammeh complained that the scholarships were not being awarded based on merit. However, the witness said that in his experience, this was not the case, as a secretary he sat on the board and had never witnessed anybody being awarded a scholarship he/she did not deserve. He also stated that to his knowledge, there were no instances of interference by Alhagie Mustapha Wade.

Continuing on with his testimony, Alhagie Ceesay recalled that after serving at the scholarship advisory board, he was posted to the Ministry of Foreign Affairs in 1996 for onward posting to Dakar to the Gambia High Commission as First Secretary. He spent four to five years in Senegal



and was recalled to The Gambia where he was appointed deputy chief of protocol. His immediate supervisor at the time was Demba Njie⁴⁰ who he said reported directly to Yahya Jammeh.

After that appointment, the witness was promoted and demoted several times under the protocol unit at State House and moved between the Office of the President, Office of the First Lady, and the Ministry of Foreign Affairs. He added that he was also dismissed in November 2013 and in August 2014, he was reinstated as chief of protocol to only be demoted a few months later.

The witness said he was never given any reason for his demotions or dismissal.

He admitted never asking because he just did not want to fall in Yahya Jammeh's "trap". Asked to clarify what he meant by "trap", the witness said he did not want to show Yahya Jammeh his emotions, his frustrations. He added that whenever he was dismissed or demoted, he would just pack his things, write his handover note and leave.

Discussing his function and role he had as chief of protocol, the witness explained that he managed Yahya Jammeh's diary and shadowed his daily meetings. He also coordinated his activities within the premises of the State House or outside and was responsible for coordinating his overseas engagements, which he always accompanied him to.

⁴⁰ Demba Njie testified before the TRRC on 27th February 2019 discussing the 11th November 1994 failed coup and Ousman Koro Ceesay's murder (1995). He also testified on 30th September 2019 regarding the 10th/11th April 2000 Student Protests during which at least 18 persons died following alleged orders from Yahya Jammeh to fire at the unarmed civilians.

Alhagie Ceesay told the Commission that he spent a lot of time with Yahya Jammeh in the office as it was also his role to usher whoever had to go in but specified that he only maintained an official relationship with Yahya Jammeh and did not go beyond the nature of his duties. Asked who else was in the protocol unit, the witness said that at first when he joined, Demba Njie was the chief of protocol, then Fatou Njaga Jagne was the senior protocol officer to the then first lady, Zainab Jammeh but also acted as the witness's assistant and Baboucarr Puye Jobarteh was the protocol officer to then Vice-President Isatou Njie-Saidy. The witness said that at some point, around 2008/2009, other protocol officers started coming in including James Mustapha Kujabi⁴¹ as deputy chief of protocol followed by Omar Jibba as deputy chief of protocol.

Asked how they were recruited into the protocol unit, the witness said it was an "executive directive". The witness clarified that he believed that the normal procedure for joining the civil service was not followed. Normally, when there are vacancies, positions are advertised, applications are submitted at the Personnel Management Office, PMO shortlisting is done and interviews are conducted at the Public Service Commission, PSC. He added that in normal circumstances, the chief of protocol should be invited to attend the interviews of the shortlisted candidates. However, the only time he went to the PSC was when he himself was being interviewed to join the civil service. He was never ever invited as a chief of protocol to attend any interviews that concerned protocol officers.

As far as he was concerned, the recruitment of James Kujabi and Omar Jibba did not go according to normal recruiting practise of civil servants at the time.

Asked the nature of the relationship between James Kujabi and Omar Jabbi with Yahya Jammeh, the witness responded that he knew that James Kujabi was very close to Yahya Jammeh and suspected that they were relatives. Counsel Jahateh remarked that it was public knowledge they were relatives and the witness was surprised. Asked

how close they were, the witness responded that at times if some people had issues that they wanted Yahya Jammeh to address, they would go through James Kujabi because he was more "familiar with the President". On Omar Jibba, he believed he knew Yahya Jammeh from before but he did not think they were relatives.

Alhagie Ceesay disclosed that he believed that all the protocol officers that worked under the witness came the same way. Asked to clarify, the witness said it was an executive directive and they were personally selected by Yahya Jammeh and he (the witness) had to carry out those directives.

Describing the scene at State House, the witness explained that when he first came as chief of protocol, it was smooth, and he used to draw the schedule of the day based on the audiences that were approved. However, around 2005/2006, "things started changing". The witness explained that Yahya Jammeh became a changed person. He would draw a programme and while people were waiting in the VIP lounge, Yahya Jammeh would ask the witness to cancel appointments, which happened on several occasions. The witness had no choice but to let the people know in a very diplomatic manner that Yahya Jammeh was busy.

According to the witness, Yahya Jammeh's inaccessibility started building up. It did not matter who was asking for a meeting, which started affecting the will of the administration.

Asked what was the cause of Yahya Jammeh's inaccessibility, the witness said it "depended on his mood".

He added that as chief of protocol, he would have to gauge his mood in a fraction of second and "know who was there": whether it was the normal Yahya Jammeh that you could talk to and get things moving or whether it was the Yahya Jammeh who you should leave alone, go back to your office and come back later.

⁴¹Said to be currently in New York City, USA at the time of release of this publication.

Asked to give an example about his moods, the witness recounted that one day there was a function at State House and he was giving money to some people. When the last person came, there was not anything left and Yahya Jammeh asked the person to come the next day. However, the next day, Yahya Jammeh came in and was in a very bad mood. The witness did not dare talk to him so he went to the person and advised him to come the next day. The person could not understand and refused to go.

The Counsel probed further to understand what kind of mood he was in and how the witness could tell he was in a bad mood. The witness said that at times he would greet him and if he did not respond then he knew things were “*not what you are expecting*”. Regarding that particular morning, the witness stated that when the gentleman persisted, he went to talk to Yahya Jammeh. He said he walked in and said “*Your excellency, the gentleman you referred to me yesterday is here*” and Yahya Jammeh responded in English “*Well, let him go to hell!*” in a very harsh tone. The witness went back and told the person that Yahya Jammeh asked for him to come the next day. The person left and two or three days after, when Yahya Jammeh was in a better mood, the witness talked to him and after he handed over the money, he called back the gentleman.

Alhagie Ceesay also remembered witnessing Yahya Jammeh hurling insults towards the staff. The Counsel asked the witness to relate what exactly Yahya Jammeh would say but he was reluctant to do so as he said it was out of his character (the witness’). The counsel insisted saying they wanted to know Yahya Jammeh as a person and the witness responded that it was very difficult to know Yahya Jammeh.

The witness did remember Yahya Jammeh telling a protocol “if you say this or you do this again, you will regret why you were born!”

The Counsel wanted other examples but the witness reiterated that he felt uncomfortable repeating the insults Yahya Jammeh used.

Asked about any threats made to the witness, Alhagie Ceesay stated that on several occasions Yahya Jammeh said he would lock him up in his “five-star hotel” (referring to Mile 2 Prison) if he was not careful. He said the protocol officers were also verbally abused but noted that they did not tell him (the witness) what exactly had happened. According to the witness, Yahya Jammeh would spray mosquito spray in the faces and in the mouths of his orderlies if he found them sleeping. He would **beat** them as well with either his stick or whatever he found next to him. Yahya Jammeh would also ask the commander to **detain** them at Fajara Barracks without due process.

Asked how he managed his relationship with Yahya Jammeh, the witness said he tried his best not to develop any familiarity with him and be as professional as possible with him. The witness recounted that he was informed one day that Demba Njie was going to be dismissed. However, when Demba Njie and Yahya Jammeh came back from an overseas engagement, he saw them cracking jokes, so he assumed the directive no longer stood. Nevertheless, two/three days later, Demba Njie was fired. The witness added that he then realised that if Yahya Jammeh could be cracking jokes with one knowing full well he had sacked him, then he (the witness) needed to be very careful.

The witness then narrated a particular incident that shook him. Once, he got a call informing that there was an elderly person who wanted to see him as he needed to deliver an urgent message to Yahya Jammeh. When the person reported to the witness’ office, he asked to see Yahya Jammeh and the witness insisted that he tell him the reason for the visit. He told the witness that there were very important sacrifices that needed to be done. The witness said he relayed the message to Solo Bojang and together with Solo Bojang, they went back to Yahya Jammeh and relayed everything. The witness recalled that that as he was leaving, Yahya Jammeh said to him “*Ceesay, this is the same person who came here and told you that there was a likelihood of a coup d’état*” (referring to the 2006 coup of Ndure Cham). The witness told him he was not his chief of

protocol at the time and Yahya Jammeh accepted. The witness said when he got home, he prayed as it could have been worse, he could have been killed from this assumption.

At this point, the witness clarified that Solo Bojang was a soldier and a member of the Junglers. He added that Solo Bojang was very close to Yahya Jammeh and would run his errands. The witness said that when they were at the State house, at some point it became an open secret that *“this person is a Jungler”*. The witness said his office used to travel with the Junglers as part of the security details but they did not know then who they really were and only found out when they spoke at the TRRC. Asked how he felt when he heard the revelations of the work of the Junglers, he said they were scary. Asked if he believed the Junglers’ revelations, the witness said he did.

Alhagie Ceesay described Yahya Jammeh as bipolar. Asked to expand and he said in French *“Une personne aux deux extrémités rapprochées”* which translated as a person with multiple and inconsistent personalities.

The witness asserted that Yahya Jammeh’s personality was irrational and very unpredictable. The witness had to walk on eggshells and constantly try to manage Yahya Jammeh’ moods.

He recalled that **very few people stood up to Yahya Jammeh** and remembered **Haruna Jammeh as one of them.**

According to the witness, Haruna Jammeh once said to Yahya Jammeh in Jola, *“You asked me to come and I am still here and you are not attending to me”*. The witness said he asked someone to translate for him because of the tone, which surprised him.

However, he subsequently heard when the Junglers testified before the TRRC that Haruna Jammeh was taken in the bush and Omar “Oya” Jallow⁴² tied a rope over his neck and they pulled it from different ends.

Moving on to the theme of **sexual and gender-based violence**, the witness said that many female protocol officers were sent to his office. Asked if he knew how these protocol officers were selected and recruited, the

witness said it was an executive directive, that is it came from Yahya Jammeh and the witness had to accept these directives. They had no choice.

In terms of the kind of protocol officers that came, the witness said a majority of them were very academically limited. He added that the opportunity was not given to them to gauge them to assess whether they could do the job or not. As a chief of protocol, he would have to see what they were fit to do and what they were not fit to do on the job. He added that some of them were somewhat capable.

Asked what the nature of their relationship was with **Yahya Jammeh**, the witness said it was an open secret that they were **“special ladies to the President”**.

The witness clarified that he could not hold those who did not take his instructions accountable and he would have to manage them given the nature of the relationship with Yahya Jammeh.

Alhagie Ceesay elaborated that at the State House, the name of “protocol officer” was just a cover up for them being there. The Counsel insisted he call a spade a spade and the witness explained that when they closed work, they would go home but some of the girls would stay behind. Asked what the reason for them being there was, the witness responded that maybe Yahya Jammeh needed them for something else. The Counsel asked him to elaborate further as the Commission could not make assumptions from his speculations.

The witness said he would hear from his assistant and the orderlies that *“X was here yesterday or X was in Kanilai over the weekend”*, which he believed. He added that he was aware of the girls living in a building at the marina within the State House, which was not normal at all.

The Counsel asked if they were there for the Yahya Jammeh’s pleasure and the witness said he believed so.

⁴²A member of the Junglers, the death squad team reporting to Yahya Jammeh, he confessed in July 2019 before the Commission to having participated in the enforced disappearance and extrajudicial killing of 48 persons including Haruna Jammeh’s in 2005. Released on 10th August 2019 from detention following recommendation from the Minister of Justice Abubacarr Tambadou after his testimony at the TRRC.

The Counsel asked if it was for **Yahya Jammeh's sexual pleasure** and the witness responded **"it could be"**.

The Counsel then stated that she assumed the witness knew so but he was being diplomatic to which the witness responded that he could not be that specific because he was making this statement based on his understanding of the girls being there.

The witness also confirmed that he knew some of these girls were involved in a romantic relationship with Yahya Jammeh. The witness was then asked to look at the protected information sheet and circle the number for any girl he knew was having a sexual relationship with Yahya Jammeh. The witness called out numbers 3, 4, 9, 15, 16, 17, 19, 21, 26 and 28. Asked if there were any other names that were not on the protected information sheet, the witness wrote down names, which went from number 33.

The Counsel asked if any of those on the sheets were married at the time and the witness stated that number 9 and 19 were. Asked about number 28, the witness said that at that time, he was not sure if she was married or not.

Moving on, the Counsel asked questions regarding the numbers and reminded the witness not to reveal names. The witness was asked which numbers he circled were protocol officers and he listed number 3, 4 and 26. Asked if he knew anything about number 7, the witness said he did not know her. The witness was then asked which ones he circled were female soldiers and the witness listed 9, 15, 16, 17, 19 and 21.

Asked if he knew of any individuals who would facilitate the coming of these women into State House to see Yahya Jammeh, the witness gave number 32 and number 30. The witness was asked if he was confident to mention any of these names (the facilitators) and the witness stated that he preferred not to if he was allowed to do so. When the Counsel further probed, he only gave the name of Jimbee Jammeh (number 30). He told the Commission that she was a protocol officer and a relative of Yahya

Jammeh. She was very close to him to the point that when the witness wanted to give an assignment to the protocol officers the easiest way was for him to go through Jimbee Jammeh.

Asked what the relationship **Jimbee Jammeh** had with the girls, the witness said **she was the link with Yahya Jammeh**.

On number 32, the witness said that person coordinated on the girls coming to the State House for Yahya Jammeh's sexual desire. He added that the girls were Gambian but at times they were also foreign nationals, including Americans, Ethiopians and Nigerians⁴³. They were brought in, which he suspected for Yahya Jammeh's pleasure as well. The Counsel asked the witness if he would agree that the word "pimp" would be an appropriate word for number 32 and the witness did.

Describing the women, the witness said they were beautiful and light-skinned, which was the particular taste of Yahya Jammeh when it came to women.

The witness told the Commission that when he went to Kanilai, he did not stay at the President's residence but at the Sindola Hotel. He would go home after and some of the ladies, which he circled on the list and who would be invited to the function would stay. He said that some of the women were brought by number 30 (Jimbee Jammeh) and number 32.

Going back to the protected information sheet, the witness added that he should have circled an additional number (he did not say which number out loud). The witness then disclosed that this particular person used to be at the State house to brew attaya⁴⁴ for Yahya Jammeh. The witness said that Yusupha Sanneh⁴⁵ had already said it all, that is that the ladies, including this one he just mentioned, were special ladies for Yahya Jammeh. The witness added that he believed all that Yusupha Sanneh had said because as an orderly he used to spend more time with Yahya Jammeh.

⁴³ Based on the testimony of the unidentified witness in the morning of the 28th October 2019 at the TRRC, that person could be Lamin Manga, then Press Secretary at the Office of the President.

⁴⁴ Local green tea.

The Counsel then asked if the witness knew of any accusations of actual **rapes** that occurred when he was chief of protocol and the witness said no.

Going back to when the witness worked for the Office of the then First Lady, Zainab Jammeh, the witness said Zainab Jammeh never mentioned anything about Yahya Jammeh's behaviour. The Counsel added that Zainab Jammeh used to travel a lot and asked the witness if he knew why, to which the witness responded that there were speculations, which could be true, that it was to keep Zainab Jammeh away so Yahya Jammeh could have Kanilai for himself.

Moving on to the impasse, the witness said that immediately after the elections, he travelled with Zainab Jammeh to Washington DC, United States. He added that Zainab Jammeh stayed at the Potomac residence, which he described as a mansion owned by Yahya Jammeh and he (the witness) stayed in a hostel. The witness recalled that whilst they were there, the witness suspected that something was going to happen based on the reaction of Zainab Jammeh. He explained that he went to see her at the mansion, and he overheard her calling the head of security who happened to be Joof (the witness did not give the first name). The witness added that he then called Joof when he got back to his hostel to ask what had happened and Joof told him that in 3-4 days, he should expect some private security officers. The witness specified that he then heard that Yahya Jammeh was about to change his mind and reject the results of the elections.

In a long-winded explanation, the witness recounted that he made efforts to contact diplomats, including the then Senegalese Ambassador in Washington DC, Babacar Diagne so they could persuade Zainab Jammeh to dissuade Yahya Jammeh from rejecting the results. Eventually, the FBI called Zainab Jammeh and she told them that she had nothing to do with politics. A letter was then written to Zainab Jammeh, which the witness took to her. He left it on the table and she later called him to tell him that she had spoken to Yahya Jammeh and he wanted the letter mailed to him in Banjul, which the witness did.

The witness explained that he thought Zainab Jammeh had influence over Yahya Jammeh thus why he had tried to get her to intervene.

However, he clarified that he did not think she had anything to do with Yahya Jammeh's decision to change his mind over the election results.

Lastly, the Counsel asked the witness what his experience was with Zainab Jammeh when he worked in her office and the witness stated it was very difficult as they would travel with her, stay in luxury hotels without having any per diem allocated to them though it was their entitlement. The Counsel asked if the denial of per diem was to disguise the number of travels Zainab Jammeh did per year and the witness responded "*it could be*".

The floor was then given to the Commissioners.

Bishop Odico asked how long the foreign national ladies stayed in the country and the witness said for weeks he believed.

Commissioner Jones asked the witness what exactly was known about the Junglers and the witness responded that everybody suspected that they were involved in carrying out **assassinations** for Yahya Jammeh, thus contradicting his earlier statement that they only found out that the Junglers were a death squad when they appeared before the TRRC.

Commissioner Sey asked the witness why he never asked questions regarding his demotions and dismissals and the witness said he was afraid to ask.

In his concluding remarks, the witness thanked the TRRC for the good work being done in trying to put hearts together through forgiveness and reconciliation so that never again shall they see their country going in the wrong direction. He added that he believed the onus was on Gambians now to nurture and strengthen the rule of law as well as to

⁴⁵Yusupha Sanneh testified on 23rd October 2019.

consolidate the dividends that has been yielded by the new democracy.

Persons Mentioned By Witness During Testimony:

Arbitrary arrest and detention

Yahya Jammeh

Sexual exploitation

Yahya Jammeh, Jimbee Jammeh

Sex trafficking

Yahya Jammeh, Jimbee Jammeh



A UDP member, Nogui Njie was arrested in April 2016. She was taken to the NIA where she was tortured. She testified before the TRRC that she relentlessly resisted and at some point fought back over 15 men as they tried to torture her.

NAME OF WITNESS: Nogui NJIE

TRRC HEARING DATE (S): 29th October 2019

EVENT (S) DISCUSSED: April 2016, arrest, detention and torture of the witness

POSITION BEFORE THE EVENT (S): Businesswoman, Community development

ROLE DURING THE EVENT (S): UDP member

POSITION AT THE TIME OF TESTIMONY: Unemployed

[The witness testified in Mandinka and there were issues with the quality of the interpretation]

SUMMARY OF TESTIMONY:

Nogui Njie told the Commission that she could not recall her date of birth nor her age but stated that she was born during the regime of Dawda Jawara.

Regarding the year 2016, the witness remarked that the victims could not forget it. She stated that on Thursday 14th April 2016, she left home to buy some medicine as her mother had high blood pressure and diabetes. She went to the pharmacy in Westfield and was able to purchase all the medication prescribed to her mother, except for one, which was not available. She was told to go to the Banjul pharmacy instead.

The witness recalled that when she crossed the road, she saw a crowd coming, which held a banner with inscriptions. She added that as they got closer, she recognised her fellow United Democratic Party, UDP members Solo Sandeng, Kafu Bayo and Modou Ngum. She asked Solo Sandeng what was happening and he responded that they had one “unhappy” issue they wanted to show the Gambian people. The witness asked what that was and he responded that the Independent Electoral Commission, IEC’s mandate had expired and they needed to make changes in view of the next elections. He also wanted them to appeal to them to open the border between Gambia and Senegal as it was causing “hunger” in The Gambia.

The witness stated that she advised that they should write a letter to the IEC instead. She added that she was going to buy the medication prescribed to her mother but



when she returned, she would call him and join him wherever he was holding the meeting. The witness was asked what the banner said but she responded that she could not tell as she was illiterate.

Continuing on with her testimony, the witness said that as she was about to board a vehicle, she saw a Police Intervention Unit, PIU vehicle coming at high speed. People started scattering around and the witness said she just stood watching as she had no idea why people were running.

She added that armed PIU officers started jumping down and anyone they caught, they beat them with their batons and fists.

She recalled that one Inspector Abdoulie Sanneh came towards her and said “*this woman that is going is running away, catch her*”. The witness asked him whom he was referring to adding that she was not running away as she had not done anything. Inspector Sanneh responded “*these are the big wigs of the UDP*” and three paramilitary officers standing in front of Inspector Sanneh asked the witness if she was a member of the UDP. The witness responded “*yes, 100%*” and they instructed her to board their truck.

The witness added that she knew she could not board the truck because of the height and told them so. The paras were then instructed to help the witness to board the truck. Asked if this was the same truck

she saw speeding towards her, the witness responded in the affirmative. Describing the vehicle, she recalled that the truck was dark like the paras' uniforms.

Asked how she recognised the officers as being from the PIU, the witness stated that recognising the PIU was not difficult as they wore "dark uniforms". Asked if they were armed, the witness said they had guns and batons.

She recalled that some of those who were apprehended managed to run away, including Lamin Cham and said that she also realised that Solo Sandeng had managed to escape as when she looked inside the vehicle, she did not see him.

The witness recalled seeing Fatoumata Camara and Fatoumata Jawara onboard the vehicle who had been **arrested**. Asked what the PIU officers did to Fatoumata Jawara after throwing her into the truck, the witness responded that they threw other people into the truck who fell on Fatoumata Jawara and she had to pull her towards her (the witness) as people were piled on top of her (Fatoumata Jawara). The vehicle then headed with the three women onboard.

Nogoi Njie said she asked Fatoumata Camara what was happening and she explained that she was on her way to attend a marriage ceremony when she was stopped by the PIU officers and that in fact one of them had **slapped** her although she had not provoked him.

On who else was on board the vehicle, the witness said there were many and could not remember them all. She only remembered Fatoumata Jawara, Modou Ngum, Kafu Bayo, Fatoumata Camara, Lang Marong, Falang Sonko and two students around 13 years old in the vehicle.

She added that Lang Marong was kicked when he was running and when he fell, someone hit him, pulled him by the shirt and forced him inside the truck.

Asked under what circumstances the students were **arrested**, the witness said she thought they were probably

coming from school and standing there watching what was happening. She added that she could not offer any details because she only found them in the truck.

When they got to the PIU Headquarters, they were made to disembark and they were taken to a big spacious room. She was not sure if it was their conference room but there were no chairs and no tables. They were instructed to sit on the floor, which they did and then Yankuba Colley, the then Kanifing Municipality Council, KMC Mayor arrived.

Proceeding with her testimony, the witness explained that when Yankuba Colley came, he said "*oh these people, they have planned the coup*". When the witness heard that, she responded that he was not telling the truth. Yankuba Colley surprised to see her said "*oh you too are here?*" and the witness mischievously responded "*well you have sent your people to arrest those involved in the coup, so we are all arrested*" and Yankuba Colley left.

One PIU officer told the witness not to be worried, that their leader was going to come and address the detainees and then she would be released. She said she asked him who their leader was and he responded Ousman Sonko. The witness specified that Ousman Sonko was the then Minister of Interior.

When Ousman Sonko arrived, she looked at the PIU officer who had spoken a few minutes ago to her, she signaled to him and he shook his head confirming that this was the Ousman Sonko he was referring to. Ousman Sonko then asked "*where are those people?*" to which Yankuba Colley who had come back responded "*these people, they have planned the coup*". Then Ousman Sonko said "*I think they have planned the coup, there are some people behind them*". The witness admitted not being able to understand English, but being able to capture these sentences, "*I cannot forget them*", she stated.

The witness then retorted that they did not plan any coup. She added that they did not even have a broom or even a stick to clean his or her teeth so how could they be planning a coup against people with guns.

“If somebody gives you information, you have to investigate the information to see if there is any truth in that information” she retorted.

At some point, they asked the witness to get up and together with Modou Ngum to hold the banner so they could be photographed. The witness stated that she refused as she could not read so they read what was inscribed on the banner and she agreed to be photographed. Asked if she knew why they asked her to do this, the witness said she did not. She was also asked if before her **arrest** she had held the banner, and she responded *“not at all”*.

Further testifying, Nogui Njie explained that they were then handcuffed. A list of names was called out: Kafu Bayo, Modou Jabbang and Solo Sandeng who at this stage had been **arrested** and brought in. Solo Sandeng was the first person to be taken out of the room and made to board a white pick-up. Modou Ngum and the witness boarded the same pick-up vehicle whilst Kafu Bayo and others were made to board another vehicle.

The witness recalled that in front of their vehicle, there was one heavily built man holding about three mobile phones in his hand and they left with him. The witness suspected he was part of senior leadership because of how he acted and later found out that he was (Sheikh) Omar Jeng, the then Operations Commander at the National Intelligence Agency, NIA.

Once they reached the NIA premises, they were made to alight and were separated. Solo Sandeng and the others were taken away and the witness was taken away with Modou Ngum. At this point, Counsel Jahateh asked what happened to the other ladies, Fatoumata Jawara and Fatoumata Camara and the witness said that the last time she saw them was at the PIU. She did not know where they were taken.

Going back to what happened once inside the NIA, the witness explained that they took the men away and the witness was left alone. The witness then asked an officer to help her and take off the handcuffs, which he did. They then moved her to another room. Asked what time of day it was, the witness responded that she did not know what

time it was as she did not have a watch nor a mobile phone but she recalled that the sun was very hot and she was profusely sweating. After the witness was processed, one “elderly” man with a white beard came in with counting beads and the witness was asked to follow him.

As the witness followed the elderly man, he asked her if she was wearing “beads”⁴⁶, and she responded that he should ask his wife. Inside the room she was taken to, she found a woman seated with a veil covering her head. The witness asked her how long she had been there and the woman responded that she had been there for two weeks. She added that nothing had been done to her as yet.

Asked who the woman was, the witness said she did not but the witness said she later found out that she was working for a government department (the witness could not remember which department) and money was missing from that department. The woman said that at the time the money was missing, she was on leave but she was **arrested** nevertheless.

The witness was then taken to another part of the NIA complex where she was questioned by some officers. Suddenly, one man, which she described as fair in complexion with a protruding belly, arrived. The witness added that he spoke French and Jola, and noted that he was not a native of The Gambia but probably from Senegal. He then asked the officers if the witness had not said anything yet and asked why they had given her a seat to sit on. He then instructed her to sit on the ground and added *“You make yourself as if you are mad but you will know that we are the people who are madder than you”*. The elderly man then took the witness back to him and asked her to wait for him.

At this point, the Counsel asked the witness if she was given the opportunity to contact a lawyer or a family member and the witness responded

“Well these people they have no humanity in them, they know cruelty, they don’t know any humanity.”

⁴⁶ We assume that he was referring to waist beads, which are a traditional African accessory and a symbol of femininity, fertility, sensuality, and spiritual well-being.

Because I know that in a country which is governed by laws, before you beat somebody up, you have to tell them what they have done. When they tell you things that you are not satisfied about, you investigate, that is why the NIA was established. The country established the NIA to investigate about bad people. Then if they happen to be the bad people themselves, who will they investigate? That is why they set the country slow aside and adopted their own rules”.

Continuing on with her testimony, the witness stated that the “elderly” man came back with officers including two “elders” who were covering their faces with their hands as they did not want to be recognised. Among them was one tall officer who she remarked shed a few tears and said to her on the way “*Mother, I am also sent*”. The witness was taken into a small room in another building. Once inside, they tried to blindfold the witness by force but she resisted. Asked who was the director of the NIA then, the witness responded Yankuba Badjie.

Going back to when she was about to be blindfolded, the witness said she resisted. There were seven masked men. Their leaders were at the front and there was a push and pull. There was an individual behind who the witness had not seen and she heard someone say “*what you want to do with this lady, it will not be easy*”.

Asked about the nature of the “push and pull”, the witness said when they **hit** her, she **hit** back. Sometimes she would fall on the ground but she would quickly get up and **hit** them back and they would fall. Asked about the masked men, the witness said some of them were from the paramilitary (they were in full uniform) and others she suspected were from the NIA. Asked if she was able to recognise any of them, the witness responded in the negative.

Proceeding with her testimony, the witness said someone behind her threw a rope, he pulled and the witness fell on the concrete floor, injuring her knee. She stated that at that point she stopped resisting. She added that when she fell, one of them grabbed her head, locking it. The witness said she was under their control with her shirt all torn.

Asked what parts of her body they **hit** her on, the witness said there are no parts they spared. They hit her with

batons and whips. She testified that they **beat** her until she heard the muezzin’s call for the 5 pm prayers. Then they all grabbed her and took her to some other places, which was like a compound.

Asked about other injuries she sustained, the witness then took a long moment to herself, clearly still traumatised, inhaling and exhaling with a lost look on her face. The chairman then asked for the session to be suspended for five minutes before resuming. When the session resumed, the witness explained that after she stopped resisting, she was transferred to another place, which was still within the NIA premises but close to the seaside.

She explained that she wrapped her wrapper around her as best as she could to cover her body parts which were exposed as a result of the fight.

She added that she saw a gun on a table inside the room and thought they were going to shoot her to death so was hesitant to go in.

She covered her face with both hands and decided to call Allah’s name so she would die with his name in her mouth. The “elders” who were standing there just laughed and told her to go inside. The witness went inside the room and realised it was “underground”.

The witness told the Commission that she found seven men inside, three elderly people and four young people with sticks in their hands. They told her she was going to be beaten until she “shat” herself. The witness said she responded “*it is your mothers who will shit themselves*” and started reciting verses from the Quran, appealing to Allah to help her escape these people.

Nogoi Njie narrated how she was asked to strip naked and lie down on the table. When she refused, one of them shouted that she had been giving them trouble since this morning. She defiantly retorted that she had found people in this room “whose mothers were not married”⁴⁷. When the witness still refused, they were given the go ahead to start **beating** her. She

⁴⁷We assume that she was either calling them bastards or calling their mothers “whores”.

recalled that one of them hit her on the arm and it swelled up badly. She added that she was still standing, reciting verses from the Quran. The place was wet with blood and the witness suspected someone had been **killed** there. At some point, someone instructed them to stop beating the witness.

The witness recalled that there was a rod in the wall, with a rope coming down and they told the witness *“you see this rope, if you give us more trouble, we will hang you here and remove the table from beneath you and you will die here before 2-3 mins”*. She also remembered that there was a big window and they opened it, the ocean waves were hitting the wall around that window.

Someone told her “when we kill you and throw you out of this window, there are crocodiles here who will have you as dinner”.

The witness said she believed this was the cell called Bambadinka (crocodile hole).

She stated that when they were **beating** her, some men were counting in French and others in English. One asked up to what number they would count and one responded *“this woman, we will give her the same treatment as Solo Sandeng, we will give her 35 cuts”*. They then opened the door, one of them asked her to go out. The witness said she had wounds all over her body and she had a hard time moving. They pushed her and she fell in the other room. The witness then paused, having a hard time living through the trauma again. She added that one of the men tried to help her but he was stopped by another. She held onto the table where the gun was lying, trying to rise up and finally managed.

Asked about her injuries, the witness said her knee was broken and oozing blood, including other parts of her body where she had been **beaten**. She added that she was embarrassed and heartbroken about talking about certain parts of her body where she had been **beaten** as the whole nation was watching her.

Continuing on with her testimony, the witness said inside the other room, she found three to five people, she was told to sit down and they brought a camera. The elderly tall guy (a Jola and not a citizen of the country she remarked) held a mobile phone and was in communication with someone. He asked the witness to confirm she was Nogui Njie and added that the “owner of the country” was the one that sent him to her. *“Do you communicate with God?”* she asked and he stated *“no, the one who owns this country at this moment”* so the witness responded *“that would be God”*. He then asked her to whom God had entrusted this country to and she understood he was speaking of Yahya Jammeh.

Nogui Njie told the Commission that the man added that Yahya Jammeh heard the witness had many followers and wanted to know how much it would cost to cross over to the Alliance for Patriotic Reorientation and Construction, APRC. The witness responded that even 25 butut would not be enough. The man told her he would not dare inform Yahya Jammeh of her response and the witness said they should actually be scared of her, not Yahya Jammeh as she was the one they had offended. She then added that she did not care whether he informed Yahya Jammeh or not.

The witness recalled that a cameraman came and asked the witness her name, surname and where she came from. She gave all the information and he also asked which party she supported and refused to respond. Someone else by the name James was called and the witness was asked to follow him, which she did.

She stated that she was taken to another room, which was filled with mosquitoes and other insects. Inside the room, there was what seemed like stagnant water. The witness was pushed inside and was instructed to go sit in the liquid. The witness defiantly asked James to go sit there himself. He left and the witness sat down in a corner. She said she found Modou Ngum and Kafu Bayo there. She asked what had been done to them and Kafu Bayo told her that since the morning, they had been in this cell.

The witness told the Commission that she warned them about the **torture** and explained she had managed to remove the masks from some of the men whilst fighting back. She said when she realised these were human beings like her except just wicked, she was brave and fought back. She said she initially thought they were animals who were trained to **kill** people. She told Modou Ngum and Kafu Bayo to **hit** back and to refuse if instructed to **strip naked**.

The witness stated that James then came again and brought in Solo Sandeng. He instructed Solo Sandeng to go sit in the stagnant pool of water and the witness told him not to. They then called Modou Ngum, **beat** him and returned him. Then it was Kafu Bayo and after Ebrima Jabbang. The witness testified that when the men returned, they were all bleeding, especially Modou Ngum who was profusely bleeding. Asked where he was profusely **bleeding**, the witness said when Modou Ngum testifies, he will tell them. The Counsel insisted and the witness said the entire body was bleeding as he had sustained **wounds** everywhere.

Nogoi Njie explained that she then spread her wrapper on the floor and asked the men to come lie on it. She started massaging their bodies until some of them started falling asleep. The Counsel asked the witness if she knew what the pool of water she described was and the witness responded that it was urine and it had not soaked because the floor was made of concrete. She specified that she realised because of the smell.

The witness told the Commission that the men then came back for Solo Sandeng who before leaving told the witness to go and tell Ousainou Darboe to take care of his family as they were going to **kill** him. The witness told him to hit them back and refused to strip naked if they instruct him to. He should not allow these “bastards” to treat him like that and that he had young children but Solo Sandeng responded that they were many and he was alone. The witness said she was heartbroken at this point.

Solo Sandeng was then taken and they heard his screams.

Nogoi Njie recalled that a man came for her after and when he tried to blindfold her, she hit his hand and told him “do not touch me with this nasty cloth”. He told the witness “but if do not blindfold you, I will be accused of not doing my job”, so the witness retorted “so blindfolding people almost the age of your mother, is that the work that you are doing here? You better think of tomorrow because tomorrow is inevitable, it will come one day”. The man responded that it was also to ensure she did not see where they were taking her.

She further testified that when they got nearer to the place, he told the witness he needed to blindfold her so as not to be accused of not doing his job. She remarked that he spoke to her nicely. Then when they arrived, he shouted “Here is the onion, the big onion I have brought for you”. One of them responded “bring the onion here, we will slice it into pieces”.

Asked what they meant by “onion”, what she understood it to mean, the witness said “somebody who is fat” as she was hefty at that time. She said she responded “it is your mother that is an onion, she is the one that they are going to slice, not me”.

She said the leader amongst them came to her and said “undress and lie down”.

The witness refused so one of them came and held the witness.

The witness said when she went in there, she grabbed Solo Sandeng and told him “Solo, did I not tell you not to allow them to strip you naked?!” Solo Sandeng was in his underpants. She added that there was one elderly Jola man who **hit** Solo Sandeng on his head and “broke Solo’s head” and that was the same man who **hit** her on the head, which she said she still suffered constant headaches from.

Nogoi Njie told the Commission that they **beat** her seriously but she fought back. Anyone whose whip she was able to grab, she would whip them with before they snatched it back. They were insulting her mother.

“You say that you are a lioness, but today you have met with zebras, you will know” they said.

Meanwhile, Solo Sandeng fell on the floor, his hand up. She remarked that at some point, her chest became so congested that she had difficulties breathing.

The witness explained that they then sat her down and the leader of the torturers tried to lift Solo Sandeng up. However, someone came in and said “Tamba Masireh” and that is how the witness got to know the name of one of the torturers. Tamba Masireh said, referring to Solo Sandeng, *“this man refused to get up. He wants to die but he will die”*. He then asked the witness for her name and she gave it to him. He then said to her *“this Solo that you were grabbing onto, what is he to you”*. He also asked her who she supported and she told him she was a die-hard UDP supporter and she loved the party. She asked if she did not have the right to support any other party? She is a citizen of this country.

According to the witness, Tamba Masireh called her a “harlot” as well as her daughters and her mother. She also insulted him back and he told her to shut up but she objected. He asked her if she was insulting his mother adding, *“do you know who I am?”* She responded she did not want to know. He then instructed the others to come and hold her from the back. They forced her arms back across her chest and as a result she suffered a dislocation on her left side. Tamba Masireh then lifted both his hands and **slapped** the witness on both cheeks at the same time. The witness then said *“I leave you with God”* and he **slapped** her again twice. The third time, one of the torturers who was sitting beside the witness said to Tamba Masireh *“you are going to destroy this one’s ears, nobody has tasked you with what you are doing”* and Tamba Masireh responded *“that’s my job, it’s my job”*.

The witness then objected “this is not a job, you are a bastard that’s why you are doing this, go and find another job”.

Nogoi Njie stated that a young man, whom she knew but not very well, came and told them that she was very stubborn. He then asked the witness to open up her mouth to see her tongue. She refused and dared him to put his hand in her mouth. She told the Commission defiantly that she would have bitten it off. The man then held the witness’ left middle finger **bent it hard and broke it**. The witness testified that she held it and tried to forcefully push it back to position. She was also shivering at that time, she remarked.

The witness remembered that the men started fighting amongst themselves because one of them opposed the **torture** that was ongoing. Meanwhile, Solo Sandeng was on the ground, he was not moving. The Counsel then remarked that they were running out of time so asked the witness to proceed but first give the injuries she suffered and name those who were involved in carrying out her **torture** as well as Solo Sandeng’s.

The witness therefore proceeded to give the name of one Harona Susso. She said she heard his name when one of the men said that Solo Sandeng refused to get up and asked Harona Susso to pour water on Solo Sandeng. When he did, Solo Sandeng slightly shook and that was the last time he moved. Harona Susso also called someone else’s name, by the surname of Sallah, a Tukolor. At this point, the witness remarked that there are not many Tukolors in Gambia and suspected he was also a foreigner.

She added that a third person came and pointed out that Solo Sandeng had died.

That was the time Tamba Masireh hit her again and the witness decided to fall down as a survival mechanism. One person then said *“Harona, come and help me, let’s take him to that other place”*. They dragged Solo Sandeng into another room, made him to lie and stretched him up.

The witness testified that the then NIA Operations Commander Sheikh Omar Jeng, asked someone to bring blankets and wrap up Solo Sandeng. A doctor came and pronounced Solo Sandeng dead. The witness said she did not do anything, she did not cry as she did not want them to **kill** her for fear she would spread the news.

Further testifying, she explained that one of the men remarked that the witness was lying there, so Sheikh Omar Jeng instructed one of them to pour water on her as well. The witness said the water was cold and she shook her head. They then said “*She is not dead, she is not dead*”. The other men were whispering to one another and asked for her to be taken away so she would not know what had transpired but the witness assured the Commission she had.

She added that she was dragged like “an animal”. By that time, all her nails were broken as Tamba Masireh had stamped with his boots on the witness’ leg (before she had fallen down) and said he was going to **kill** her. At this point, the Counsel asked for clarification and the witness said he stamped on her toes and she lost one of her toenails. Asked about other injuries, the witness said she was wounded in many spots. Her whole body was wounded and still has marks from the rope tied around her.

The witness then mentioned being dragged back to where Fatoumata Camara and Fatoumata Jawara were. The Counsel remarked that she had previously asked about them and the witness said she did not know where they were. She asked the witness to explain how they got to the NIA and the witness said she saw them being brought in a truck, when the witness was being **beaten**. When the truck came, they were made to disembark, were blindfolded and taken to the reception area. She recalled that one of the torturers told her that Fatoumata Jawara had said that the witness and Solo Sandeng were the leaders of those who were out.

The witness told the Commission that she responded that Fatoumata Jawara had not said that and if at all she had said that, she was just a child and she was probably panicked. The witness recalled that Fatoumata Camara too was brought and **beaten**. When she was **beaten**, she called the name of God. Nogui Njie stated that after

she was **beaten**, she was taken to the room where Fatoumata Camara and Fatoumata Jawara were. She added that it was however only once at the hospital that they told her that they were at Mile 2 Prison.

Asked at what point where they were taken to the hospital, before or after their ordeal at the NIA, the witness responded it was after the **beatings** at the NIA.

Then continuing on with her testimony, she recalled that Omar Jeng told Dr. Lamin Sanyang to bring some painkillers to reduce the pains. Dr. Sanyang came back in a hurry with a syringe and broke the seal of the medicine and drew all the medicine into the syringe. The witness stated that she pushed away the syringe and said he was not going to inject anybody here unless the person was conscious and agreed to be injected.

Then Sheikh Omar Jeng said to the witness that he was assisting them so the body pain would subside. The witness told the Commission that she asked him what was the source of the pain. Sheikh Omar Jeng told her that he was the operations commander and nothing else would happen to them. The witness retorted that he should have given those instructions in the first place.

Witness Njie explained that they spent 14 days at the hospital and were assisted by a nurse called Fatou Darboe. The witness remarked that she went at lengths to take risks on their behalf and would have been in trouble if they had found out. Fatou Darboe helped her with whatever she needed. The witness recalled that they were then taken to Mile 2 Prison and they were given wooden shackles to wear just like criminals.

Asked in which section they were in, she said the “female gate”. The Counsel probed further and the witness said there were no men, only young women where they were taken. She found Jukuna (Susso) and Fanta Darboe there. Whilst there, Ousainou Darboe’s wife, Aja Mai Ndure, brought them food. She said she did not know how Mai managed to get the food inside.

The witness added that at that point, she had a burning sensation in her chest, her diabetes was serious and she had high blood pressure. She added that when it was fasting time, she fell ill and a nurse came, then she was taken to their clinic. When she got to the clinic, they told her that if she had spent another five minutes at the prison, she would have died. She was given a tablet to put under her tongue and given another one to swallow. An ambulance was called and she was taken to Bansang Hospital. Asked at what point she was taken to Bansang Hospital, the witness said she was not aware at the time. Asked why she was taken to Bansang hospital instead of the Royal Victoria Teaching Hospital, RVTH which was closer, the witness said she suspected that they did not want people to see her.

Then the Counsel asked the witness if she was taken to Bansang Hospital before her transfer to Janjanbureh Prison or after and the witness said that it was after she had been transferred to Janjanbureh Prison so the Counsel asked her to relate her transfer.

The witness said she got to Janjanbureh Prison late at night. Before getting there, they stopped at Mansakonko Police Station. They asked for them to be kept for the night but the Police Head called Pa Darboe refused as they did not have the space there.

He added they had brought “wounded and half dead people” and if anything happened to them, the police would be blamed, so they left.

Once at Janjanbureh Prison, they were processed and locked up. They were there during the month of Ramadan. She recalled that during her time at Janjanbureh Prison, her trial started. She then got sick and was taken to the hospital unconscious. At this point, the witness went back to discussing her stay at Bansang Hospital.

The witness explained that when she was admitted, she was guarded by prison officers. She was injured on her body and the wounds had not healed. She added that the people at the hospital were skeptical and remarked the witness was always brought in by the police. One

person asked the police if she was their mother, and the police officer said yes. The witness said when she heard that she shouted that she was not his mother, she was Nогоi Njie and she was **beaten** at the NIA. She then went and called David Colley⁴⁸ who instructed that the witness should be given a private room.

Asked what kind of illness she was suffering from, the witness said she was just dizzy and fainted. She said she had seen her uncle brought in, Nuha Touray along with Sirra Wally Ndow, and she was shocked. She added that after he was brought in, she did not see her uncle again.

The witness then stated this was after they were convicted whilst at Janjanbureh Prison and taken back to Mile 2 Prison. The Counsel was very confused and the witness explained that whilst at Janjanbureh Prison, their trial took place in Mansakonko (she could not distinguish between the Magistrates’ court or the High court). She said whilst there, they refused to answer any questions and they were convicted.

Asked if she attended any trial in Banjul, the witness responded in the affirmative. She added it was different from the one in Mansakonko because in Banjul the questions were based on what happened to the witness and what happened to Solo Sandeng, just like what she narrated at the TRRC. She was not sure if she had signed an affidavit surrounding the same facts she had testified to at the TRRC. The witness said a document was brought at the Magistrates’ Court in Banjul and told that the trial would be based on that. The witness responded that she had not written or signed this document so she would not mention it and she did not.

Asked about the outcome in Banjul, the witness said she won the case. However, she remarked that in Mansakonko, it was not a trial. The prosecution came, spoke and the witness did not speak. They were then convicted.

The witness highlighted that the prison warden at Janjanbureh was nice to them, including two Jola

⁴⁸ Director of Prison at the time.

girls (one from Makumbaya and the other from Kanilai) who brought them food. The ladies were later reported and the witness was transferred to Mile 2 Prison from Janjanbureh Prison.

On the impact of the human rights violations she suffered, Nogui Njie told the Commission that her health and business had been completely destroyed.

She added that she still feels pain in her body. She did not have any more money and relies on the money people from the diaspora give her. Ousainou Darboe and “the Iron Lady”, the Deputy Party Leader, Aja Mai also did their best to maintain her family.

Chairman Sise remarked that the witness manifested extraordinary bravery, which was commendable. It was also a manifestation of resisting brutal dictatorship and authoritarianism. He added they were truly sorry she had to endure so much. He asked the witness to clarify one small point: when she was fighting her torturers, what was the maximum number of persons she was fighting at one point and were there any females. The witness said they were all men. At the beginning it was seven people and after Tamba Masireh called for 15 [more] but she still fought back. She said that power to fight them back was given to her by God.

The witness said she was still angry at the person who beat her on the head with a baton, which is causing her the constant headaches.

She said the area became swollen and one night it split, and started bleeding. A doctor was called in and they shaved the hair off around the area and gave her some medicine. She suffered greatly in their hands, she stated.

In her closing remarks, the witness extended her thanks and praises to all Gambians. She said that Gambians are used to helping and standing by one another, which was their grandparents’ way of life. She added “*whatever happens between us, we will later forgive each other come together again, sit down and discuss*”. She also advised young soldiers to be very careful of what they do.

Persons Mentioned By Witness During Testimony:

Arbitrary arrest

Abdoulie Sanneh

Arbitrary detention

Yankuba Colley, Sheikh Omar Jeng, Ousman Sonko, James (last name not given), David Colley

Torture

Tamba Masireh, one Sallah (first name not given), Sheikh Omar Jeng, Harona Susso



WITNESS NAME: Tida JATTA JARJU

TRRC HEARING DATE (S): 30th October 2019

EVENT (S) DISCUSSED: Role at the MoBSE and involvement in the scholarship pageants in regards to allegations of sexual and gender-based violence

POSITION BEFORE THE EVENT (S): Civil servant in the MoBSE

ROLE DURING THE EVENT (S): Head of the Gender Unit at the MoBSE

POSITION AT THE TIME OF TESTIMONY: Director of Basic and Secondary Educations Programme at the MoBSE

[The witness did not want to publicly provide the names of protocol officers involved in handling the pageant contestants invited to State House thus making it difficult to know who she was referring to at times]

SUMMARY OF TESTIMONY:

Tida Jatta told the Commission that in her current role, she oversees policies under the Ministry of Basic and Secondary Education, MoBSE. Her portfolio includes special needs education, gender education, life skills education, the school feeding programme and school agriculture. Explaining the objective of the Gender Unit, the witness stated that it was to ensure that girls and boys go through education without any “mishaps” and ensure that the quality of education of both girls and boys are taken care of and they are protected in school.

The witness then stated that after finishing her bachelor’s degree, she joined the MoBSE. Discussing how she

progressed through her different positions, the witness explained that initially she was appointed as a graduate teacher and was posted at the Guidance and Counsel unit (currently the Life Skills unit) from 1999 to 2005. She was then posted at the Gender unit, which she headed until 2016 when she was promoted to the position of director of basic and secondary educations programme, which she still held at the time of her testimony.

Going back to her work with the Gender Unit, Tida Jatta recalled that she was to provide advice on policies on issues of gender and education, ranging from protection and issues of retention and completion of both boys and girls in school. She added that fortunately for them, gender was mainstreamed from 2004 under their policies and therefore decided that it was not necessary to have a separate policy for gender.

Asked about guidelines on **sexual harassment**, the witness asserted these were developed during the time of her predecessor at the Girls’ Education unit and added that they also had a code of conduct for teachers. It was from those policies that they were able to develop the guidelines against **sexual abuse** in Gambian high schools. Those guidelines/policies, which she referred to as user-friendly, were made available to students and others within the school system and included a reporting mechanism. The witness noted that in The Gambia, cases of harassment and abuse are not usually reported but she believed that the ministry had less than 500 cases from 2004 up to date because the department invested significantly when it came to child protection and both girls and boys are aware about how to report as well as how to “*negotiate themselves out of the situation*”.

The Counsel then asked to move to 2006, when the Miss Black USA event was hosted in The Gambia. Tida Jatta recounted that the ministry was invited to serve on a steering committee at the Office of the Vice-President seeing they had a gender education unit and the event focused on girls. The witness admitted that she did not know what the overall objectives

of the pageant was but explained that the ministry was delegated to be part of the committee because it had been decided to partner young girls with the contestants who could serve as mentors, friends and role models.

Asked who was in charge of organising the pairing of girls with members of the pageant, the witness explained that letters were sent to their regional education offices to choose 50 to be partnered with the 50 contestants representing the 50 states of the United States. Girls from senior secondary schools aged between 16 to 18/19 were chosen from each region, hosted at different hostels and partnered with the contestants.

The witness also said that in her candid opinion, she felt the exercise was beneficial to the girls especially the talent bit. She recalled that even after the pageant, the girls were trying to mimic what the contestants had done as it was an eye opener for them. The witness said she did not have the expertise then to say it was a successful event but reiterated that on the side of the girls, she thought it was an eye opener for them.

Tida Jatta told the Commission that the event led to the launch of the Miss 22nd July Beauty and Scholarship pageant in 2008. The objective was mainly for girls who won to be awarded scholarships after the event. She explained that *“most of us find it difficult to pay school fees and also sponsor our way through university”* as such she thought the initiative was a good idea. In terms of selection criteria, the witness said the pageant looked at *“the intelligence first, the comportment and the talent of the girls”*.

On the organisation of the pageant, the witness explained that again a steering committee called the National Organising Committee of the Miss 22nd July Scholarship pageant was set up. The MoBSE was again involved because some of the girls to be selected were from basic and secondary education. Other members of the committee included the Minister of Youths and Sport, the Minister of Tourism and Culture, the Minister of Communication and the Minister for Higher Education and Science and Technology as well as a technical team and persons that had experience in conducting pageants. As for the judges, the witness said they were selected from different subject areas and these included lawyers,

doctors, retired educationists, teachers, private sector and members from the Gambia Chamber’s of Commerce.

Going back to how the girls were selected for this particular pageant, the witness told the Commission that the first edition was a big one and covered about 100 girls, 10 from each administrative area together with 30 from the tertiary institutions including the Management Development Institute, MDI, Gambia Technical Training Institute, GTTI, Gambia College and the University of Gambia.

The girls were selected from their schools in their respective regions and they competed in the preliminaries at the central level. The winners would then compete in the final with different judges judging the different events. However, for the other editions, the number of participants was reduced to 22 because of funding and capacity. The witness added that for those subsequent editions, two participants were chosen from each administrative area and two from each institution at the tertiary level.

Discussing the main event, the witness explained that the first round was for the contestants to talk about their platform in case they won, the second round dealt with their talent and during the final round they answered questions to test their general knowledge. The witness stated that the main prize for the pageant was the scholarship but other prizes awarded involved flowers, laptops and books dependent on the position the contestant came in.

On the kind of scholarships awarded, Tida Jatta clarified that at the upper basic, winners were entitled to a scholarship up to bachelors degree (at the University of The Gambia, MDI, GTTI and the Gambia College) sponsored by the Ministry of Higher Education and Science and Technology, at the senior secondary level, winners were entitled to a scholarship up to Masters level sponsored by the Ministry of Higher Education and at the tertiary level, up to PhD level. She added that contestants from the upper regions (North Bank region up to Upper River Region) were sponsored through what she referred to as Scholarship Trust Fund for Girls.

For those that did courses that were not being offered by any tertiary institution in The Gambia, they were given the opportunity to go overseas. The witness said she could vividly recall two from the first edition who were awarded scholarships sponsored by then President Yahya Jammeh to undertake their bachelor's degree in England. One wanted to study aeronautical engineering and the other one was doing something related to the sciences (she could not recall).

On what happened after the scholarship pageant was over, the witness explained that a day was normally set for a courtesy call to be made to the President, as he was the chief patron of the pageant.

During the courtesy call, the winners would be presented to Yahya Jammeh and he would offer them gifts, different from those offered at the pageant for performing well.

The witness highlighted that for this first edition, Yahya Jammeh said he was so happy with the performance of the girls that he offered them all scholarships to be sponsored as the witness had previously indicated.

Asked what right Yahya Jammeh had to make such a decision, the witness, with an uncomfortable smile, responded *"I don't know"*. She added that the ministries concerned had to do what he said in that respect.

Continuing with her testimony, the witness said that for the first edition, after the courtesy call, she got a call from the then Minister of Education Fatou Lamin Faye that Yahya Jammeh wanted to organise a banquet for the girls in Kanilai. All the participants and all those in the organising committee were also invited. The witness also recalled that the girls were invited to the July 22nd and the Independence Day celebrations.

Tida Jatta told the Commission that as far as she was concerned, the girls did not perform any role, during the banquet. For the other two events she mentioned, she herself did not attend but the girls were accompanied by a staff of the office, which was the usual.

The witness however highlighted that some time after, one of them called her and said they got a call from State House through a protocol officer to act as ushers.

The witness said the first thing she asked was if their parents were aware and if they were comfortable; some said yes and others said no. Those who said no, she told them not to go.

The witness specified that as far as she was concerned, that request from the Office of the President for ushers did not go through the MoBSE. The witness reiterated that for requests made through the ministry, she would seek parental consent. The ministry would provide transport and at least one chaperone. She added that if the girl did not tell them that they had been contacted directly then the level of protection that they would normally receive through the ministry would not be guaranteed.

Further testifying, the witness told the Commission that sometimes her office would get a call from the Office of the President through protocol officers who would inform them of activities that were to take place and invite the girls who would spend the night at these cultural events. Again, transportation would be provided for them as well as a chaperone who would spend the night in the same room as these girls as those were instructions from the witness. The chaperone would come back and usually say *"Auntie everything is ok, everything went well"*.

As the years progressed, the then Minister of Education Fatou Lamin Faye asked to limit participants to senior level and tertiary level as she felt that the girls from upper basic level were too young. The witness added that they tried to make the pageant more educational and during bootcamp people from different disciplines were invited to give talks regarding women empowerment, culture, entrepreneurship etc. The most important thing she felt was the life skills education, which taught

girls how to negotiate themselves out of uncomfortable situations. However, she remarked that at some point, beauty was given more of a focus at the pageant and she believed it went from 10 points to 20 points out of 100.

Asked if they faced any challenges or difficulties as the years went by in managing the scholarship, the witness explained that one of the problems was that students started apparently contacting the Office of the President without their knowledge. Sometimes they would just sit and hear “*so and so and so as has gone for studies without our knowledge*”. When Fatou Lamin Faye would go for Cabinet meetings at State House, she would be accompanied by her orderly who would then tell the witness “*Tida, are you aware that so and so and so is around*” or “*I saw so and so at the Office of the President*”.

Asked what these girls would be doing there when they were sighted there, the witness said she did not know. The orderly would just tell her who he saw and that was about it.

At this stage, Yahya Jammeh was sponsoring some girls for education without the knowledge of the ministry.

When asked under what circumstances this would happen, the witness again responded “*I don’t know*”. The witness said that none of the girls ever reported their encounters to her.

Going back to the pageant, the witness explained that the Office of the President would request for the bio data as well as passport photos of the girls, and the then Minister Fatou Lamin Faye would also write a cabinet paper.

The Counsel asked the witness if apart from the fact that Yahya Jammeh was the patron of the pageant, there was any reason why that information was requested considering the fact they were not the ones managing the scholarship and the witness responded “*I don’t really know but the letters came from the Secretary General and the Head of the Civil Service. I did not know where these*

orders came from, it would say ‘I am directed to’”. Asked who the Secretary General was answerable to, the witness said the head of state. The Counsel then asked if he could be the one to direct the Secretary General and the witness responded “*It could be*”.

The witness noted that at first, they would provide the bio data and the passport size photographs of the girls but around 2013/2014, the Office of the Secretary General and Head of the Civil Service asked for the full-length photographs of the girls. She remarked that they did not know why this additional information was needed as the passport photos were only needed for the scholarships to be awarded. The witness explained that they had to go through their regional gender focal points who then asked the girls to take those photos and send them.

The witness recalled that when they replied to this particular request, the then Minister of Education Fatou Lamin Faye and the then permanent secretary were not around. It was the then Deputy Permanent Secretary Ebrima Sisawo (now the current permanent secretary) who replied with the pictures and they never heard again from the Office of the Secretary General and Head of the Civil Service.

Continuing with her testimony, the witness recalled that one day one of her colleagues told her “*do you know that so and so is at State House working as a protocol officer?*” The witness said she knew of two and was provided a paper to write down the names of the girls she was informed about.

She explained that one of them was 17 (underage) when she started working at State House but she could not remember the age of the other protocol girl. She also highlighted that the underage girl travelled with Yahya Jammeh.

The witness then recalled that two other girls who had travelled with Yahya Jammeh were over 20 years old. They were not accompanied by anybody but the request was made through the MoBSE so they checked their passports and *“everything was taken care of”*. When the witness was asked under what circumstance they travelled with Yahya Jammeh, she responded she did know. The witness was then asked if she did not bother to ask and the witness said most of them did ask the question but she did not attend the events so it was difficult for her to draw conclusions.

The witness then recounted an incident, which happened with a particular girl when the witness was not in town. She got a call from her colleagues and had to tell them she would have to look into it when she came back. When the witness returned, she contacted the mother and asked her how this was happening as it was all over social media. The mother laughed and told her *“Tida you don’t know what is going on. It is this particular person that came to my house and said that they help the winners and they want to know your situation”*. The witness said she retorted that she (the mother) knew this was not true because the main prize of the events was scholarships.

Asked what information she had initially received which led to her investigations, the witness responded that she felt more comfortable writing this on paper as she did not want to say anything because people would know who she was referring to. The Counsel asked again the witness to explain what happened to the girl without revealing her name but the witness asked if she could provide the answer in writing because people would know to which the Counsel responded *“I don’t necessarily think so”*. The Counsel then told the witness to do whatever made her feel comfortable and the witness clarified that she did not feel comfortable to provide the information in public but was happy to do so in private. The witness then wrote down the information she received.

The witness clarified that the information she received at that stage was not a form of sexual violence. She added that when she discussed with the mother, at that

particular point in time she looked very disturbed so she did not want to probe further but apparently the girl was safe.

The witness stated that it was at a later stage that she was told as to what had allegedly happened to the girl and that is that she was sexually abused by Yahya Jammeh.

Asked if the witness had seen the girl in close proximity to Yahya Jammeh prior to her being **sexually abused** by him and the witness responded that she would not know as she did not attend those events except for the first one she had mentioned. She added that they had never gotten any complaints or even given a gist that this was happening prior to this incident. Nevertheless, the witness did recall that there was a time one of the girls said that her aunt saw “this particular girl” (the witness did not provide the name) in Kanilai. The witness said she called for a meeting, asked “the particular girl” if she was in Kanilai and she denied.

Asked if she knew of any other girls who had suffered **sexual abuse** from Yahya Jammeh, the witness said no because nobody reported anything to her, neither the parents nor the girls. The witness also confirmed she knew of two other girls from the pageant who had worked as protocol officers and she wrote down the names of the girls. She added that she did not know under what circumstances these two girls were employed as protocol officers.

Tida Jatta then told the Commission that she knew of two girls who were awarded scholarships personally sponsored by Yahya Jammeh but they could not continue their studies because the funding was not forthcoming. She said she saw on social media that one of them had finally graduated despite this hardship. On the other one, she said she came

third in one of the editions. The witness' office was not informed of her scholarship personally sponsored by Yahya Jammeh and just heard she had left.

The girl spent about one semester then came back, her passport was confiscated and the scholarship was cancelled.

The witness remarked that the girl's moral was down as well as her self-confidence but she later learnt that the girl got married. The witness then provided the names on the protected information sheet.

The witness also wrote down the name of the protocol officer who facilitated for the girls to be ushers after the Counsel asked her to provide the names in whatever form she felt comfortable. However, the witness publicly mentioned the names of two protocol officers who used to request for the girls to attend official events: Sainey Jarju and Bory Colley (apparently now a National Assembly member).

The Counsel told the witness that she understood that most of this information was given to witness by another third party but according to the information received, was it not the case that it was under these circumstances that these pageant girls were **sexually abused** and the witness explained that after she spoke to the mother, she started being sceptical about "these things". The Counsel asked her to elaborate and the witness responded "*I was wondering how could this happen*".

Then Counsel then stated that the ministry was not aware of most of these incidents at the time. The girls were therefore not chaperoned and none of the protective measures they had in place were applied allowing them to be at the mercy of Yahya Jammeh and the witness agreed.

Before concluding, the Counsel clarified with the witness that she had provided the names of seven persons on the protected information sheet: Persons 1 and 2 were in relation to those who were employed as protocol officers

(one of them of a deputy Chief of Protocol); Person 3 was a facilitator in terms of providing the girls as ushers for certain events; Person 4 was the person who was **sexually abused** by Yahya Jammeh; Persons 5 and 6 were sponsored by Yahya Jammeh and their scholarships were subsequently discontinued and Person 7 was the same as person 4.

The floor was then given to the Commissioners. Bishop Odico asked how the MoBSE and the Ministry of Higher of Education had money to fund the scholarships and the witness explained that it was taken into account in their budget.

Commissioner Jones asked if the guidelines on **sexual harassment** are enforced and the witness explained that they sensitise teachers and students. She added that they also give the guidelines to them for their use. Commissioner Jones asked if she thought this was very effective and the witness confidently responded that it was very effective and that is why the "Girls Agenda" and others exist.

Commissioner Jones then asked what strategies are in place to ensure that boys and girls speak up and the witness explained that the guidelines included reporting mechanisms for cases of **sexual harassment**. She added there were also the girls' speakers' conferences and the TUSEME clubs. The witness asserted that normally, at their level as a ministry, there are many checks and balances in place on how to recognise **sexual harassment**. But at the community level it is different, as when it starts going further up, victims tend to withdraw their complaints.

Lastly, Commissioner Jones asked if there were any formal investigation or probe to look at the scale or magnitude of the issue of girls being seen at State House or Kanilai and the witness responded in the negative. She claimed that it was not done because most of them were hearsays.

In her concluding remarks, the witness said that she wanted to reiterate that it is OK to say "no".

⁴⁹The TUSEME programme is an innovation that promotes both girls' education and gender equality in Gambian schools and communities. Tuseme means "let us speak out" in Kiswahili.

Persons Mentioned By Witness During Testimony:

Sexual abuse

Yahya Jammeh

Sexual exploitation

Yahya Jammeh

Chairman Sise declared that **those who have power should not use their power to abuse vulnerable and “in some ways immature” people.** He added that the **burden was placed on those who had power and had abused those individuals.**



WITNESS NAME: Binta JAMBA

TRRC HEARING DATE (S): 30th October 2019

EVENT (S) DISCUSSED: Death of Almamo Manneh, rape, torture and kidnapping of the witness by Ousman Sonko

POSITION BEFORE THE EVENT (S): Police officer

ROLE DURING EVENT (S): Widow of Almamo Manneh

POSITION AT TIME OF TESTIMONY: Not mentioned

[The testimony was given in Mandinka and via Skype and there were issues with the quality of the interpretation]

SUMMARY OF TESTIMONY:

Binta Jamba told the Commission that she joined the police force in July 1986 and once she completed her training in January 1987, she was posted at Banjul Police Headquarters. The Lead Counsel asked the witness where she was living in January 2000, to which she responded that she was living at the Old Atlantic military camp, with her husband, Almamo Manneh. The Lead Counsel wanted to know where Almamo Manneh is at this moment. The witness responded “*they said he is dead*”.

The Lead Counsel asked the witness to tell the Commission the information she received surrounding her husband’s death. The witness explained that nobody gave her information on his death; she saw the news on Gambia TV. Asked to explain what she last did with her husband in January 2000, she narrated that on Wednesday 12th January, her brother, Lamin Bojang, who

was in the United Kingdom sent some money to her through one Sonko Gilen and instructed her to buy a car for his father, Sainey Bojang. She therefore asked her husband to help her as she did not know much about vehicles, who told her to meet him at the gate of the State House at 10 am.

The witness said she went up to State House and saw a soldier called Faraba Sabally at the gate who told her “*Almamo said you should wait for him here*”. As she was standing outside, Lieutenant Landing Sanneh, the then State Guard Commander saw her and sent his orderly to call her to his office. She said that when she went to his office, he asked her what she was doing standing outside, and she told him that she was just talking with Faraba Sabally explaining that she did not want to let him know that her husband had asked her to meet him outside.

The witness said she sat down for a while and then Almamo Manneh walked into the office with a file in his hand, which he put down and said “*Sanneh, I am just coming from the army Chief of Staff’s office Baboucarr Jatta. Why is it that when anything goes wrong in State House, they say it is me, Almamo?*”. She said her husband was very angry and told Landing Sanneh that Baboucarr Jatta had said he got information that he (Almamo) was the one who told the soldiers to stand down because Yahya Jammeh was in Kanilai. He continued telling Landing Sanneh “*You being the State Guard Commander, I don’t have those powers, how can they attribute these things to me, how can I give orders like that to soldiers?*”. Binta Jamba said that Landing Sanneh told Almamo Manneh to do what he had to do with his wife and come back later.

The Lead Counsel wanted to know whether the witness had a conversation with Almamo Manneh. At this point in her testimony, Binta Jamba explained that while she was not a soldier, she grew up in a military barracks and she was working on the side of the law. She noted that when she left with Almamo Manneh and the driver from the office, she saw soldiers standing behind a big tree at the State House. When asked who the soldiers were, the witness mentioned Ousman Sonko, Ismaila Jammeh and Musa Jammeh.

The Lead Counsel interrupted the witness and said they should establish the identities of the individuals the witness had mentioned. He asked the witness what positions Ousman Sonko held. The witness said Ousman Sonko was once the State Guard Commander, Inspector General of Police and he was also the Minister of Interior. She also mentioned that she knew him because his wife had once been treated in the soldiers' clinic where she, the witness, was as well. Asked about Musa Jammeh's nickname, the witness said it was after the 1994 coup that she heard people call him Maliamoo goo, sometimes just Malia. She mentioned that she knew him very well because they were staying at the same place in Bakau Depot and his wife used to wash the clothes of her mother.

The Lead Counsel asked the witness whether she has seen Ismaila Jammeh testify at the TRRC as one of the Junglers involved in the killing of Almamo Manneh, which she confirmed.

She explained that she also knew him well because he used to come to collect food at their house to bring it to Almamo Manneh.

Binta Jamba noted that Almamo Manneh did not see these three men hide behind the tree, but she did. Her eyes met with the ones of Ousman Sonko and he removed his hat and bent down behind the tree. She said that she saw Baba Jobe⁵⁰ going towards the three men waving his hand at her and called her name "hey Binta!". He then walked towards her saying "your husband is a fool", noting that this was nothing unusual as Baba Jobe and Almamo Manneh had a joking relationship.⁵¹

She said that as she entered the vehicle, she asked her husband what the problem was and also told him about the three men she saw hiding behind the tree and told him that she thought that they were "up to something". The driver noted that he had seen them as well. She stated that she did not suspect anything by then, but that Almamo Manneh told the driver that he did not know what was going on but he would find out.

The witness said she went with her husband to see Sonko Gilen who wrote a cheque. A man called Momodou Turro Darboe was present and exchanged greetings with her husband. She explained that she and her husband proceeded to Gambia Islamic Bank. She said the cash amounted to 103, 125 dalasi and showed the copy of the cheque.

Asked what happened after she received the money, she said that they both did not return to work. Because her husband was very angry, she had suggested that they should go home and talk. She recalled that before they went home, Almamo Manneh called TK Motors (car seller) to talk to Tarik Musa, but was told by his brother that Tarik had travelled to England and was coming back on Saturday. They went home and Almamo released the driver to go back to State House.

She then called her brother to tell him that they received the money but that they could not buy the car yet because the seller had travelled. She gave the money to Almamo Manneh and he kept it in a plastic bag in his room. The witness recounted that Lieutenant Landing Sanneh, the then State Guard Commander came to their house on that day after 5 pm. She said he was in the sitting room and Almamo Manneh told him "Sanneh, I am tired now. Yahya Jammeh is at Kanilai (...). We used to talk directly on the phone. But now, he calls other people to come and give me the information that he wants to give me. He doesn't call me directly. This is strange to me. I don't know what is going on (...) but I will come to know what is going on".

The witness said that she remembered that Landing Sanneh told her "I do not know what is going on but whoever is with me will not have peace because Baboucarr Jatta does not like me".

⁵⁰Businessman and close associate of Yahya Jammeh, National Assembly majority leader of the ruling Alliance for Patriotic Reorientation and Construction (APRC) party from 2001 to 2003.

⁵¹The "joking relationship" is a relationship whereby those in the relationship can be frank to each other and should take no offence in case of teasing.

He explained to her that when he was in Liberia, he was accused of selling bullets to people and so a plane was arranged for him alone to bring him back to The Gambia, adding *"I don't know why, but Baboucarr Jatta is someone who is on my tail"*. She recalled that Landing Sanneh left the witness' house around 7 pm and her husband stayed home and only returned to work the following day, which was a Friday.

Binta Jamba noted that Almamo Manneh should have been off on that Friday but he was put on duties and he went to work. She noted that he told her that he did not know why he had been asked to go to work. He returned home that night around 10 pm to eat, noting that his shift was not over. She indicated that a friend of her husband, Sheriffo Jatta was there for dinner as well. After the meal, her husband received a call from Abdoulie Kujabi⁵² who asked him where he was. As he responded that he was home, Abdoulie Kujabi told Almamo Manneh that *"Yahya Jammeh has given your money to Ousman Sonko, so he will call you"*. She also noted that on that day Almamo Manneh had provided an escort to Zainab Jammeh⁵³ who was coming back from abroad from the airport to Kanilai.

The Lead Counsel asked the witness what that money was for. She explained that Almamo Manneh used to cultivate some groundnuts in his compound in Batakunkung as well as on the farm of a man called Samba Bah and said that Yahya Jammeh had bought all of it for his cattle in Kanilai, adding that however never paid Almamo. Binta Jamba recalled that less than 10 minutes after the call, Ousman Sonko called Almamo and asked where he was, telling him that he had his money and wanted to give it to him. Almamo responded that he was home and about to go back to State House. He left the house with Sheriffo Jatta, dropped him at his house close to Independence Drive and then proceeded to State House.

The witness explained that she went to bed but that around 3 am, her house telephone rang several times, and when she finally picked-up, Landing Sanneh asked her where Almamo was. She told him Almamo had left for duties after he had dinner and Landing Sanneh told her that he was being attacked in his house by some people. The Lead Counsel wanted to know whether Landing Sanneh had told the witness who was attacking him. Binta Jamba said Landing Sanneh just told her that

he was being attacked and he called the State House and they promised to send reinforcement but they did not come and that Almamo Manneh's phone was unreachable.

She said she tried to call Almamo too but he did not respond. She recalled that as she was sitting thinking about the whole thing, a soldier called Lamin Ceesay showed up at her house. The soldier asked her at what time Almamo Manneh had left the house and she told him that it was around 12 to 1 am and she also told him what Landing Sanneh had said on the phone and that she could not reach her husband. The soldier told her that they also heard the same information at the guardroom and that there was a standby and advised her not to open her door for anyone or receive telephone calls until they are sure of what was going on. He added that whatever information he would get, he would keep her posted because he was very close to Almamo Manneh.

The Lead Counsel asked the witness whether she spoke to anyone after that. She said she did not, and that Landing Sanneh called her again but she did not pick the call. Asked what happened the next day, the witness said she did not go back to bed until daybreak and when she went outside, she saw soldiers going in and out of the compound which was very unusual. She said even her neighbours decided to hide and she could not see anyone. She explained that she was supposed to go to work that Saturday but decided not to go. Almamo Manneh's nieces who were living with them asked her if she had spoken to their uncle and she told them she could not reach him. The eldest one told her that she was going out with the hope to find out about their uncle's whereabouts.

Binta Jamba said unknown to her was the presence of some soldiers in plain clothes watching her to see if she would go out or not. When asked whether she went out, the witness said she did go to The Gambia Ports Authority, which was under the immigration department and which was where she was posted. The Lead Counsel wanted to know what she went there for. She said she wanted to inform her boss

⁵²Deputy Director of the National Intelligence Agency, NIA at the time.

⁵³The then First Lady of The Gambia.

that she would not be able to work that day because her husband was nowhere to be found and she had to buy food for her kids.

When asked whether she did that, the witness said she did not because on her way she received a call from her sister urging her to return home immediately because soldiers were there and had opened Almamo Manneh's bedroom's door. She explained that she took a taxi and went up to the old Atlantic but the vehicle was not allowed to pass so she continued on foot. The soldiers however prevented her from passing even when she explained that she lived there. Her two kids saw her and they ran to her and the youngest one informed, crying, her that the soldiers were scattering their father's belongings. She indicated that she saw vehicles, a military jeep and two Peugeots, one of them being Ousman Sonko's.

The witness said that she was not allowed to enter her house until they were done searching it. She explained that the soldiers put Almamo Manneh's military uniform and boots in a bag and put them in Ousman Sonko's vehicle. She said that amongst those present she recognised Ousman Sonko, Kawsu Camara alias Bombardier and Paul Bojang. She confirmed that she referred to Ousman Sonko who later became Inspector General of Police and also Minister of Interior. Asked whether she talked to him, the witness said that she did not and that he did not give her anything. She recalled that all the soldiers, holding their AK47 rifles in their hands boarded their vehicles and followed Ousman Sonko's car.

The Lead Counsel asked the witness how she and her children felt at that stage and Binta Jamba said that she cannot describe the fear she felt at that moment. She explained that when she entered the room, her house help gave her a piece of paper and said it was from Ousman Sonko. She read the paper which said *"I have received 35,000 dalasi from Almamo's bedroom"*. The Lead Counsel asked the witness whether it was written "taken" or "received". The witness confirmed that it was written "received". The Lead Counsel asked the witness how much money she had in the house before she left for office in the morning. She said she left the exact amount she received from the bank: 103, 125 dalasi.

The Lead Counsel wanted to know whether she checked the money she left in the house after reading the note. She explained that her house help had told her that the money was the first thing they took, without counting it, as well as his briefcase and that Ousman Sonko took it with him in his car. Asked whether she saw the money they kept in the plastic bag, the witness said she never saw the money again. She stated that she did indeed see a plastic bag in Ousman Sonko's hand but did not know it was the same bag that entailed the money.

The Lead Counsel asked the witness to confirm that it was her testimony that Ousman Sonko understated the money he took from the house when writing the receipt, which she did.

Binta Jamba narrated that she took a taxi and followed the soldiers to State House because the money they had taken did not belong to her husband and also because the amount indicated on the receipt was incorrect. When she arrived at the gate, a soldier asked her what she wanted and she responded that she wanted to see Ousman Sonko and gave him her name. Binta Jamba recounted that the soldier did not come back immediately and that she asked another one who after a while informed her that Ousman Sonko would not see her. Binta Jamba explained that she insisted and while she was arguing one of her neighbours, a soldier by the name Mambiram Senghore saw her and asked her what was going on. After she told him everything, he said that he did not know what was going on either, but they were put on standby and begged her to go home to her kids. He then took a taxi with her and they went back to the Old Atlantic military camp.

She said her youngest child asked about his father when she alighted from the taxi, to which she replied that he might have "gone on a trip", but that she would find out. Once home, she received a call from

Paul Sambou, Zainab Jammeh's bodyguard at the time. He wanted to know what was going on and asked the witness whether she had spoken to Almamo Manneh. She told him that she has tried calling him but he was unreachable. Paul Sambou told her that he also called Almamo but could not reach him. Binta Jamba explained that shortly after that Paul Sambou went to State House and got **arrested**, and did not hear anything from him afterwards.

She narrated that another soldier, Sergeant Bakary Dampha came to her house also enquiring about Almamo Manneh and she explained that she did not know and could not reach her husband on the phone. Bakary Dampha went to the guardroom and got a Kanilai telephone number. In the meantime, Binta Jamba tried to call Almamo Manneh's cell phone again and someone picked-up the call and she heard a voice in the background saying "*Ismaila, Ismaila don't tell her anything*". Asked whether she found out who answered the call, the witness said it was Ismaila Jammeh (she mentioned that she recognised his voice as she knew him well) but he claimed to be a man called Lamin Manneh and told her that Almamo was attending a meeting in with Yahya Jammeh and that he would call her when he was done. She said that they never called her back.

The witness said Bakary Dampha came back to her house and asked her whether she had reached Almamo Manneh on phone, and she told her what just happened, and that it was strange because Almamo never gave his phone to anyone else. Bakary Dampha decided to call the number in Kanilai that he had and put the phone on speaker. Yahya Jammeh himself answered the phone and asked who was calling, to which Bakary Dampha introduced himself.

Yahya Jammeh then asked why he was calling and Bakary Dampha explained that Almamo Manneh's family was worried about his whereabouts. She said Yahya Jammeh responded "tell them to listen to GRTS at 6 o'clock".

Asked whether she watched the Gambia Radio and Television Services, GRTS news, the witness said she did. She narrated that until it was time to watch the television, Bakary Dampha and Almamo Manneh's elder brother stayed with her and her children in the house. She explained that the moment Bakary Dampha stepped out to go back to his house, Kawsu Camara alias Bombardier and some other soldiers stepped in with some other soldiers wearing masks over their faces. Kawsu Camara pointed his AK47 up in the sky and **shot** in the air. Asked how she felt at that moment, the witness said she thought they were there to **kill** them all. She said they **tied** Bakary Dampha's hands and put him in their vehicle and went away with him.

After a while, she put on the TV and Almamo Manneh's nieces advised her to leave the place but she refused. The evening news announced that Almamo Manneh and Landing Sanneh wanted to overthrow Yahya Jammeh's government but Almamo Manneh was stopped at Sting Corner and "lost his life" during the cross-fire. Footage of a Peugeot car was shown on GRTS. She saw the number plate of the car and realised that in fact it was not Almamo's vehicle.

The Lead Counsel asked the witness whether the government had contacted her to let her know that her husband **died**. The witness said she only saw it on TV. The Lead Counsel wanted to know what happened to the witness after she saw that on TV. Binta Jamba said she, her kids and Almamo's family members were all crying. She explained that all of a sudden, soldiers came back to her house led by Paul Bojang who told her that Ousman Sonko said she should leave the house and hand over the key to them. She asked them if she could park her belongings, but they said she should not go with anything. She remembered that her kids, who were very little by then, were scared and were holding on to her shirt.

The Lead Counsel said he would take the witness back a bit. He said the witness had testified that Ousman Sonko and some other soldiers went to her house a day prior, ransacked and took away the bag

the money her brother had sent her, was in. He asked the witness whether she knew how Ousman Sonko got access to the room where the money was kept. The witness said Almamo Manneh's car key and his room key were attached together, adding that she did not know how Ousman Sonko got access to that because even she did not have access to those keys. The Lead Counsel asked the witness whether she was suggesting that Almamo Manneh's keys and his phone were in the possession of the soldiers after he was **killed**. The witness stated that she thought that this is what happened.

The witness noted that the soldiers did not even allow her to pack a few clothes for her kids. She explained that she went to State House the following Monday early in the morning with Almamo Manneh's brother and stood at the gate and when asked why they were there, she responded that they wanted to see Ousman Sonko and also needed her husband's corpse. The soldier went in and after a while Musa Jammeh aka Malia and his wife came out and asked her what she was doing there. She recalled that Musa Jammeh *"what are you doing here, do you wear the hijab now?"* She said the wife told her not to answer to him, and he laughed and went away. She mentioned that he later came back, passed by her and went inside.

The witness recounted that she later heard noise and saw people were running from the Banjul market. Asked whether she knew what was happening, she said she did not know by then and narrated that vehicles started coming from the market area towards State House and soldiers in the vehicles were sending people away. She however did not leave and went to the McCarthy Square where she saw someone lying in a vehicle, wearing a military uniform, and the moment they passed, drops of blood came from the vehicle.

At this point, Almamo Manneh's brother told her "let's go. I heard they killed Dumbuya."⁵⁴

She said she told him that she was not going anywhere. Musa Jammeh came out again, told her to leave saying that they would call when they are ready with Almamo's issue, adding that his dead body was at the mortuary.

The Lead Counsel asked the witness whether she went to the mortuary. She explained that she did not, but Almamo Manneh's brother did and the person he met there told him that Almamo's corpse was not there. The witness narrated that during that week, she went to State House everyday standing at the gate.

On Friday, Musa Jammeh told her that she should not go come back adding that because Almamo Manneh died in line of duty and they were not going to hand over his corpse.

The witness said she cried as she was going and Musa Jammeh asked her *"why are you crying? Every person will die. Almamo is dead"*. She stated that she went home and around 6 pm to 7 pm, Ousman Sonko went to her house followed by other soldiers. She confirmed that he had been promoted to State Guard Commander by that time. She indicated that she was living at Tujereng but the soldiers used to go and surround the compound every day for three hours or so and later go away.

The witness said Ousman Sonko came inside her house and said he wanted to see her. Her mother advised her that she should not say no to anything he might say. She explained that Ousman Sonko asked her whether she had spoken to the media and she said no, noting that in fact she had already granted an interview to the journalist Chief Manneh from the Observer.⁵⁵

Ousman Sonko had a pistol in his hand and told her that she should not talk to the media if she wants to survive, and that they would let her know when they are done with their investigations.

⁵⁴Corporal Momodou Dumbuya.

⁵⁵Chief Ebrima Manneh was arrested and forcibly disappeared in 2006.

Ousman Sonko also asked her whether she told her family about the money. She said she replied to him “*the amount you said you took is not the amount that was in the bag*” and Ousman Sonko asked him about the note he left for her. The witness explained that while she had the note with her, she claimed that she did not have it. Ousman Sonko told her to make sure to find it before he came back next time.

Binta Jamba testified that Ousman Sonko and Musa Jammeh sent some soldiers to Almamo Manneh’s compound on Saturday and took all the building materials there. They wrote everything they took on a piece of paper and gave it to Almamo’s niece who was present. She said they went with two military trucks and took away 150 bags of cement, 303 sheets of colligate and tiles (she does not know the amount) plus four toilet seats and some building rots.

Asked whether she saw Ousman Sonko again, the witness said she did, that he went back to her house after one or two weeks. The witness confirmed that at that time she had started the formal mourning that is expected of a Muslim wife when her husband dies. Binta Jamba explained that she was living with her mother and that she was staying in one room together with her children. Around 8 to 9 “o’ clock”, they saw a vehicle coming. At this point, the witness said she wanted to briefly mention what happened to her first son, who she explained was not Almamo Manneh’s son but the one she had with her first husband. She noted that all of her children were afraid of soldiers and would run away when they saw soldiers coming. On that day, her oldest son was on top of an oxcart and when he saw the soldiers, he got scared, he jumped off the oxcart, fell on the ground and the oxcart ran over his head. The witness said that had an impact on him and that blood came out of this nose when he blew it. She said that they later understood that he suffered from a **brain injury** and two years after the incident he started to have seizures. The Lead Counsel wanted to know whether the witness’ son was accustomed to seeing Ousman Sonko go to her house. The witness responded that even her 4-year child would recognise Ousman Sonko.

Binta Jamba narrated that Ousman Sonko entered the house and said he wanted to speak to her. She noted

that she could never say no when he said he wants to see her because of the manner in which he appears “*with the weapons he has, he can kill me*”. Ousman Sonko asked if she was okay and added that they were still investigating Almamo’s issue and would let her know when they were done. She stated that he was dressed in civil that day and carried a pistol. Asked whether she saw the pistol, she responded that Ousman Sonko used to remove the pistol from his trousers and place it on the table so that she could see it, which he also did that day.

She added that she was in mourning clothes by then and her head was covered. She explained that he took her veil off asking her if she was not feeling hot, but she said she was not. He came closer to her and put his hand in her garment. She removed his hands and moved away from him and asked him to leave her alone. She said he asked her “*what are you doing? Are you not a grown-up?*”

She responded that was not the way she behaved and that she was mourning. Ousman Sonko told her “oh, I forgot, but do not worry, this is nothing.” She narrated that he forced her and touched her breasts and put his hands inside her pants.

The Lead Counsel wanted to know how the witness felt when Ousman Sonko was doing that. The witness said if she had the power to reach the gun on the table, she would have killed him. She said only Allah knows what she felt and she still cannot get over the pain. She explained that he eventually left saying that he would call her, which he did as soon as she had completed her mourning. She recalled that she completed her mourning on a Friday and went to work on Monday without covering her head. She said that at the time she was not aware that an NIA officer had been detached to her work place to watch her movements. On that day, Ousman Sonko sent a soldier to tell her to go and see him at State House the following morning.

Binta Jamba said that the next morning she went to State House and was escorted by soldiers to Ousman Sonko' office, noting that it used to be Landing Sanneh's office. She explained that when she went in and sat down, Ousman Sonko locked the office door and put a briefcase on the table. He opened the briefcase and told her that he wanted to hand over Almamo Manneh's personal items. He gave her a bankbook and told her that it belonged to Almamo and she should take it to "creator", but she did not know where that was. She said when Ousman Sonko gave her the briefcase she told him that the briefcase was damaged, they argued for a while until Ousman Sonko told her that it was none of her business and put everything that was inside in a plastic bag and gave it to her.

She narrated that Ousman Sonko went to where she was sitting, kissed her and then went back to his seat and asked her to sit on his lap. The Lead Counsel asked the witness how she felt at that moment. She said that at this point in time she was in fear because he had locked her inside the office and thought

“what if he kills me or takes me to a place where they can do anything to me or kill me”. She said **Ousman Sonko** pulled her skirt and **he took off his belt and pulled down his trousers “he told me to hold the chair and bend down”.** **The witness** said she started to **cry** and he asked **why she was crying, telling her that she was behaving like a child.**

She said his orderly suddenly knocked on his door and he hurriedly wore his trousers and told her to quickly wear her skirt. The witness stated that committing **suicide** was the only thing on her mind at that point. She said she could not go back to work, so she went straight home to Tujereng and that he gave her D200 for her transport.

The Lead Counsel wanted to know whether Ousman Sonko succeeded in **forcing himself** upon the witness

on that day. The witness said he had his way, but the knock on the door interrupted him. Asked what he did to her, the witness said he forced her to have **sex** with him inside an office. She added that what happened that day would ever stay on her mind and that she will never be able to forget it. The Lead Counsel asked the witness whether she showed him that she was not consenting. She said she did because they had a push and pull, that she begged him to let her go and that she did not want this. The witness indicated that she refused to take the money he gave him, he insisted saying that it was for the children and when she refused again, he forcefully put it in her bag. She added that because she was **crying**, he took a napkin from his desk and he himself wiped her face, saying she cannot leave his office like that.

The witness further explained that she eventually left State House and went home, but she did not go to work for the rest of that week. Asked whether she saw Ousman Sonko again, she said he came to her house on Friday while she was sitting in the house with her children adding that the children ran away when they saw him, as they always did. When the Lead Counsel asked why they did that, she explained because of what they saw on TV, the gun he always had and his military uniform.

She narrated that Ousman Sonko told her that he wanted to see her, and she asked him if they could stay outside, but he insisted that they should go inside her room. She went into her room and sat on her chair, Ousman Sonko put his hands on her shoulder and said *“on the whole you are a very beautiful woman”*. She moved away from him, and he told her *“last time I came here you said you were mourning, now that you have completed, what has happened?”* She told him she did not like what he was doing to her and then he got hold of her wrist and he pinched her continuously. She said he dragged her to her bedroom and pushed her on the bed. She put together the bottom of her wrapper and held it tight and **begged** him to leave her. She said all that while she thought maybe she did or said something wrong to him and she was afraid he was going to **kill** her.

The Lead Counsel asked the witness whether he carried anything on that day. She said he was having his pistol and he placed it on her bed head when he was undressing. The Lead Counsel wanted to know whether the way he held the **pistol** made the witness feel anything. She explained that Ousman Sonko always threatened her with the pistol any time he came to her house he would tell her *“you know I have warned you”*. Asked what he used to warn her of, the witness said he used to warn her not to talk to the media and that he did not want to see any man around her.

The witness further explained that Ousman Sonko took off his trousers and his shirt and lay down on her bed. She went into her bathroom and pretended as if she was going to ease herself, then she wore a short on top of her underwear and went back and sat down on the bed head. Ousman Sonko asked her if she was not going to lie down. She stated that she did not “make a lot of noise” or open the door because Sonko was there with a gun and could have become angry and tell the soldiers to take her away and do whatever he wanted with her, or she said, hurt her children. The witness testified that Ousman Sonko had his way with her that day.

She said he **strangled** her neck and said *“what do you think you are? You think that I am not a man? What is the problem?”* The Lead Counsel wanted to know what the witness meant when she said “he was able to have his way”. She explained that Ousman Sonko asked her whether she was going to take off her short or not, and she lied that she had her period. He said she should lie down and would find out if it were true. He pushed her on the bed and took her shorts off and then **strangled** her neck saying she lied to him *“he abused me seriously”*. Asked how he **abused** her, the witness responded, *“he abused me sexually”*. She confirmed that Ousman Sonko had sex with her.

The Lead Counsel asked the witness whether she consented to it. The witness said she did not. Asked whether her testimony is that Ousman Sonko raped her, the witness responded “a forceful rape”.

The Lead Counsel wanted to know what happened next. The witness said after that day, Ousman Sonko used to go to her house all the time and “made it a routine” and whenever he left, her youngest son would ask her why she was crying, what had happened and if Ousman Sonko had told her where his father was. The Lead Counsel asked the witness for how long this continued. The witness said it lasted for one year and some months. She said she started running away from him; she would go to her friend’s house because he usually came on Friday nights.

Binta Jamba explained that one day he came to her house and they told him that she had gone out, but they unfortunately they met on the way as she was going home. Ousman Sonko recognised the vehicle because it belonged to Almamo Manneh, so he made her stop at a check-point and asked her where she was coming from. She told him that she was coming from work but he did not believe that and asked her to get in his vehicle so that they could talk. She instructed her driver to go home, saying that they would meet later. Ousman Sonko took her all the way to Banjul and all that while, she thought he was taking her to the NIA so that they could beat her up. She explained that he took her up to Independence Drive, and there was a building opposite the State House, people used to say that was the residence of Jawara’s cooks. Ousman Sonko opened the gate himself. She described that inside the compound, there was a single room on the left-hand side of that compound and Ousman Sonko told to go to the room. The only things in the room were a bed and a bucket. She said Ousman Sonko sat down and told her *“today you are not going anywhere”*.

The Lead Counsel wanted to know what position Ousman Sonko was occupying in government. The witness said he was still at State House as Commander of State Guards. She narrated that he told her he would be back, and he locked the door from outside when he went out. She was worried and kept shaking the door but it did not open. He came back after two or three hours, undressed, folded his clothes and told her *“what are you waiting for? Won’t you lie down?”*. The witness noted that there was an AK47 rifle in that room and she saw it.

She stated that she had looked under the bed before **Ousman Sonko returned and she saw military boots and a pair of slippers, which looked like Almamo Manneh’s slippers.**

The witness said Ousman Sonko **forced** her “seriously”, he **slapped** and asked her if she had a boyfriend because she was not home when he came. She said she told him that she does not have time for that because her husband died not long ago and her kids were small. She told the Commission that she was very angry that day and asked him “*your wife, Amie Ndong, would you like another man to do the same thing to her?*” to which he replied “*do not tell me that. I could make you a second wife if I want to*”, to which she replied “*you already have two wives*”. She begged him to leave her alone and allow her to go home but he refused. Binta Jamba stated that that night Ousman Sonko **sexually abused** her throughout the night, until the morning, adding that he did not let her go the following day’. The Lead Counsel wanted to know whether he was carrying anything on that day. She said he was carrying his pistol. She stated that he would sometimes point his pistol at her and say “*I could kill you here and nobody would know about it*”. Asked whether she consented to have sex with him on that night or day, she said she did not consent to it; he forced her and **raped** her twice.

The Lead Counsel wanted to know what happened the following morning. The witness explained that he did not let her go; he left her there and went to State House, adding that she could not even wash herself. He sent a soldier to take a loaf of bread and soft drink to her. Asked whether she consented to be in that house throughout that period, she said if she had found a way to get out, she would have. But she was locked in and did not know how to escape. The Lead Counsel asked the witness whether she is saying that he **kidnapped** her, to which the witness said yes.

She went on to explain that when the orderly came and gave her the food, he asked her what was going on and she told him it was nothing. She said that by that time she had already urinated in a pan in the room. She

begged the orderly to allow her to use the restroom and he did. She came back to the room and he told her he was very sorry, and that it was painful, but he has been given an order to lock her in the room and go. She said the boy left and Ousman Sonko did not return until at night and he brought “*afra*” (roasted meat) but she refused to eat it. He asked her why, wondering if she wanted to leave him. She explained that she begged him to let her go, that her kids were at home and she had been away since yesterday.

He refused to let her go and insisted that she should tell him whether she has a boyfriend or not. She slept there that night as well and he **abused her sexually** until the following day, which was a Sunday.

Asked how he abused her, the witness said he forced her to have sex with him by force. Asked whether he carried anything with him, the witness responded “his gun” and said that he placed it somewhere so that she could know that he was armed.

She recalled that sometimes he would shake the gun at her and tell her that if she did not agree “to his **terms**” she would see what he would do to her. She remembered that he once told her that if he saw her with another man, he would kill her.

The Lead Counsel suggested that the witness should have been accustomed to seeing guns at that stage because her husband was a soldier. She said her husband never entered the house with a gun because in 1995 he accidentally fired his gun while cleaning it and from that moment on, he left it either at State House or in his vehicle. Asked whether that incident had an impact on her, she explained that it could have killed her and that she could not forget that incident. She stated that she did not even allow her kids to go into the house with toy guns now that she lives in the U.S. Asked whether she had a phobia of guns, the witness confirmed that she had a fear of

guns and that this was the reason she did not allow her son to join the army. The Lead Counsel concluded that when she saw Ousman Sonko's gun, she felt fear.

The Lead Counsel asked the witness whether she took any steps against Ousman Sonko after that incident. The witness explained that she approached one of her bosses at the immigration, Lang Demba. She was afraid to tell him the truth, so she told him that she needed a transfer because travelling from Tujereng where she was living to Banjul was too costly for her. She was eventually transferred to Bakau and Ousman Sonko kept looking for her in Banjul for three weeks. She explained that one evening Ousman Sonko went looking for her in Tujereng but was told that she was at a wedding, to which he went to look for her. He questioned her on why she went to work in Bakau. She said she told him that Bakau is closer to her that is why. At this point in her testimony, she said that she had a picture of him but that unfortunately the photo got lost.

Asked why she took that photo, the witness said she did that for the purpose of evidence in case there was a change of government she could get justice.

The Lead Counsel wanted to know whether the witness continued to serve at Bakau or whether she was moved to another place. The witness said after Ousman Sonko had gone to see her, she went to see her boss, Lang Demba the next Monday at the Immigration Headquarters and asked him to transfer her to a place farther away. He enquired why she would do so, since she had children, but she told him that she could not explain the entire story to him. When the Lead Counsel asked her why she did that, she said that she was running away from Ousman Sonko because of the **sexual harassment** she was suffering. The witness said she was finally transferred to Hamdalie. Asked whether Ousman Sonko was aware of it, she explained that he called her director to find out where she was.

Binta Jamba explained that once she was posted in Hamdalie, she would get her children to visit her but would

not go back home for the weekends. She noted that she did all of this to stop Ousman Sonko from seeing her, adding that he continued to call her asking why she was not coming back for the weekends. The Lead Counsel wanted to know whether she did anything to run away permanently from this ordeal while she was in Hamdalie. She explained that she met an old soldier, Benjamin Wilson who was Almamo Manneh's friend. He asked her what she was still doing in the country and she told him that she has tried to find work in Dakar but without success. Benjamin Wilson advised her to apply for a visa and they would see how best they could help her. She explained that she went to the American embassy in Dakar and asked them to save her life. She recalled that the counsellor took her passport and went inside but at that moment she saw a man called Lieutenant Kambi who went inside. When the counsellor came back, he told her that Kambi had said that she did not have any problems in the country. She said that she thinks that Kambi blocked her visa because he used to have problems with Almamo Manneh and was therefore angry at her.

Binta Jamba explained the steps she undertook to file for asylum in the U.S., which she got in 2003. She noted that she came back in 2005 because her first son had gotten very sick and she wanted to see him. Asked whether she saw Ousman Sonko when she came back, she explained that six days before she went back to America, a soldier came to their house and called her name and she asked who the person was. She said her younger brother told her

“it is Malick Jatta, Jitti”. When asked, she confirmed that it was the same **Malick Jatta, the Jungler, who had previously testified at the TRRC**. She said they greeted each other and he left, then she asked her younger brother ***“who is this man?”*** and he told her people are even afraid to talk about that man.

She said Ousman Sonko called her mother's phone the following day and asked for her. When she took the call, he asked her when she came, to which she responded that she had been there "for some time". When he asked her where she was living, she told him Dakar, to which he replied that she was lying. She narrated that Ousman Sonko went for her that night and took her to Banjul in the same building he once took her. Asked whether she agreed to go with him, the witness said she did not know where he was taking her, because when he came to her house, he just told her that he wanted to talk to her in the vehicle, but once she got in, he departed. She stated that he took her in that room angrily. The Lead Counsel wanted to know what his position was in government at that time. The witness said he was the Inspector General of Police.

Binta Jamba recounted how Ousman Sonko threw her on top of the bed and her head hit the wall. He asked her whether she was in America and when she admitted it, he asked her why she was lying, he also asked whether she had an asylum but she told him she did not. She showed him her Gambian passport and he took it from her. Asked whether he gave her back the passport, the witness responded, "*my passport is with Sonko up to now*". She explained that in fact she had another passport that she used in the U.S.

The Lead Counsel asked the witness what happened after he took her passport. She explained that he pulled her from the bed and told her "*today I am not here to joke*" and **hit** her on the face until two of her teeth became loose. She noted that she had to remove them in America and replace with fake teeth. She said Ousman Sonko **beat** her up so violently that she thought that he would kill her, adding that she still has scars of that **beating**. During the beating, he kept asking her whether she had applied for an asylum and whether she had reported that he had **raped** her, whether she had mentioned his name and all the things they did to her. He also told her that even if he had warned her not to speak to the media, the Independent Newspaper reported about her. She said that she denied everything because she was suffering so much from the **beating**.

The Lead Counsel asked the witness whether he had let her go after the **beating** and interrogation. She said he left her there until the following morning. The soldier Ousman Sonko had once sent to give her food, came and helped her escape. Asked whether he **raped** her that night, the witness said he did because "this was his way". She said he took a towel and started cleaning the wounds on her face saying he did not mean to beat her up, and after that he **raped** her and said he wanted to know whether she had slept with American men. She said that she was crying, asking him what she had done to him.

The witness told the Commission that the soldier, a Jola, who helped her escape had asked her whether it was **Ousman Sonko**, his boss, who kept her hostage noting that he used to bring other women in that building.

The soldier told her he was going to leave the back door open, so that she could go out and leave and told which route to take, which she did. When she reached home, she did not explain anything to her mother and pretended that she had to hurry in order not to miss her flight; left all her money with her mother and took the ferry to Senegal and travelled to America. The Lead Counsel concluded that once again, she ran away from Ousman Sonko.

The witness recounted that she came back to The Gambia in June 2007 to take her children, but this time around Ousman Sonko did not see her. On her fifth day in the country, Dawda Ndure, a native of Tujereng went to her house. She said she did not know that he was working with the NIA. They greeted each other and he told her that Ousman Sonko gave an order for her **arrest**. He explained to her that he was not the only NIA there, others surrounded her compound and he was asked to go and see whether she was there. Dawda Ndure told her that he could not **arrest** her because she was like his sister. He

added that the place they were told to bring her was “very bad”. He urged her to hide so that he could tell his colleagues that she was not around. She said her mother and Dawda Ndure helped her hide behind the wardrobe until when her uncle arrived who then drove her to Daselameh village where she spent the night.

She narrated that she went to Ziguinchor the following day which was a Friday. She had memorised the number of the Ministry of Interior and asked to talk to the Minister, Ousman Sonko. The secretary transferred the call to him and she asked him why he was so mean to her and why he would not let her be- He asked her where she was and she said she would not tell him but asked him if he would have done the same to his wife or mother. He hung up the phone but she called back and insulted his mother. He then asked her what the problem was and she told him about the NIA coming to her house and the fact that (as her mother had informed her) he had sent soldiers to take her kids that night. She explained to the Commission that he had she had already sent somebody to take her children from Tujereng.

The Lead Counsel asked the witness whether she ever saw Ousman Sonko again. She said she saw him in Switzerland, in court. She stated that she took him to court so that “the entire Gambia” and the world to know what he had done to her, that he **killed** her husband, did not “spare her, nor her children”. Asked whether she testified at his trial in Switzerland, the witness said she did and that she said more than what she said at the TRRC.

Asked whether she testified that he raped her, the witness said she did.⁵⁶ She said she testified that Ousman Sonko raped her more than 70 times.

Chairman Sise thanked the witness and highlighted that this was yet another terrific story of abuse by those in powerful position against someone who was extremely vulnerable, wondering how someone could have be more vulnerable than her, highlighting that her husband got **killed** and that she was still mourning when the first episodes of **sexual abuse** started. He noted that

her children were frightened and that she feared being taken away from her children. He praised everything she did to get reunited with her children and expressed his dismay for everything she had to endure from people that were very powerful.

In her closing remarks, Binta Jamba said she would like Gambians to know that The Gambia belongs to all of them and that everyone is a victim of Yahya Jammeh’s rule. She noted that all Gambians share the same mother and father and that ethnicity did not matter but Yahya Jammeh’s government brought about tribalism. She stated that there were people who had told her not to testify at the TRRC but she noted that she has learned about the cause of her husband’s death through and without this Commission she would not have been able to know who killed Almamo Manneh. She expressed her appreciation to those who testified and to Essa Faal, who she said was doing a good job. She mentioned that many mothers were listening to the TRRC proceedings the entire day and said that God will reward the TRRC.

Persons Mentioned By Witness During Testimony:

Rape

Ousman Sonko

Torture

Ousman Sonko

Kidnapping

Ousman Sonko

Extrajudicial killing (of Almamo Manneh)

Ousman Sonko

Arbitrary arrest (of Bakary Dampha)

Kawsu Camara alias Bombardier

⁵⁶It is to note that at the time of publishing the trial of Ousman Sonko has not started. Binta Jamba faced Ousman Sonko during her testimony against him during the investigation phase.



Photo: ©Jason Florio

A former beauty queen, Fatou (Toufah) Jallow came forward with her story in June of 2019 accusing former President Yahya Jammeh of raping her. She has since been campaigning against sexual violence using the hashtag “IamToufah”. She testified before the TRRC on 31st October 2019.



WITNESS NAME: Fatou A. JALLOW (known as Toufah)

TRRC HEARING DATE (S): 31st October 2019

EVENT (S) DISCUSSED: Her rape by Yahya Jammeh and the impact it had on her life

POSITION BEFORE THE EVENT (S): Student

ROLE DURING THE EVENT (S): Winner of July 22nd Beauty and Scholarship Pageantry

POSITION AT THE TIME OF TESTIMONY: Student

SUMMARY OF TESTIMONY:

Toufah Jallow started her testimony by recalling her educational background, noting that she is very bad with dates. She explained that she first went to an Arabic School explaining that she was fascinated by the Quran but also that this institution did not offer many after school activities, which allowed her to go home early in the afternoon. At the time, she said, her mother was still studying and her father was working, so she was the one taking care of her disabled younger brother. She added that she was responsible for him, for washing him and finding him when he got lost, from a very early age on. Later, her father paid someone to look after him and she could join an English school.

Asked to explain how she heard about the 22nd July Pageantry, Toufah Jallow said that she watched its live retransmission on television with her cousins and sisters when she was young. She recalled that they would stay up until 3 am in the morning to see the entire show and she, like her relatives, wanted to participate in it when she grew up, because it was a scholarship pageant. She noted that the girls participating in it were brilliant and

excelled in drama and singing. She described them as being the best the country could offer, displaying many talents. She noted that the pageantry was very empowering for the participants and covered important topics such as early pregnancies, female genital mutilations, FGM and HIV.

Toufah Jallow explained that the concept of the competition was to give girls a platform to show their skills and offer scholarships to the most talented of them and that was why she wanted to take part in it. Responding to the question if she knew some of the previous winners and what they had received, she said that she was familiar with four or five contestants through her elder sister but that she never spoke with them about the prizes they got. From the advertisements, she knew that one could get a scholarship abroad and that some had come back to The Gambia to serve in various positions. She noted that in 2014 however she did not think of the pageantry, especially because there was no television at her mother's place. That year, she said, she had reluctantly enrolled at the Gambia College not having sufficient grades in math to go to University, which she really wanted.

Toufah Jallow recalled that one day, as she was attending classes at the Gambia College, she was approached by some of her comrades who encouraged her to take part in the selection for the 22nd July Pageantry. As the process had already started, she missed the first rehearsals and joined at the very end just before the preliminary selection round, which was like a "mini pageantry". She described how she ran to the market to buy a dress and then took shoes as well as a traditional Fula dress and traditional accessories from her mother. The selection round involved different schools and when it was her turn, she made a one-woman drama display on how to alleviate poverty and became second.

Toufah Jallow then described the preparation for the national pageantry: the 22 short-listed girls were accommodated at the Paradise Suites Hotel for one or two weeks (she was unsure of the exact period). She noted that families were not allowed in, in order

to prevent them from bringing in jujus and ensure that the girls would prepare themselves without any outside help. The persons in charge of their supervision were “Aunty Tida” (Jatta)⁵⁷ from the Gender department of the Ministry of Education as well as two other women from the ministry, whose first names were Ida and Aisha (she did not recall their last names). She later noted that they were told not to interact with men, notably the drivers who would come to the hotel.

The preparation included various physical exercises, meditation, self-confidence, cat walk and how to wear heels and keep the balance; they also had to learn a group dance. Different artists and professionals including from the Gambia Radio and Television Service, GRTS, came to prepare the girls. They were also expected to work on “a talent” and Toufah Jallow decided to learn how to play a traditional Fula instrument called a riti. She recalled that the atmosphere during the preparation was “great” and that it was a “girl-camp atmosphere”, in which she felt good despite her introvert nature adding that she only appears to be extroverted when she is in public.

Talking about their expectations, she explained that they all assumed that the winner would get a scholarship but they were also aware that apart from the scholarship “it all depended on the President” who could give “extra stuff or gifts”. Asked if they knew from whom the scholarship came, she confirmed that it was “made very clear that he gave the scholarship”. She explained that they were told by the persons from the Ministry of Education that *“if you win, the Ministry of Education works towards your scholarship. You might get it, you might not get it, it also depends”*. Normally the winner would get a full-paid scholarship for a school abroad, while the other winners would get scholarships for Gambian institutions.

She noted that for her, the main incentive was to get a scholarship to study abroad and leave the country and added that she and the rest of the girls really gave “their all”, fully knowing that it ultimately all depended on the Yahya Jammeh.

At this point, Toufah Jallow noted that during this period, well before the contest, she kept applying for schools and had been accepted into two institutions.

Moving on to the day of the competition, which she believed happened on the 21 or 22 November 2014,⁵⁸ Toufah Jallow noted that everybody was really nervous. She recalled that several ministers were sitting front row, and next to them was the pageant who had won the year before as well as other people, including judges (some were former contestants). She recalled that it was a “long night” of talent display and that at the end of it, the winners were announced and were given gifts such as clothing and baskets with flowers. She was the (main) winner for tertiary institution but there were also other categories such as Miss Photogenic, Miss Congeniality. Toufah Jallow recalled some of the names of the winners, which were: Awa Jammeh, Fatou Mbenga, Fana Mbow, Halimatou Bah and Safiatou Baldeh.

When asked what happened after the competition, she explained that everybody went home and that no-one had told them what would happen next, except for the fact that at some point they would meet with the President for a courtesy call. She added that they were not required to do anything with the Ministry of Education. She remembered that the courtesy call did not happen immediately and that she started to get involved in acting with a director called Femi, and a famous actress called Monica Davis. Toufah Jallow said that she was on the set when she received a call from “Aunty Aisha” from the Ministry of Education telling her that the President would be receiving an award for food sustainably from an outside partner and that the winners of the 22nd July Pageant were expected to attend the event. As she declined the invitation, she received a call from a woman using a no-caller ID number introducing herself as Jimbee Jammeh from Protocol. Jimbee Jammeh, with whom the witness said she never interacted before, told her that “wearing the crown comes with responsibilities” and that it would not look good if all the other winners were there but not her.

Toufah Jallow told the Commission that she the film was more important to her and that she therefore

⁵⁷Tida Jatta testified at the TRRC on 30th October 2019.

⁵⁸According to our research, the competition was in fact held on 6th December 2014.

claimed that she was suffering from menstruation cramps and could not go, which she admitted was a lie. Soon after that call, her mother, who worked at the Ministry of Education, called her as well and insisted that she go, explaining that colleagues had reached out to her and so Toufah had to give in. While a friend of her mother went to their house to pick up her crown and a dress, Toufah Jallow and her mother drove to Banjul.

The witness explained that as she arrived at State House, she was shown her seat by a Protocol Officer called Aisha Barry. When the other girls asked her why she was late, she maintained her story about the menstruation cramps and said that she had to force herself to come. The ceremony was an official one and she noted that it was the first time she saw the President that close. As it ended, Jimbee Jammeh told the girls that the President would meet them briefly but that an official ceremony would be organised later. When asked how many other winners were present that day, Toufah Jallow reckoned that they might have been around 10 as some were living far away from the capital. As they were waiting for Yahya Jammeh to finish praying, Jimbee Jammeh introduced herself and the girls discussed amongst each other.

Toufah Jallow recounted that when Yahya Jammeh finally arrived, he greeted them, made a lot of jokes and congratulated them noting that he watched the show and considered that it was “a good batch”. He also asked her about her stomach, teasing her saying “*you Fulas, you are always afraid of every little thing*”. He then offered a bottle of medicine, which looked like black water according to Toufah Jallow, and praised it for being effective against menstrual cramps. She explained that she was first reluctant to drink it but as he insisted, she did. With a hint of irony, she described how all the girls started talking about their medical problems, such as headaches, and how the President explained that the medicine was good for that as well. He also claimed that the medicine would not only cure the cramps now, but for the future as well. So, all the girls started drinking some and she was told to take the bottle home.

When asked if it had helped, Toufah Jallow smiled and said that while in front of the President she pretended that it did, she still suffers from cramps every month. Before leaving, she and the girls received some money,

she got 50,000 dalasi but said that she did not know how much the others got. She noted that during this first encounter, President Yahya Jammeh advised them to take their education seriously and focus on it, that they should not let the crowns to their heads and told them to remain modest.

When asked what her first impression had been, Toufah Jallow noted that she felt that Yahya Jammeh cared and that his advice was timely “because a lot of people try to sexualized women on stage and it was good to be remembered not to fall for that”.

Focusing on the official courtesy call with the President, which happened on 24th December 2014, Toufah Jallow explained that the winners had to spend two days and one night at the same hotel to prepare for the meeting. “Aunty Ida” from the Ministry of Education taught them how to behave in the presence of diplomats. They also had matching clothes made and rehearsed a song. Asked if the girls had to miss school or if they were already on holidays, Toufah Jallow said that while she did not remember exactly for this occasion, they later missed a lot of days as they were requested to attend many official events including in Kanilai. She remembered that one day the Headmistress asked her mother why her daughter was missing so many days in school. At that point, the Deputy Lead Counsel noted the contradiction of the Pageantry and the speech of the President, which had an emphasis on education, while in fact the winners missed a lot of days in school whenever they had to attend official events.

Toufah Jallow told the Commission that the courtesy call took place at State House and was an official event that was shown on national television. The Vice-President, the Minister of Education as well as other ministers were in attendance and she recalled that the Vice-President⁵⁹ made a speech saying how

⁵⁹Isatou Njie-Saidy.

amazed she was at the displayed talents and that she had hope for the future of The Gambia. The witness noted that she was very inspired by the fact that the Vice-President was a woman and when it was her turn to speak, she thanked Yahya Jammeh for empowering women and giving the winners an opportunity for a lifetime. The President spoke last and warned the girls not to jump into marriages but to concentrate on their education and told them to make sure to come back to the country when they were done studying.

The witness then referred to the press release that was posted on the official website of the State House at the time, and that summed-up what the President had said during the ceremony and quoted *“Professor Jammeh congratulated the victors for their achievement noting that he was amazed by the level of talents exhibited during the contest and encouraged them to take their education seriously and to utilize their time wisely. He also advised them to be respectful and be supportive to their parents as well as to safeguard their self-esteem, shy away from looking low upon people and endeavor to serve as good role models for young people.”*

Commenting on the reluctance of some parents in allowing their daughters participate in the contest, President Jammeh blamed ignorance for the practice.

The President described the contest as a means to empower girls to realize and exploit their potentials for nation building saying there is nothing unreligious about the initiative. Professor Jammeh said he will continue to patronize the initiative and on the other hand will not associate with anything that will breed immorality in society.” The Deputy Lead Counsel asked that the press release be submitted to the TRRC.

Toufah Jallow told the Commission that the two winners, she and Awa Jammeh, then received gifts: A Mac Laptop, an iPhone 6, an iPad, a box with a gold coin with the President’s head on it as well as 200,000 dalasi. The others eight girls present received an iPad and 100,000 dalasi each. She noted that at no point was there any

talks about the process for the scholarship, who to get back to or when the process would start. She however recalled that Aisha from the Gender Department of the Ministry of Education told the two winners that they would look at it and see if they could implement it. She noted that she remained very vague without giving any deadline or indication of a budget. When asked, she confirmed that at this time the impression was that this would be handled at ministry level.

Speaking about the official events the winners had to attend as guests, she mentioned that the first one was for New Year’s Eve at the Coko Ocean Hotel. This is where she saw the winners of the previous competition for the first time, but could not interact with them as they were not sitting at the same table.

Early 2015, she received a call from Jimbee Jammeh asking her about her project to which she responded that she was not done because she was working with a team. Jimbee told her to do it quickly and suggested that she could take it to her (Jimbee) directly because at the end it would go to the State House anyhow. Toufah Jallow explained that she was stressed because she had not really started putting everything together. A few days later on 3rd January 2015, Jimbee Jammeh called her again inquiring how it was going. This time, Toufah Jallow answered that she was still working on the budget. Jimbee Jammeh responded that she could bring it to the State House saying “we will look at it”.

Toufah Jallow explained that because Jimbee Jammeh referred to “we”, she expected that there was a dedicated office dealing with projects and scholarships. Jimbee Jammeh told her that she would send her a driver to come to State House, who came the same evening after 10 pm to pick her up (she explained she took a picture that evening at 9.37 pm and that she therefore remembers the time). Asked if she was not surprised about how late it was, the witness responded that at this point she was more stressed about the fact that she had not finished her project and added that all the events she had attended since the pageantry had been late at night, so in a way it felt normal.

Toufah Jallow described her arrival at State House: they passed the main gate and the garden and drove to the residence, which she saw for the first time. She noted that her bag was not checked. At the entrance of the residence, Jimbee Jammeh was standing on the stairs to greet her and chatted with the driver, whose name she thought was Landing Jammeh, explaining that she recently learnt that his last name is in fact Sanyang. She then went upstairs with Jimbee Jammeh and then a man, who was barefoot and who Jimbee called King Papa opened the door. From there on they passed two living rooms as well as many other rooms, who looked like offices and reached a room where Jimbee Jammeh and her had to wait for an hour and a half until King Papa told them to come in. She noted that she had to leave her bag and phones with the two men who were posted in this room and who she assumed were soldiers. At this point of her testimony, the witness was shown pictures of individuals to identify King Papa and as she did, the Deputy Lead Counsel informed her that his real name is Alieu Sanyang and that he is currently serving in the Gambia National Army.

The witness said that it was at this moment that she realised that there was no dedicated office and that when Jimbee Jammeh had said “we”, it meant her and Yahya Jammeh.

As she walked in the room, she noticed that Yahya Jammeh was not wearing his usual attire, she went to shake his hand and in turn he tapped her on the shoulder and gave her a hug, which she described as a fatherly hug. Jimbee Jammeh called him “Sir Excellency”, but in such a rapid way, that Toufah Jallow first did not understand what it meant. She recounted that Yahya Jammeh congratulated her, talked about the night of the competition and asked how she learned to play the riti (traditional Fula instrument). She highlighted that during the conversation he kept on saying that she was stubborn and noted that she was not sure why he was saying that but thought that it might have been because of her initial refusal to attend the first event.

That evening, she recalled, he told her about his childhood, that he did not fit in, how he would drive his bicycle to go to school, his struggles, that his mother lived somewhere else, while at the same time making comments on what was on Al Jazeera. He also enquired about her age and wanted to confirm that she was 19 years old, saying that she did not talk like a 19-year-old. He then started to ask about her project and Jimbee joined the conversation. Asked by the Deputy Lead Counsel how she felt about the comment on her age, Toufah Jallow explained that that it did not surprise her as she had heard that remark very often, explaining that her body had “grown fast” and that as society sexualizes girls, many had commented on it and told her to get married soon.

At this point, the Deputy Lead Counsel asked her about the subject matter of her project. Toufah Jallow told the Commission that she wanted to do a debate and drama competition on poverty alleviation in different places in the Kombos and the winners would get to implement the idea in their constituency. When asked what Yahya Jammeh’s views were on this, she said that he told her to include schools from the provinces. Responding to a question on how she felt that evening, she responded that she did not feel threatened as Yahya Jammeh did not stare at her, saying that he was acting like a father.

As the meeting came to an end, Jimbee Jammeh came with a brown bag containing two gold chains and said “*this is a gift from us*”. Yahya Jammeh told her that she deserved it, that it was for the good job she had done, as a token of appreciation. The encounter lasted for around one hour and she left State House around 2 am in the morning. She was then driven back home by the same driver, Landing Sanyang.

The deputy Lead Counsel enquired if during that meeting there had been any mention of the scholarship. Toufah Jallow responded that there was none, but that she was assuming that the successful implementation of the project was a prerequisite for the scholarship and that therefore the subject was not on table yet. Regarding Yahya Jammeh’s comments

on her project, she said that in hindsight, these were probably meant to stretch the project and make her come back again.

As she got home at 3 am, her mother asked her about the time and wondered why the President could not have seen her during working hours.

She remembered that her mother was concerned about the soldiers and the guards but assumed that she would be fine with the President, so she was reassured when Toufah told her how the evening had unfolded.

Toufah Jallow mentioned that between her first and second private encounter with Yahya Jammeh she attended several official events with the rest of the girls. The second meeting with Yahya Jammeh took place on 14th January 2015, with the same driver, Landing Sanyang, picking her up after 7 pm. She explained that at that time she had finished editing the project and had left a message to Jimbee Jammeh (who had two numbers, one no-caller ID and another one) to inform her about it. She explained that the aim of the meeting was to discuss the project and said that she assumed that she would see Yahya Jammeh because he had asked her to edit it.

She said that when she arrived at State House, she had to follow the same procedure but that this time she was brought to another room, which had family pictures on the wall: pictures of Yahya Jammeh's son, daughter and wife. Toufah Jallow recalled that the television was on and that Yahya Jammeh was watching an important Senegalese wrestling competition. She noted that he was not wearing the usual clothes and that this way he looked much smaller. She remembered that what struck her most was that he was not wearing a hat, which felt very strange to her as all her life she had seen him as a big man, wearing a hat and being on the top of a car. She therefore could not help looking at his head which looked small. She described the scene: Jimbee Jammeh was on her phone and the President's orderlies would always come in to let him know that someone was calling him, bringing water or cigarettes. She noted that she did not know that he was smoking.

At one point, a chef brought food and later Yahya Jammeh talked to his wife over the phone saying: “*Allô chérie*”, speaking French to her.

Toufah Jallow told the Commission that this conversation reassured her as it meant that nothing inappropriate was happening. She explained that before the call, she had felt that it was inappropriate for a president to be smoking in her presence.

The Deputy Lead Counsel then asked her about Jimbee Jammeh and Toufah Jallow mentioned that when she picked her up that evening, she told her (Toufah) that she was wearing “old people clothes” and asked if she could wear something more fitting. The Deputy Lead Counsel asked if that meant more fitting to her body, which confirmed. The witness said that she however insisted to keep what she was wearing and noted that she was a little bit offended that Jimbee Jammeh thought that she was not stylish enough, because it was her favorite dress.

Going back to her meeting with Yahya Jammeh, Toufah Jallow said that they ended up talking about the project and that Yahya Jammeh asked her about the budget, which he proposed to increase from 60,000 dalasi to 100,000 dalasi. She remembered that she made a comment that she would take it to the Ministry of Education because she needed their network of schools but he responded that she should not since the money was coming from him and that she would have to call him to pick it up.

Toufah Jallow mentioned that during the meeting, Yahya Jammeh told her that she was brilliant because she put that project together in a short time and asked her if she wanted to work as a protocol officer. She thanked him and said it would be a great offer after her study but now she would not live up to his expectations, adding that she was very clumsy. The Deputy Lead Counsel highlighted the irony of the offer: that he had empowered her to continue to study, yet he offered her a job which would have meant that she had to leave school. Toufah Jallow agreed but

noted that she had the impression that he was okay with her refusal. The evening ended after around two hours when Jimbee Jammeh left the room to fetch the chef, Yahya Jammeh hugged her, which at the time did not feel “strange” but she noted that in hindsight it was probably as he was wearing so little. He said good-bye adding that it had been a productive evening and she was then driven back home by Landing Sanyang.

After that meeting, one day, Jimbee Jammeh formally came to visit the witness’ house. Toufah Jallow recalled that Jimbee Jammeh had called her and said that she wanted to congratulate her parents. She arrived in a big black car, with a distinctive (official) number plate and all the kids and siblings came out to see it. Toufah Jallow explained that she had just come back to fetch water as the running water had not yet been installed at her mother’s home. When Jimbee Jammeh arrived, she was invited in and Toufah remembered that they were all sitting in the living room and that Jimbee praised her in front of her parents and mentioned that she should concentrate on her education and not focus on men. The witness noted that Jimbee Jammeh always said “we”, and when asked by the Deputy Lead Counsel what she thought about that, she said that she was not sure how she was interpreting it at the time. The witness highlighted that in fact that she had never had a conversation about a scholarship with Jimbee Jammeh. She told the Commission that her mother was very supportive because she was in favour of girls’ education.

During Jimbee Jammeh’s visit, a relative of the witness’ family came back to the house with water she had just fetched. Toufah Jallow highlighted that this prompted Jimbee Jammeh to enquire if they had running water and when she received an answer, she made a call and gave the witness the phone telling her that the President wanted to talk to her. Toufah Jallow said that he addressed her saying “you Fula girl” and made tribal jokes and pleasantries. He said that he had heard that they did not have water and that he would take care of it. When asked how long it took, Toufah Jallow explained that a few weeks after the call the national company NAWEC came to their house. She assumed that it was paid by the President as the family did not have to pay for anything.

Moving on to her next interaction with the President, the witness stated that it was an official one, a three-day festival in Kanilai at the end of January – the farmers’ market where farmers would come and display their products for the President to buy. There she met Ndey, Jimbee Jammeh’s sister, Aisha Barry, from Protocol as well as “Aunty Aisha” from the Ministry of Education. They were all accommodated in the same room. A religious ceremony, a *Gamo*, was held at the President’s residence on the second night. Toufah Jallow recalled that during that stay, Yahya Jammeh pretended that he did not remember her name, even if they had already interacted twice, saying that he gave “a portrayal in public that he did not know me”. She noted that this confused her a little, especially as even King Papa (Alieu Sanyang) did not greet her and Jimbee Jammeh did not treat her in a way that would show that they had already spent time together.

She added that she thinks that because of this willful tactic by Yahya Jammeh, many girls later said that they never saw “any form of closeness” between them (meaning that they doubted her story).

She explained that the only time she got close to him during that time was at the *Gamo*. As many ministers did not come, the girls were asked to move in front just behind Yahya Jammeh. She remembered that it was an uncomfortable situation as the cameras were filming them (being just behind Yahya Jammeh) and thus she did everything not to fall asleep even if it was already 3 am. She noted that he was clearly enjoying the show and only left after 4 am to pray, which was a relief to her as she could finally go to bed.

The day after this religious ceremony, Jimbee Jammeh brought groceries and the girls cooked on the veranda. Toufah Jallow remembered that they were all chatting and that Jimbee Jammeh was asking specific questions about their boyfriends in a joking

way, but most of the girls were trying to avoid the topic and laughed it off. At one point, Jimbee Jammeh told her that she wanted to get “really close to her” and that she would like to go shopping with her saying “*winners do get a lot of things*”.

When asked if during the entire time, she was in Kanilai, she had private conversations or personal interactions with Yahya Jammeh, she reiterated that they did not, quite on the contrary, he was acting forgetful as if he had forgotten her name.

Toufah Jallow recounted that a day or two after her return from Kanilai, Jimbee Jammeh reached out to her and told her that Landing Sanyang would pick her up and drive her to Westfield. There, Jimbee Jammeh took her to a furniture store to buy a closet for a bedroom and a bed for an amount of 75,000 dalasi, as well as a coach set, a table and a carpet.

She also remembered going to a clothing store, where Jimbee Jammeh chose a white top, a dress, a short and a long dress as well as a blazer, for her – asking her if she liked it. Toufah Jallow said that Jimbee Jammeh mentioned that the money came from Yahya Jammeh.

She explained that she called her mother to inform her that the furniture would be delivered to the house in the evening to which the mother asked Jimbee Jammeh if this was part of the package. Her mother also asked someone at the Ministry (of Education) about this and she was told that there was no rule and that it varied. When asked how she felt about it, the witness responded that as she did not have an example to compare with regarding the amount or nature of the gifts received by the winners the previous years.

When they were done shopping, Jimbee Jammeh took her to Q-Cell (telecommunication company) to activate the iPhone she had received as she did not have an Apple-

ID and therefore could not use the phone. Jimbee Jammeh asked someone she knew there, a man called Patrick Jarju, to set up the phone and unlock it. Toufah Jallow explained that at the time, she did not know that an Apple-ID allows to access personal information and that all the files are saved on a cloud. As she did not understand Apple-ID functions and what it entailed, she agreed that Patrick Jarju used his to activate her phone. She then started using the phone with her old sim card. When asked, she said that she did not recall having other discussions with Jimbee Jammeh on that day.

Responding to the question about what other official events she attended, she recalled one on 17th February 2015, a day before Independence Day at the Coco Ocean Hotel. Toufah Jallow explained that the Pageant winners all wore the same clothes done with a material with Yahya Jammeh’s portrait on it. She noted that the Alliance for Patriotic Reorientation and Construction, APRC clothes were popular at the time. Another one was on 18th February 2015 for the Independence Day celebrations at the Stadium in Bakau (until 4 am) as well as a wrestling match on 19th February at the McCarthy square in Banjul (until 3 am) and the birthday of Yahya Jammeh on 25th May at State House.

Continuing chronologically, Toufah Jallow recalled that on 26th March she received an acceptance letter from a university. She explained that she had applied, even if there had not been a conversation about her scholarship because she did not want to lose time. During all these weeks, she said, the only interaction with the Ministry of Education was that the girls were asked to provide a full body picture for the State House and bring it to the Ministry of Education. She remembered wondering how this could be linked to the scholarship.

At the end of May, Jimbee Jammeh called her and asked her to see the President. Toufah Jallow described the same procedure as before: Landing Sanyang came to pick her up in the evening, King Papa (Alieu Sanyang) let her in to the President’s private room, which was a different room from before but also had pictures of

the First Lady on the walls. She recalled having to wait for two hours before he arrived. During the conversation he showed much interest in her perspective on certain things, such as the APRC, enquiring if her father was a member of a political party, asking if she was listening to Freedom Radio, Fatu Network and Pa Nderry⁶⁰. He noted that he was particularly interested in that and in her political affiliation and the one of her family. He also asked her views about marriage and feminism. The Deputy Lead Counsel enquired about the official reason for the meeting, to which the witness responded that it was to get the funds for her project.

Toufah Jallow said that at one point, Yahya Jammeh called his wife and that the discussion seemed casual.

She continued narrating that “when he hang-up the phone, casually, he said to me: “okay let’s get this over with, would you want to marry me?”. As casual as Yahya Jammeh can be”.

She explained that she asked him to repeat and noted that his expectation was probably that she would be excited and there was “no way that this would not be the best news of my life”. She mentioned that the proposal came as a surprise to her and totally changed the dynamic that had existed between them as previously, he had not shown any interest in her, acting like a father-figure. She noted that she had got “comfortable around him in that perimeter”.

Asked how she felt at this moment, she responded that she was set aback, because the father figure (she saw in Yahya Jammeh) had just broken what they had built. She explained that it was particularly odd because he had just spoken with his wife but thought that it might be a test to see if she would concentrate on her education. But she realised that it he meant what he said when he told her that she was beautiful and this was a shock to her, especially because they had spoken about early marriage previously.

She therefore responded diplomatically that she did not want to get married to him or anyone else, that it was

not about him, that she was too young to which he retorted that there “nothing wrong with getting married to a man that is taking care of you and is supporting you”. He also asked her if she had a boyfriend but she eluded the questions and he told her “I know I am the President, right? And I can know whatever I want to know in this country”. She noted that he did not insist but before she left he told her that “maybe she did not hear him right and she needs to go and think about it” adding that he had a smile on his face that meant “you did not understand what this is or you think it is some type of a joke” and told her to think about it. She then received 50,000 dalasi for her project (instead of 100,000 agreed) either by King Papa (Alieu Sanyang) or Jimbee Jammeh (she was not quite sure who gave it to her). She added that Yahya Jammeh said that it was “for the bother of her coming”, while in fact it should have been for the project. After that Landing Sanyang took her home.

The Deputy Lead Counsel asked her how she felt at that point. The witness said that she felt a little deceived and had lost this father figure sentiment. She explained that there were two ways she was feeling: “Deep down, no matter what I told myself, I understood that whatever it is that I thought this was, it is not what it is. There was so much trust and so much confidence. To summarise it, I was disappointed. But that was me deep down, but on the outside, I was trying to convince myself that he is just testing you, he just wants to see if you are having an interest, if what he has been telling you has been getting into your head”.

Toufah Jallow said that she did not share the information about the marriage proposal with her parents or anyone else, because she thought it was a joke and also, because she knew how her mother would react. She noticed something “started to be weird” the next days: her friend Apsa told her that it was difficult to reach her because whenever she was trying to call her, it seemed that the line was connecting somewhere and then connecting back to the witness phone. The witness added that she also felt that she was followed. At the time, she did not think that she was being followed because she

⁶⁰Opposition media outlets from the diaspora.

was a threat but more because Yahya Jammeh was trying to make sure that she was not on the premises talking about his proposal. She remembered “vividly” asking her English teacher one Mr. Fanneh to look out of the window to show him the car that had been following her the whole time, which was a black jeep without a number plate. But her teacher told her that she was paranoid and she responded to him “*something very weird happened between me and the President*”, without giving any details.

Jimbee Jammeh called her beginning of June, and told her that she wanted to show her something. Toufah Jallow told the Commission that she was taken to an area called the A.U. Villas⁶¹ where Jimbee Jammeh showed her a house, saying that this could be her home together with a car and added “*so why are you not happy?*” She responded that she had told her as well as the President that she did not want to get married and while she would appreciate getting a house and a car, if the condition was to marry, this was “*not something I want to do*”. Toufah Jallow noted that for the first Jimbee Jammeh reacted angrily and asked her what was wrong with her, highlighting that “*many people would kill to get this opportunity*”. Asked by the Deputy Lead Counsel, Toufah confirmed that Jimbee Jammeh had been in the room the evening when Yahya Jammeh made the marriage proposal to her.

Jimbee Jammeh then ordered the driver Landing Sanyang to take the witness home and he as well asked her if “she was alright” warning her to be very careful, as Jimbee Jammeh is a very powerful person at State House.

Toufah Jallow again did not inform anyone about what happened that day but decided to block Jimbee Jammeh’s number even if she knew that she could still reach her with her no-caller ID. She explained that she avoided the calls and once she asked her mother to tell Jimbee Jammeh that she was sick, another time she asked her to say that she was not home. Her mother started asking questions, but she just told her that she was tired of attending events. It came to an extent that Jimbee

Jammeh complained that the witness always said that she was sick and therefore arranged a doctor appointment for her, to whom she was driven to by Landing Sanyang. She was taken to an Indian doctor who did tests. She noted that the results were never given to her, but that she was given some medicine for indigestion and chest pain.

The Deputy Lead Counsel, recapitulated what the witness had said: that by early June Landing had warned her that Jimbee Jammeh was a powerful person but that she still avoided her. She asked Toufah Jallow, how she felt about what was happening. She responded that at that moment, she thought that she had a choice not to go to events because they were not related to any type of projects. She added that since Jimbee Jammeh had clearly shown her that she was angry on the day they visited the villa, she wondered what kind of person she was and noted that the “the whole vibes were not fine”. She explained that in her “19-year old head” the best thing she could do was to cut out Jimbee Jammeh, mind her business, and through that as long as she was not doing anything bad and mentioning anything or giving any type of information, she would be fine. She said that she assumed that she could keep given excuses in order to avoid going to events and that that would be okay.

The Deputy Lead Counsel wanted to know when was the next time she saw Jimbee Jammeh and the witness explained that in June she received a call from Jimbee Jammeh again saying that there was an all-night Quran recitation, a *Gamo*, at the State House. The witness remembered that she enquired if the other girls would be there as well and when she was told that they would, she was reassured that it would not be a private meeting and agreed to go. Landing Sanyang picked her up between 8 and 10 pm. She went to the State House, passed the garden and saw a lot of people were wearing white, including ministers and other VIPs, but she did not see Yahya Jammeh.

She narrated that the car went close to an office where Jimbee Jammeh greeted her and complained

⁶¹African Union. The houses were built at the time when Gambia hosted an African Union summit.

about the fact that she was sick all the time. Jimbee Jammeh then told her that they had to wait for Yahya Jammeh to take his seat outside, because for “protocol reasons” people were not allowed to be walking around when he comes out. Then Jimbee Jammeh said that both of them should go to the next room because some people needed the room, they were in. Once they got there, Jimbee Jammeh was on her phone and then told her that she was going to get water. Toufah Jallow then told the Commission that out of nowhere and unexpectedly, Yahya Jammeh walked into the room from another door. She did not know where he came from and described the room as being a waiting area, with three doors, one of them, as she later found out leading to a bedroom.

Toufah Jallow said that, once again, Yahya Jammeh was not all dressed and that he did not look as if he was going to take his seat anytime soon. She explained that his eyes were red and said that she did not know if it was because of anger or because of something induced. She paused for a moment and noted that his look scared her but that she greeted him to which he did not respond. At this point, the witness said that during the subsequent events, many things were said and that she does not fully remember the exact sequencing, but that some of things stuck with her.

She remembered that he asked her “who do you think you are?” and that “he is the President and that he gets any woman that he wants”.

She explained that Yahya Jammeh pulled his hand as if he was reaching out to her, as if he wanted to scare her without really hitting her, he then held on to her arms and dragged her to a room and locked the door. She described the room as being small with a washroom and a bed which was not very high, noting that all the furniture in the room was white. Toufah Jallow took a break before continuing her testimony and then told the Commission that Yahya Jammeh said to her “let’s see if you are virgin”. She explained that she was extremely scared because he appeared to be very angry and started to apologise and repeating that she was sorry and begged him not to

do this. She noted that she did not know what she was apologising for, if it was because he was angry or because of what had happened before.

Yahya Jammeh then held her face, pushed it down, pulled his pants down and rubbed his genitals in her face. She explained that that night she had a dress on and leggings underneath because of the religious ceremony. The witness paused again and took several deep breaths before saying that he pulled her dress up while “saying things”. After another pause, and crying, Toufah Jallow said “*Yahya Jammeh decided to **penetrate** me, but before he did, he took out a needle from his pocket and he **injected** me on my arm. I am not sure of what it is or what it was for unlike in the movies, when you are injected you just don’t fall immediately (...).*”

Yahya Jammeh did not want sex with me or pleasure with me, what he wanted to do was to hurt me, what he wanted to do was to teach me a lesson, what he wanted to do was to manifest his ego just like many of us can’t believe that a girl can say no, someone like Yahya Jammeh and in his position found it very disrespectful for a 19 years old from not an elite background, or not the daughter of a president, to gather some kind of audacity to say no to him.

That he is a man probably who hasn’t had so many nos. And my no wasn’t because of a sense of understanding that I was better off, my no was just because I felt it was wrong, and I felt it wasn’t right.”

She went on to describe the **rape**, explaining that the top part of her body was on the bed and the rest

was dangling on the ground. Yahya Jammeh **penetrated** her after doing the face rub, saying a lot of things that probably arose him and she noted that somehow her begging and pleading made him feel better about what was happening. She was saying “*stop, please don’t. Stop*” and underlined that her words were very clear. He said “*what is here?*” as he **pushed his penis** into her. She remembered that her face was pushed into a pillow and that she tried to wiggle: “*mind you, as all of this is happening, I’m hearing the Quranic recitations in the background. The Gamo was going on, the imams were preaching outside. I could hear loud and clear and so could he*”. She explained that the loudspeakers were so loud that they could hear everything as if they were part of the Gamo.

The witness explained that Yahya Jammeh was sweating a lot as she was **crying** for help “*when there was none*”. Toufah Jallow paused again crying and told the Commission that the hardest part was that someone could think that this was not true, specifying that up to this day, she feels it in every stretch of her muscles. She went on talking about the **rape** and mentioned that when he **penetrated** her, he seemed to be looking for something, she saw him peeking and looking “*for something*”: “*he sodomised me, and what that means is that he took his penis and he put it into my anus instead of her vagina. That’s what sodomy is.*”

Toufah Jallow said that her muscles were **hurting** and that all of it was hurtful, that he just wanted to be hurtful the entire time. She noted that while he was doing this to her, he was so comfortable with the fact that he had a great cover up as imams were reading the Quran, that this would never come up, especially in detail, and that no-one would believe this: “*how would have thought that this was happening inside?*”

She explained that by this time what he had injected in her had gotten to her and she could not hear the voices and the Quran recitation anymore, not even her own **screams**. She said that she does not know how long she was laying there and that she does not know what Yahya Jammeh did to her the whole time she was laying there, what happened, but eventually she did wake up and get up. She remembered feeling very disoriented, like after a

very long nap, and that she was feeling a bit sick and dizzy. She recalled that before losing consciousness, she saw Yahya Jammeh grab her leggings that he had pulled off of her and went with it to the washroom. She also remembered that when she woke up, he was leaning back in a white chair, wearing only shorts and told her to get out.

Toufah Jallow said that he then walked out, King Papa (Alieu Sanyang) was there. She remembered that King Papa (Alieu Sanyang) looked at her and said: “*this is our President and we will do anything to protect him*”.

She said that it was because of what he said that she will not forget his face and was able to recognise him easily in the pictures shown to her earlier in her testimony. She then grabbed her things, while Jimbee Jammeh was standing right at the door, looking at her phone, which the witness said with emphasis and noted that Jimbee Jammeh pretended that nothing had happened. Jimbee Jammeh then walked her all the way to the car without saying a word. The driver, Landing Sanyang, took her home and he did not say a word either while she was crying the whole time. She described herself as being numb, as if she had just watched a movie of another person, noting that she did not process anything.

When she reached home, Landing Sanyang wished her a good night but did not speak to her as he usually did, nor did he enquire why she had cried and remained silent the whole time. Her sister opened the main door, she was very sleepy, her mother woke up and peaked through the gate. She noted that because she had been invited to attend a Gamo, it was normal to come home late and she assumed that her mother did not pay attention to her face as she was almost asleep. Toufah Jallow said that she went into her room and locked her door, adding that this was the longest night of her life. She explained that in that moment, she had not processed anything

as she did not understand what had happened, adding that she was in denial. She was wondering whom she could confide in, as Yahya Jammeh was the most powerful man in The Gambia. She remembered washing herself more than one hour feeling that everything was blurry and repeating to herself that this did not happen.

When asked how she felt at that point, she answered that *“up to this date, no amount of experience, no amount of resilience has taught me the right words to use to describe that point.*

I just lost a part of me, it was just a feeling of lost, like someone died and I think the perfect word to use is, as Mandinka would say “suno, suno dale”, a sense of grief and a sense of loss of self. I just now couldn’t see...my concept of who I thought I was very blurry. I wasn’t sure of who I was anymore or what my future holds. To the narrative I have been given myself as to maybe who I was, that changed. I lost a part of Toufah.”

For the three following days she stayed inside, noting that not much was happening anyway because it was Ramadan. She remembered that her mother knocked on her door but that she pretended to have menstrual cramps while in fact, she cried. She explained that she was trying to draft a plan in her head to appear as nothing had happened. When asked if she spoke to anyone about it, she wondered that since she could not accept what had happened, how could she speak to someone about it. Besides, she said, her mother would not have kept quiet and she was afraid of the consequences. So, she remained silent to protect her mother wondering what she could have done anyhow: *“go to the police and report Jammeh?”* She concluded that her mother would just have been as helpless as her.

Toufah Jallow told the Commission that after a few days, Jimbee Jammeh phoned her and described her surprise when she received the call. She noted however that Jimbee Jammeh did not talk about what last happened and pretended that it was business as usual and even told her that there was an event in a few days where she had to go and mentioned that someone would come and pick her up. It was supposed to be on another day, so that she could prepare for it.

When asked if she believed that Jimbee Jammeh knew about what had occurred, the witness responded: *“Jimbee Jammeh brought me in to the first house in the disguise of waiting for the President, she moved me to the second house in the disguise still for waiting for the President. When Jimbee Jammeh somehow went to get water, that is when the President walked in. Jimbee couldn’t not have come back there to look for me. When it was time to go home, when I stepped outside, Jimbee was there. So, there was nothing Jimbee didn’t know about. (...)*

Jimbee was the framer, the one who made all of this accessible to him. If she had just let me go and sit in that crowd in that night, maybe it wouldn’t happen. It was premeditated by her.”

She explained that after the call, she realised that they would not let her be and that it would continue to happen, she said *“until my ‘no’ somehow becomes a ‘yes’ and something that I play along this, this is going to continue to happen”*. She said Jimbee Jammeh would continue to call her and send someone to pick her up, she would be taken and whether she wanted to have sex or not, it would happen and in the most aggressive way. She knew that her excuses would no longer work out. At this point she said she only saw two options: either she did become what she never wanted to be: a mistress to the President, a **sex slave** to him or she had to leave everything that

was dear to her and flee the country. She mentioned that she did not have time to think about a plan, that all she knew was that she could no longer stay. Toufah Jallow described how the next morning she grabbed a basket to go to the market, but before that she went to collect money at a bank as she had called her aunt Mary in the U.K. asking her to send her money. She called her mother telling her that she would be doing the shopping on that day and went to do the groceries.

Explaining her escape, she said that from the market she took a taxi and put on a hijab that covered her face, went to the ferry terminal in Banjul, where she asked a fisherman to take her across the river as she felt that taking the ferry was not an option because she feared being monitored. She noted that crossing the border was the hardest part because if they were looking for her, they would catch her.

She remembered that on her way to the border she called her mother, telling her that she was sorry and that she would explain later. Her mother, who was in a conference, thought that she was joking, as she had often done so in the past. In order to cross the border without having to pass the immigration, Toufah Jallow said that she asked a truck driver, who was a Fula, to take her to the Senegalese border claiming that she had no money and that she urgently needed to go to Senegal.

When asked if prior to leaving the country, she spoke to anyone else abroad except her aunt, she said that she called a man called Ahmed Jaiteh, who was a family friend who lived in Canada and worked for the Fatu Network. She specified that she did not tell him about what happened but asked him what to do if one wants to leave Gambia. She mentioned that he enquired if everything was okay, but did not push to know when it was clear that she did not want to give any details. He told her that if she gets to Senegal, he could put her in touch with a few people.

Regarding the date of her departure, she estimated that it would have been the 22nd or 23rd June 2015. Continuing the story of her escape, she said that she took a collective taxi (sept places) to go to Dakar.

Asked about her phone, she said that when she arrived in Senegal it was blocked with a message on the screen saying: “phone is reported stolen. Please call number xxxx” and noted that the number was Jimbee Jammeh’s number.

In hindsight, she said, it might have been noticed that she had been away for a whole day and almost one night and assumed that this is why her phone got blocked.

She was asked to briefly recount what happened in Senegal and led to her relocation to Canada. Toufah Jallow said that when she arrived in Senegal, the first person she contacted was Ebrima Chongan⁶², whose number she had received from Ahmet Jaiteh. He in turn gave her the number of a man called Omar Topp who worked for the security services. She noted that he was the person who she explained her story to for the first time. She recounted that she went to Article 19’s office in Dakar and met with Fatou Jagne as well with Amnesty International.

Through Omar Topp she also met the Head of Police, who told her that they had received a call from the Office of the President in Gambia that she was a teenage girl who had gone missing, that her mother was looking for her and that should they be finding her in Senegal, they should return her back. Having told her version of the story to the Head of Police, he in turn informed the Minister of Interior that she had been “violated by him” and that is what fast tracked the procedure to leave Senegal. She explained that she was taken to UNHCR where she had to explain what had happened to her and they in turn contacted different embassies. Eventually she met a case worker from the Canadian Embassy in Dakar, who explained that they needed time to conduct investigations into the matter. She noted that by August, she was informed that they had accepted her case and she got a ticket for Canada.

⁶²A Senior police officer in 1994, who was tortured after the 22nd July 1994 coup and later left the country. He was the first witness at the TRRC and testified on 7th and 8th January 2019.

Toufah Jallow recounted that during all this time, she could not speak to her mother or father directly, she however managed to talk to her aunt Mary in the U.K. and related her news for them. That was how she knew that her mother was being interrogated by the police, but that she had told them that her daughter had just gone to Senegal to do some business. She noted that her younger sister, who was 15 at the time was also taken to the police. She added that luckily because they did not know what had happened to her, they could affirm in good faith that they did not know anything.

When asked to give more details about the fact that the Senegalese authorities had received information that a teenager was missing and that this hastened her departure, Toufah Jallow explained that initially Senegal gave assurances to Gambia that they would send her back, but as they heard her version, they wanted to send her away quickly in order to avoid a confrontation with Yahya Jammeh, explaining why they would not return her to The Gambia. She mentioned that at the time there were already tensions between the two countries, because Yahya Jammeh was already accusing Senegal of hosting dissidents.

The Deputy Lead Counsel asked the witness to describe the impact the entire experience had on her and her family. Toufah Jallow mentioned that it was “an overnight shift” of her life: *“one minute I am 19-year-old going to the college in The Gambia, next minute I am a refugee in Senegal who cannot talk to anybody that I love. The third is me finding myself in a world that I did not see coming, all by myself, having to figure it all out quickly.”* She said that she had to isolate herself because there were rumours going on about what had happened. She noted that she was in complete isolation, that she did not integrate with Gambians in Canada and that she had to live and adopt a whole other social norm.

She explained that her parents had to live with something they did not understand and had to cope with it. She noted that they did not even know why she had left. She said that even when she had made it to Canada, it was very hard to tell her mother what had happened adding that she felt alone, desperate and lost regarding what to do next. She described that she felt distance and a gap between her and her mother and that this affected their

relationship for a long time. They would talk about everything except that, noting that while her mother wanted to ask some questions, she was afraid of what the answer would be. Talking about her father, she said that all of this created even a bigger gap with him as he is a Fula man.

Toufah Jallow recounted that she was receiving messages on Facebook from the other contestants of the Pageantry telling her *“God will reward you for your wickedness”*.

She explained that because she had run away, the chances of the other girls to get a scholarship were jeopardized because her escape had tarnished the image of Yahya Jammeh, so he punished the whole group for it.

She mentioned that she was feeling guilty about it, but did not dare to tell them what had happened.

Asked to explain the process that made her come out publicly about her story, she said that she received a lot of counselling in Canada and reckoned that she would not have been able to testify if she had remained in The Gambia. She noted that it took a lot of work, a lot of redefining herself during sessions with different counselors. She described that she had to go deep down into her childhood and had to deal with her trauma, which was a very painful process. She said that while the therapy did not give her back what she had lost, it allowed her to give her a new part of what she could be. She highlighted that being a Fula girl, a very proud one for that matter, from a Wolof mother, it was an identity crisis to talk about what happened to her, referring to her value as a woman in her culture.

She explained that she could tell her therapist everything, that she was allowed to break down and go through the phase of being depressed and not wanting to talk to anyone. She noted that she started

taking up to four jobs in a day and became a work-junkie, just because she did not want to be home because there, she had to think about it. She said that she overworked herself, that some days she woke-up and “*did not want to be here*”. Crying, she said that she had to keep up this persona that people wanted, pretending that she was fine. She described how hard it was that people were speculating about her while she could not speak out. At this point she noted that it also affected her mother, who did not receive any counselling during that period and what a burden it was to expose her parents to the insults of a society.

Toufah Jallow said that her speaking out, meant that her family had to relive the story again and that she was putting them “in front of the world”, that people would question their ability to raise a child. She explained that despite all this she came to the conclusion that: *“I can still be a Fula girl, I can still be a Gambian, because Yahya Jammeh is not more a Gambian than me, he is not more cultured than I am.”* She explained that she not only had to accept her story but had to tell it, because *“as crazy as this might sound, in this culture and in this space, and to take whatever backlash comes with it, so that the next person and the other people that come, will get lesser and lesser of a backlash.”* She said that she wanted it to become “okay” and show that one can be powerful and move on with one’s life, that one can be educated, can be **broken** and build-up again, that one can be depressed some days and some days not. She concluded saying: *“it does not make you less of a Fula, a Mandinka, a Jola or any of our tribes, that makes us Gambian”.*

The floor was opened to the Commissioners and Chairman Sise said that he was sorry for the **suffering** the witness had endured. He highlighted that for two days in a row, the TRRC had heard about **rapes** that happened at the State House and that this was an assault on Gambia as a whole.

The Deputy Chairman thanked the witness for her courage and asked her if when her younger sister was questioned, she had been **tortured**. The witness responded that she was threatened verbally but that nobody touched her.

Commissioner Jones asked Toufah Jallow if she knows if other girls who participated in the Pageantry also received

gifts from Yahya Jammeh. She responded that she never heard of it, noting that the girls were not really close and did not interact outside the events. Commissioner Jones suggested that in her final remarks the witness could make recommendations to others who might have faced this.

Imam Sey noted that despite all the suffering she encountered, she decided to keep it as a secret and hide the story from her parents in order not to cause problems for them. He praised her for her good mind and appealed to her to forgive. He enquired whether she knew if Jimbee Jammeh was married. Toufah Jallow responded that she left with Yahya Jammeh to Equatorial Guinea but that she recently heard that she got married to someone in Sweden.

Before giving her the floor to make her final remarks, Chairman Sise asked her if Yahya Jammeh joined the **Gamo** after he had **raped** her, which she confirmed.

Toufah Jallow started her statement in Mandinka saying that she thanked the Commissioners and the Gambian people for setting up the TRRC because the TRRC belongs to the Gambians. She noted that people are not used to these types of speeches but wanted to stress that it was not an ordinary person who **raped** her, but a head of State, which is very difficult for some people to believe.

She noted that the culture requires women to keep quiet, even if they are going to die, they should keep the secret. She mentioned that it is in this culture in which she grew up, and that both her mother and father are from that culture. She said that education should be a fruit and enable young people to try to change a lot of things for their parents. She highlighted that it is not because their parents went through some things that they had to as well just because if it is “culture”, adding that in every culture they are bad things and good things.

She said that since the generation of their grand-grandparents, people had changed things and that what is not good should be changed. She admitted that change is always very difficult and that as a small child, it is hard to fight against the culture: “they will

fight you, insult you”. She said that while the culture of silence and secrecy is very strong, people should realise that it is not good. She warned that there are powerful people in the country doing wrong things to girls and boys, forcing themselves on them noting that children should not experience these sorts of things at a tender age. Despite this, she noted, the victims are told to keep quiet on those things in order not to disgrace the family.

She wondered why the **perpetrator is not ashamed of himself, why his family is not ashamed of his sins?**

Toufah Jallow explained that the reason why she came out was that everybody should know about her story, noting that even *“if we close our eyes, we pretend to be blind and ignorant of what is going on, we are all aware of what is happening in the offices, at the madrasses, in the military, everywhere, even at the market”*. She wondered how one could think that, when a person has money or a position of authority, gives sweets to children, to girls or women, this gives him the right to **force himself** on them, noting that society is agreeing with that principle.

She warned that it is “because of us”, that perpetrators think that they can do anything, that they know that children will be accused of telling lies. When girls are speaking out, people consider them as being “strong headed”, adding that even if a woman is stubborn or already has 100 children, that does not give any person the right to touch her without her consent.

The witness continued in English, saying that the main disguise of the July 22nd Pageant was that it was done to empower women. She said that for her it had been an awakening experience as a woman, and hoped that it would be for others as well, noting that for 22 years, there had been a myth about women empowerment. She said that women in Gambia have endured much when it comes to ridicule and disrespect, that women have been paraded as a token instead of being real members of the society. Women have not been taken seriously, their value has been measured on how well they clap their hands for political leaders and people in power. She mentioned that

a female Vice-President was appointed to satisfy the narrative of women empowerment, when in fact she did not have any direct influence on decision-making.

Toufah Jallow noted that she was happy for those who had received a scholarship while Yahya Jammeh maintained a father figure with them and she never meant to deny that. But she underlined that it did not mean that the same happened to her and asked that her story be not taken from her. She said that she was aware that a lot of persons are uncomfortable with the fact that she mentioned Yahya Jammeh’s name and said the word **rape**, because this is something that has never happened before. She said that many people have an issue with what she represents, with a survivor who is a woman and who is owning her truth. She acknowledged that it is normal for a society to be uncomfortable with a topic, before being able to change it.

She said that since she had come out in June 2019, she had not accused any political party of **rape**, but a man, who happened to be the (former) President of the country.

She encouraged people to ask themselves **why when women came out to speak, especially at the TRRC, they tend to doubt them. And while recognising that it is normal to have doubts, she suggested that people check “into their own internal biases”**.

She wondered why it was so hard to give a woman, who has taken so many risks by speaking out, the benefit of the doubt. Toufah Jallow noted that even when a woman has come in front of the world, who has exposed herself and her family, has spoken for hours about what happened, it seems still more difficult to believe her, rather than the man, who has remained silent.

She said that she was grateful for the women who had come forward, for those who continue to speak their truth and noted that she hoped that the TRRC would take the issue of gender-based violence seriously. She added that it would be very unfortunate to move on to the next chapter of the history of the country, without addressing the abuses that have been done to women over and over again.

Regarding the recommendations, she said that the country, the government and the institutions should not be run like a home, but that there should be paper trail of and strict procedures regarding projects that are being put forward. She also recommended that social work be included in the colleges and universities. She said that it was important to move away from a nation that is half traumatised and that no professional support was available. That there is not trust in confidentiality highlighting that a police station is currently just a building, but that there was no capacity to help victims.

She ended her testimony, by saying that usually in the Gambian culture, when a person is done speaking, it is said “I’m sorry if I offended anybody” adding: “I know who this offends, it offends Yahya Jammeh, it offends men like Yahya Jammeh, it offends men who want to sympathise with perpetrators. And to those people, I am not sorry”.

Persons Mentioned By Witness During Testimony:

Rape

Yahya Jammeh

Aiding and abetting rape

Jimbee Jammeh, Alieu Sanyang (King Papa)

“I know who this offends, it offends Yahya Jammeh, it offends men like Yahya Jammeh, it offends men who want to sympathise with perpetrators. And to those people, I am not sorry”.



Photo: ©Jason Florio



WITNESS NAME: Edward SINGHATEH

TRRC HEARING DATE (S): 16th, 17th, 20th October 2019

EVENT (S) DISCUSSED: Planning of and reasons that led to the July 1994 coup d'état and human violations following the coup; 5th and 6th September 1994 mock executions at Mile 2 Prison; 11th November 1994 incident and subsequent unlawful arrest and incarceration of Sanna Sabally and Sadibou Hydara; assassination of Ousman Koro Ceesay in 1995; alleged arrest, detention and torture of civilians said to be demonstrating near the American Embassy; attack on UDP supporters at Denton Bridge in 1996

POSITION BEFORE THE EVENT (S): Second Lieutenant

POSITION DURING THE EVENT (S): Coup plotter, AFPRC Council Member

POSITION AT THE TIME OF TESTIMONY:
Lawyer, Consultant

SUMMARY OF TESTIMONY:

After thanking the witness for honouring their request to appear before the Commission to assist in its truth seeking mandate, the Lead Counsel reminded Edward Singhateh of his subpoena to appear having been adversely mentioned in participated in committing violations of rights during the Yahya Jammeh era and also craved his indulgence to assist the Commission in discussing certain facts to help the TRRC to establish what happened with regards to particular incidents even though he had not been adversely mentioned regarding those incidents.

The Lead Counsel further went on to remind the witness of his rights and responsibilities as a witness under oath and briefed him on what to expect during the testimony including the events that would be discussed before proceeding to discuss the main substance of his biographical information.

Edward Singhateh told the Commission he was born in England, United Kingdom where he started primary school before his family relocated to The Gambia in the 1970s. He said he went on to finish advanced level high school in The Gambia and briefly worked for The Gambia Civil Aviation Authority, GCCA in 1989/1990 before joining The Gambia National Army in 1991.

He explained his rise from officer cadet to platoon commander in Alpha Company One Battalion in 1992 and also explained that there was a short while when they did not have a company commander, so he was overseeing the company. He was asked at what stage if any he worked with then Captain Mamat Cham to which the witness replied that Captain Mamat Cham was the company commander of Eco Company where he (the witness) was posted to as an officer cadet prior to his training in the United States in 1992.

The witness continued to explain that from July 22nd 1994 to sometime in February-March 1995, he served as Minister of Defence and after the **arrest** and **detention** of then Captain Sanna Sabally, then Vice-Chairman of the Armed Forces Provisional Ruling Council, AFPRC, he (the witness) became the Vice-Chairman of the AFPRC and Minister of Defence until after the presidential elections in September of 1996 when the president elect at the time appointed him Vice-President designate. In 1997, he was made Minister for presidential affairs, fisheries, natural resources, forestry, the environment and National Assembly affairs until August of 2000 from when he held various portfolios such as Works and Infrastructure, Trade Industry and Employment, Forestry and Environment until 2007.

When asked what he did after 2007, the witness said he enrolled to study law at the University of The Gambia, completing in 2010 after which he joined

the Judiciary as a Magistrate Class 1 at the Brikama Magistrates' Court and Principal Magistrate at Bundung Magistrate Court in 2012. He added that he was then posted to Bundung and made acting Principal Magistrate before joining Dandimayoh Chambers as a private legal practitioner. He said in March 2016, he was appointed Vice-President of the Economic Community of West African States commission, ECOWAS where he served until March 2018. From March 2018 to date, he said has been working as a consultant.

When it was put to him that he knows Yahya Jammeh pretty well after working with him for over 12 years, the witness agreed however, he added that the many testimonies he had heard during the course of the TRRC proceedings has led to him believe that perhaps he did not know Yahya Jammeh as well as he thought he did.

The witness was asked what the problems in the army were at the time he was a commissioned officer to which he responded that at the beginning, there were no problems as the military was growing but sizeable, and that morale was generally high. He added that things changed with an incident involving soldiers who had returned from Liberia and started a mutiny over unpaid allowances. He further went on to explain that being relatively new in the army at that time, he might not have been aware of deep seeded problems that soldiers that had served for several years were facing that may have resulted in major discontent for the soldiers to go to the extent of conducting a mutiny. When asked, he said the soldiers were complaining about arbitrary dismissals.

With regards to the conditions of service in the army that might have led officers like himself to decide to overthrow the constitutional order, the witness went on to explain to the Commission that there was discontent among the officers after the decision by the Gambia government to bring in the Nigerian Army Technical Assistance Group, NATAG, after the departure of the British Army Training Team and morale started to dwindle as their work load increased because the Nigerians were not recruiting. He added that conditions were deteriorating to the point where they were routinely being served rotten food and when these were included in the officers' duty reports,

the reports were rejected and they were told to go back and write them properly; summary dismissals became worse which he attributed to the fact that the Nigerian army was very regimented and issues such as cultural differences between the Nigerians and Gambians, tribalism and regional affiliations among Gambian soldiers etc. had seeped in to their ranks.

When the Lead Counsel put it to the witness that they had never received testimony about rotten food being served to soldiers as a routine from a number of soldiers who served at the same time with him and who participated in the coup with him, the witness recalled an incident of rotten fish that was served which made all the soldiers sick to the point that they all abandoned their post at Army Headquarters to go to the beach to defecate as there were no toilets at the Army Headquarters, which the witness said he was not aware of until that point. He added that while this was an extreme case, he recalled many other incidents where the food was not fit for consumption especially over the weekends when the senior officers were not there and only the duty officer and the guards on duty.

The witness was asked what other difficulties obtained in the army at the time to which he responded that there was lack of facilities and equipment, the infrastructure was not maintained or taken care of, soldiers had to sleep on sponges that were falling apart and bedbugs etc. so it was not difficult to convince soldiers that they deserved and needed better.

He was asked how about the prevailing socio-political conditions in the country at that time and the witness responded well he was not too much into politics, but he knew the country, they could do better. They needed more schools, they needed more hospitals, they needed more roads, they needed everything that every other country had that they felt Gambians deserved. He said they wanted to give that to them (Gambians).

When asked what they decided to do with all these problems, the witness responded that they decided to step in and rectify the problems, even if it meant losing their lives in the process.

Asked why they believed at the time that as soldiers, it was their responsibility to be a watchdog for the people on the government, to remove that government illegally if it was not performing, the witness said they knew it was illegal and admitted it was unconstitutional and treason but added that it was worth it if they could build a hospital that would save lives, schools that would educate their people.

The witness was asked if this was also the position of the soldiers in the army at that time, that it was their responsibility to overthrow a government that they believed was not performing to which he responded in the negative, adding that he would not want to blame any soldier or officer that was not part of the coup. The witness affirmed that it was his mindset and that of Sanna Sabally, Yahya Jammeh and Sadibou Hydrara. The Lead Counsel and the witness then launched into an extended debate on the morality of overthrowing an elected government to put aside issue and be content with the fact that power belongs to the people, the soldiers do not have any authority to overthrow a government no matter how bad that government is.

Steering the testimony towards the planning of 22nd July coup d'état, the witness was asked what really got them to come together and plan a coup d'état and how was that done. The witness explained that as Sanna Sabally had mentioned, they were very close and used to talk about a lot of things including the general discontentment within the officer about the Nigerians. He explained how the discussions advanced, sowing the seeds of a mutiny in 1994 in Kudang during an exercise. When the Lead Counsel put it to the witness that they had received evidence that the Kudang exercise was a success, the witness disagreed, calling it "a mess".

The witness was asked what he would say to the suggestion that the Nigerian officers were on top of their game, they knew what they were doing and that everything went well. The witness agreed that the Nigerian officers that came to The Gambia were knowledgeable and that the Nigerian army was a professional army and while one could not fault the standards of officers who came, he did not think they put that into practice in the Gambia. When probed further as to what the problem was then, the witness responded that the Nigerian pecking order was very harsh, citing an example of Major Faye⁶³ being embarrassed in their presence on more than one occasion. He added that this was difficult for Gambian officers to grasp.

When asked if the issue of the Nigerians, their presence and leadership in the army contributed to really why the group of officers decided to get rid of this government, the witness clarified that it was not the sole contributing factor. The witness was asked to name those that participated in the discussions that sowed the seeds of a mutiny and replied that most of the junior officers at the time participated, naming himself, Sanna Sabally, Lieutenant Alpha Kinteh and Lieutenant Alagie Kanteh.

The Lead Counsel then asked the witness to explain the planning for the coup to which he responded that upon their return from Kudang, he and Sanna Sabally approached and convinced Alagie Kanteh and Alpha Kinteh to join them. When asked why he did not attempt to bring his brother, an officer in the army like himself, the witness responded he believed his brother would never have accepted to be part of the plan.

Continuing on with his testimony, the witness said that as they were all second lieutenants, they decided that they needed a more senior officer with more experience to lead, somebody they had confidence in and collectively chose Lieutenant Basirou Barrow who agreed to join them. He went on to confirm to the Lead Counsel that the composition of the group changed after they were spotted holding a meeting

⁶³Minister of Defence at the time of testimony.

outside the camp by military intelligence and the matter was reported. As a result, Alagie Kanteh and Alpha Kinteh decided to withdraw.

As three officers could not launch a coup like this, the witness said he suggested Yahya Jammeh but Basirou Barrow did not agree, calling Yahya Jammeh “arrogant” and prone to exaggeration. The witness added that despite Basirou Barrow’s disagreement to his suggestion, he went ahead and spoke to Yahya Jammeh who came on board.

The witness was asked why he thought Yahya Jammeh was a good choice in spite of the protestations of his senior Basirou Barrow to which he answered that they needed additional officers, he (Jammeh) had served in the Presidential Guard and perhaps his inside knowledge would help in the planning.

The witness explained that then after Yahya Jammeh had come on board, Basirou Barrow decided to withdraw because their plans had leaked, the tension was building and they were being watched by military intelligence. The witness went on to explain how he managed to use his good relationship with the troops in Alpha Company to get their buy-in as well.

The witness said after Basirou Barrow withdrew, they decided to recruit Sadibou Hydara. He, however corrected himself, clarifying that he had convinced Yankuba Touray (who was posted to Farafenni, but intermittently came down to Banjul to collect the pay for soldiers) to join the team even before Yahya Jammeh came in. He added that he told Yankuba Touray that his role was not only to on board soldiers from Farafenni, but also to make sure that he stalled or stopped any counter attack from Farafenni.

Going back to Sadibou Hydara, Edward Signhateh proceeded to explain that they agreed they would not give him (Hydara) he full details of the plan but told him that should they be arrested or anything happened to them, he should lead the troops to come and free them and they continue the takeover from there.

Edward Singhateh said they decided to sound the opinion of Major Abdoulie Conteh, indirectly by asking his opinion about the possibility of the military stepping

in. He added that while Abdoulie Conteh agreed that the government was not doing well and something should be done, he did not think a military takeover would work so they knew it was a no-go area. The witness was asked about Ndure Cham and he highlighted that Ndure Cham was brought on board by Yahya Jammeh but he was always panicking. He added that planning a coup was not an easy thing and not everybody could withstand the pressure and the scrutiny because of the implications. Asked if he would say that the three of them were able to withstand the pressure in spite of all the rumours about a coup, the witness said yes.

The witness was then asked to explain their initial plan to which he responded that he had initially proposed that they take State House but he was overruled by Sanna Sabally and Yahya Jammeh and told they would **arrest** the Head of State⁶⁴ when he arrived at the airport. He added that he explained to them that there would be civilians on the commercial flight as well as dignitaries coming to meet the President and this may involve exchange of fire in such a public place, but was overruled. When asked who else was at the meeting, the witness said he could not recall. The witness said despite being overruled, he still drew the plans for both the airport and State House. The witness was asked if their plans were written or just plans they discussed amongst themselves to which he replied they were all written down and well documented but on the night of the 21st when the coup failed and they knew they were in deep trouble, he went home and he burnt everything.

The witness went on to explain that because he drew the plans, he knew what to do and had briefed the soldiers prior, the plan being that the President would be **arrested** at the airport. The witness was asked why that did not happen and he responded that not only had it leaked and that they were searched but Yahya Jammeh was disarmed and they did not have any ammunition to implement the plan.

The Lead Counsel put it to the witness that the Commission had received evidence that after the airport, there was talk about it among the soldiers

⁶⁴At the time, Sir Dawda Jawara.

at the barrack and that even the Nigerians were aware that a coup was in the making and the witness confirmed that the coup had leaked. He added that prior to that, a couple of soldiers (the witness could not recall who they were) were arrested and taken to the then NSS, defunct National Intelligence Agency, NIA and interrogated on what was happening in Yundum. So obviously, it had leaked, it was rife, soldiers were talking about it in the camp.

The Lead Counsel told the witness they had received testimony from a soldier that he heard Yahya Jammeh walk into Colonel Awdu's office and told him everything had failed and the Nigerian officer responded that it had not failed, this man, the President is going home to State House. The witness responded that the reported discussion between Awdu and Yahya Jammeh could not be true for several reasons including the fact that Yahya Jammeh and Colonel Awdu did not see eye to eye.

Asked if he would say that the Nigerian officers were aware that a coup was in the making but turned a blind eye, the witness said no, adding that perhaps it was just seen as a rumour. When the Lead Counsel said they received evidence suggesting that the Nigerian officers in fact encouraged the Gambian officers to stage a coup d'état, the witness said that was not true either.

The witness was asked what happened after they left the airport and he explained that they went back to the barracks, returned the rifles to the armoury and dispersed though on this occasion, because the coup had failed, he believed some of the soldiers did not disperse. The witness was then asked if on the 21st of July, the ring leaders of the coup were paid any special attention and the witness responded that when he was dropped home, he could see somebody he believed to be an NSS agent hanging around his house and appeared to be monitoring him.

He went on to explain how he took various measures to escape the surveillance in order to make his appointment with Yahya Jammeh at his house in Bakau in the early evening. He said he met Yahya Jammeh with Ebrima Bah, at the time his company Sergeant Major who was also part of the coup, while not being one of the ring leaders and they debated on what to do next. As they were aware

of a planned military exercise by the U.S. Marine vessel in The Gambia, they agreed to launch a coup in the morning before the exercise. The witness was asked if it was designed to use the exercise as cover for the coup, the witness replied that it was mere coincidence.

The witness went on to explain how later that night Yahya Jammeh had arrived at his house sometime between 2 and 3 am to tell him that Sanna Sabally had broken into one of the armouries at Yundum Barracks and that the coup was on and had told Jammeh to come and bring him (the witness) along. He added that the coup in itself was launched by Lieutenant Sanna Sabally. The witness was asked what he did upon receiving that information. He said he got dressed and they went to Yundum, where they found soldiers from Alpha Company taking General Purpose Machine Guns, GPGs, and **AK47s** from the old armoury, which Sanna Sabally had broken into. He said he recalled seeing soldiers from other companies as well.

Continuing on with his testimony, the witness said when they got there, they started trying to organise the men and prepare them for departure to Fajara Barracks and State House but more and more men kept coming and more **arms** and **ammunition** were required so there was a need to break into the main armoury. However, after they broke into the Adjutant's office and could not find the keys, they took his (the Adjutant's) personal AK47 which he (the witness) took. When he was asked what time this happened and if it was before or after the arrival of Sheriff Gomez⁶⁵, the witness replied somewhere between 6 am and 7 am and before the arrival of Sheriff Gomez.

The witness was then asked the whereabouts of the duty officer at the time and he replied that when they realised the duty officer, Lieutenant Omar Mbye, was not around, they asked for him and were told he was in the officer's mess. The witness, Sanna Sabally and Yahya Jammeh went to get him, took his AK47 and detained him in the guardroom. When the Lead Counsel asked if they **arrested** him, the witness replied yes, they **arrested** him, but they did not tell him he was under arrest. He was then asked

⁶⁵Sheriff Gomez was the Adjutant at Yundum Barracks at the time.

if at that stage they had made a decision as to what should happen to officers or men who would come to the barracks, the witness replied that they had given an order for all officers who were not part of the coup to be temporarily **detained** until the outcome of the coup.

The Lead counsel asked if there were any officers arrested and detained after Lieutenant Omar Mbye's arrest and the witness responded that several officers that were not part of the coup were arrested and detained to prevent bloodshed amongst them or for fighting to spill out into the wider population. He, however, agreed with the Lead Counsel that the conditions of detention did not need to be as harsh but they could only make use of the infrastructure and facilities available to them at the time.

The witness was asked if he could tell the Commission what happened after the arrival of Adjutant Sheriff Gomez, Edward Singhateh explained that when Sheriff Gomez arrived they had asked him to get into the cell but as he refused, there was a commotion.

When the witness went to the guardroom, Sheriff Gomez asked what was going on and he told him that there was a takeover in progress and the Jawara regime was going to be removed.

The witness added that Sheriff Gomez tried to say that he was part of it (the coup) but he did not buy into that and that during the commotion in the guardroom, he (the witness) **fired a shot** into the ceiling.

The Lead Counsel told the witness that the story they heard from Sheriff Gomez suggests that this event took place outside the guardroom and that the witness fired more than one shot over his (Sheriff Gomez's) head, intimidating him. The witness denied the story. A short debate followed between the Lead Counsel and the witness as to whether the incident happened inside or outside the guardroom with the witness maintaining that the incident took place inside the guardroom.

Moving on, the witness was asked to explain what happened after that. He said he continued organising the troops and when they were satisfied that all the troops

were **armed**, they divided them into three groups - one group to go to State House led by himself and Yahya Jammeh, one group to Fajara Barracks under Sanna Sabally and Sadibou Hydara and the other group to remain at Yundum under Sergeant Major Ebrima Bah and provide reinforcements as and when necessary.

Asked if the deployment went smoothly, the witness responded that the deployment did not go smoothly at the beginning because all the keys to the trucks at Yundum were missing so they went to the highway and commandeered several vehicles.

He was asked at this stage if there was a designated leader and the witness responded that there was no designated leader for the coup; that they had agreed not to distribute positions of responsibility amongst themselves at any point in time because they did not know who was going to live and who was going to die, adding that this was not the reason they launched the coup. With regard to the sequence of deployment, the witness explained that Sanna Sabally, Sadibou Hydara and their troops departed to Fajara Barracks first and when he lined up the vehicles for State House and got the men on board, Yahya Jammeh told the witness he could go ahead without him. The witness was asked if he (Jammeh) tried to chicken-out, the witness replied yes, he did but denied stories that Yahya Jammeh delayed and dillydallied and waited for 'jujus⁶⁶' from Casamance and other such juju stories, adding that Yahya Jammeh had more than enough jujus.

Going back to the deployment, the Lead Counsel asked if he succeeded in getting Yahya Jammeh on a vehicle. The witness explained that Yahya Jammeh tried to opt out and he (the witness) refused, grabbed him by the arm and put him in one of the trucks and he sandwiched him because if you had officers opting out at that time, what would the other ranks do when they started firing.

The Lead Counsel told the witness they heard that Yahya Jammeh was a coward to which the witness did answer directly but smiled. When the Lead Counsel rephrased his comment saying that Jammeh "displayed tendencies of a coward", Edward Singhated responded that he was not sure.

⁶⁶Items people put on their bodies with the belief it would protect them

Continuing on, the witness explained that they disembarked shortly before the bridge and moved tactically towards it. He said that because he was a trained paramilitary (compared to Yahya Jammeh who was trained by the gendarmerie) and the fact that he drew the plans to take State House, he (the witness) took charge of the situation. He said that when they reached the bridge, they found some soldiers had already secured the kombo side of the bridge and there were some members of the Tactical Support Group, TSG commando unit present. When asked if he recalled who headed the unit, the witness said he could not recall who headed the group but believed there was a Major Suwareh there. He recalled that they spoke to the commando at the bridge but when asked, he could not specifically recall who they spoke to. The Lead Counsel informed the witness that they received evidence that Major Amadou Suwareh was there at the time and that he had a conversation with Yahya Jammeh to which the witness responded that it was possible he conversed with Yahya Jammeh but the main event at the time was that the bulk of the commandos were on the other side of the bridge towards the Banjul side.

When the Lead Counsel told him that Captain Amadou Suwareh had told the Commission that when their (the witness') party arrived, he spoke to Yahya Jammeh who tried to convince him to support the coup, promising that he would be given the post of Minister of Foreign Affairs if he supported the coup, the witness said he was not privy to that conversation.

The Lead Counsel asked the witness what he would said to the suggestion by Amadou Suwareh that he agreed to support the coup and he asked his troops to join, but told Yahya Jammeh that he would be the person to lead the party from Denton Bridge onwards to take State House and that he, in fact, led the group from Denton Bridge to State House, the witness replied since he had not been privy to the conversation between him and Yahya Jammeh, he could neither confirm nor deny that. He said that the statement by Amadou Suwareh that he was leading the troops from the bridge to State House was inaccurate, as he (the witness) was the one leading the troops to State House, with Yahya Jammeh being behind somewhere.

Edward Singhateh launched into detailed explanation of how he organised and directed the troops and how they overcame all the resistance from the commando groups they encountered from the bridge to Banjul. He also explained how they came under fire from the coup resisters at several points on the way and how they conducted their anti-ambush drills to overcome the resistance.

The Lead Counsel interrupted and told the witness they received evidence from then Assistant Inspector General of Police, AIG Ebrima Chongan that he had opened fire on his (the witness) group and when he realised that his men were not coming to defend as be predicted, he tried to run away from the scene to protect himself. The witness replied he never saw Ebrima Chongan and if he had been there, he would have seen him.

Continuing on his explanation, Edward Singhateh said that when they reached Banjul, they could see the commandos opposite Gambia High School but they (commandos) did not attack them (the witness's party). They decided to engage them and got them to agree to join them after which he disarmed them. The witness was asked if Binneh Minteh would be amongst them and he replied no.

The witness went on to explain to the Commission how he divided the troops further and sent one group to remain on the beach and go towards the rear of State House, while the other went with Yahya Jammeh towards the back gate of State House along Marina Parade and he (the witness) went with the main group round the front gate to take State House. He added that he expected that this is where the heavy resistance would have been. He explained that they went around McCarthy Square, they took up positions and threatened to blow the gate down it they did not open it. He said then Sergeant Bakary Camara came to the gate and told him that the keys were with Lang Tombong Tamba who was in the office at that time. Bakary Camara later came and opened the gate.

The Lead Counsel told the witness they received testimony suggesting that Yahya Jammeh spoke to Lang Tombong Tamba in Jola and then Lang Tombong

Tamba decided to go to the back gate for Yahya Jammeh and his party to walk into State House. The witness replied that what he could recall was Bakary Camara who came with the keys, and that he moved in with his men and asked the presidential guards to lay down their weapons, which they did. Edward Singhateh said he then assured them that they were not interested in fighting with any of them before sending somebody to go and open the back gate for Yahya Jammeh to come in. When asked, the witness confirmed that Lang Tombong Tamba did not have any role in opening the gate.

The Lead Counsel asked the witness if information they received that Yahya Jammeh took off his uniform and was bare-chested, with jujus in his mouth saying “Yes, I have taken over State House” was true, the witness replied that when Jammeh was coming from the back gate, he still had his uniform on and there were no jujus in his mouth, adding that there was no real sense of jubilation at the time, things were tensed.

Continuing his testimony, Edward Singhateh explained that subsequently, Sanna Sabally who had the additional mission to secure Gambia Telecommunications Company Limited, GAMTEL and switch off the international gateway, closing down the airport and seaport, securing the border etc. came to join them. When asked if he personally went to the marine unit to secure their cooperation, the witness said no, when he visited the marine unit, they were already on standby and commander of the marine unit at the time, then Major Antouman Saho was welcoming and he ensured that they basically shutdown all movement.

The witness was asked how a government formed now that they had taken over State House. He explained that they first decided to meet with officers from all of the security services to have the opportunity to explain themselves, asked for their buy-in and their cooperation to avoid instability and bloodshed.

He added that before they could conclude the meeting, Sanna Sabally arrived with Sadibou Hydara in a fit of rage and wanted to open fire on some of the officers.

The witness could remember Yahya Jammeh asking Sanna Sabally “*what is wrong, what is wrong?*” Sanna Sabally said he had information that the other officers wanted to launch a counter coup and they had to physically restrain him and tell him, “*No, we invited them, we asked them to come.*”

The witness was asked if he could tell them the senior officers who were present and he answered every senior officer at the time. When the Lead Counsel suggested that Mamat Cham was present, the witness said he did not believe Mamat Cham was present at that time. With regard to Samsudeen Sarr being present, the witness replied that Samsudeen Sarr was present at the next meeting. The Lead Counsel then told the witness that they received information that the next day when Baboucarr Jatta arrived with Mamat Cham, he (the witness) sent Baboucarr Jatta away and invited Mamat Cham in, which the witness confirmed, adding that they got information that Baboucarr Jatta had made comments about the coup that was not positive.

The Lead Counsel went on to enquire about how the ruling council was formed to which the witness replied that during their second or third meeting, they had no council, no government and there was a vacuum. When the Lead Counsel pointed out that an announcement was made the day before, the witness agreed, saying it was an off the cuff announcement made by one Captain Sonko, which was not a friendly statement. He said they wanted to win the hearts and minds of Gambians and did not want to be chased out immediately. The Lead Counsel said that was right. The witness was then asked if he knew who wrote that speech. The Lead Counsel told him there was dispute: some say it was written by Sonko, others say it was written by Captain Samsudeen Sarr.

He was asked what he said to that and the witness said the announcement that was made by Captain Sonko was off the cuff and it was wrong. Edward Singhateh said it was not a friendly statement, but one of the principles of revolutionary warfare, which is also a principle of counter revolutionary warfare is winning the hearts and minds of the people.

He explained that the structured statement that was subsequently read was written by Yahya Jammeh himself.

Going back to how the Council was formed, the witness stated that during the meeting with the other officers including all of the Council members there was difficulty in getting any headway. It was not structured because there was no leader so Samsudeen Sarr got up and said (the witness stated this in Wolof)

“You did your *coup d’état*. Go upstairs. Decide amongst yourself who should become what. When you come down, we would accept whatever you have decided”.

The witness said that they agreed and himself, Yahya Jammeh, Sanna Sabally, Sadibou Hydara went upstairs. He was asked if Yankuba Touray was not present at that point, the witness replied no.

The witness was asked what was decided and he replied that they looked at who was going to be head of state first and the witness had suggested Yahya Jammeh. He was asked why and he said because the way Sanna Sabally had acted in the immediate aftermath got him worried. He further said if Sanna Sabally could threaten to **kill** security officers on information that had not been verified, that was frightening in the sense that if you have somebody with such a temperament, it is not safe to put him in such a position of power.

He was asked if the others agreed and he said he could see Sanna Sabally was not happy and Sadibou Hydara questioned *“but why?”* to which he (the witness) replied because he is the most senior. The Lead Counsel asked at that stage, having decided who was going to be head of state, did they decide on positions. The witness said yes, Yahya Jammeh turned immediately and said, *“But then I want Singhateh as my Vice.”* The witness said he replied **“No, sir. I am going back to barracks”** but they (Sanna Sabally, Yahya Jammeh and Sadibou Hydara) all said *‘No, we are in this. Nobody is going anywhere.’* He said that when Jammeh repeated *“I want this man as the Vice-Chairman”*. Sadibou Hydara said, *“No, was it*

not Singhateh who said seniority? Sanna Sabally is senior to Edward Singhateh and Sanna Sabally should be Vice.” The witness said he concurred so Sanna Sabally became Vice-Chairman of the Council at the time.

Then distributing the other positions, he said he told them, *“Look, defence is my niche. I know that I can promise that this country would be secure during whatever period we remain”*. So, he took defence and interior was given to Sadibou Hydara. The witness further explained that they decided that four of them were not enough to manage a government, they needed more help, perhaps from amongst themselves before they invited civilians so he suggested Yankuba Touray to which they eventually agreed and Yankuba Touray was made Minister for Local Government and Lands. Mamat Cham was appointed Minister for Works, Samsudeen Sarr Minister for Information and Dr. Pachakh Njie was appointed as Director of Medical Services and that was how the Armed Forces Provisional Ruling Council, AFPRC was formed.

The Lead Counsel then said that soon after its birth, some of the military personnel who were designated ministers were **arrested** as well as many officers including (the Lead Counsel proceeded to read from Exhibit 3): Captain Ebrima Kambi⁶⁷, Captain Mamat Cham, Captain Ben Wilson, Captain Sheriff Sam Sarr, Captain James C. Johnson, Captain Ndure Cham, Captain Momodou K. Sonko (Kenyeleng Manso), Major Malick S. Njie⁶⁸, Major Turow Jawneh, Lieutenant Sheriff ML Gomez, Second Lieutenant Alagie Kanteh, Second Lieutenant A. Kinteh, Second Lieutenant Yankuba Drammeh, Sergeant Musa Manneh, Sergeant Faraba Sabally, Staff Sergeant Lamin Sambou, WO2 Babucarr Jeng, WO Alagie Faye, WO2 Musa Ceesay, Private Borri Darboe, Corporal Momodou Njie, Cadet Superintendent Abubacarr S. Jeng, Inspector R. Correa, Inspector General of Police, IGP Pa Sallah Jagne, AIG Ebrima Chongan, Assistant Superintendent of Police, ASP Jammeh Conta, Chief Superintendent Sheriff Mbye, Superintendent Aliou Ndour and Lieutenant Kebba Dibba, all **arrested** at the different stages after the coup and **detained** at Mile 2 Prison. The witness agreed but argued that he was not part of those who **arrested** them.

⁶⁷Spelt Cambi in TRRC Digest Edition 1

⁶⁸Dr. Pachakh Njie’s official name is Malick Njie.

The Lead Counsel countered that it was one thing to be part of the party arresting them, **it is another thing to be aware that these people had been arrested under the authority of the AFPRC to which he was an important member and the witness said absolutely.**

The Lead Counsel then told the witness he mentioned earlier that these people were **arrested** on temporal measures to secure the coup d'état but others were arrested on the suspicion that they were planning a coup d'état and detained for extended periods of time. He was asked if that was correct and he said yes, he could not recall the exact period but yes they were detained for extended periods of time. When the Lead Counsel added that some of them were **detained** for over two years in terrible conditions at the security wing of Mile 2 Prison, the witness agreed.

The witness then tried to explain that they were detained mostly by Sanna Sabally which the Lead Counsel refuted, citing the detention of armed forces and police personnel decree, a decree passed by the AFPRC therefore whatever Sanna Sabally did in pursuance of that decree was done and on behalf of the AFPRC and the witness agreed and after a heated and lengthy exchange with the Lead Counsel, subsequently agreed that most of them were detained in **inhumane** conditions contrary to the United Nations, UN standard minimum rules for the treatment of prisoners irrespective of what their crime was and said he deeply apologised for his role in that.

The witness then requested and was granted to make a short statement, which touched on his voluntary participation in the process because he believed in it, his respect for all the Commissioners, the Lead Counsel and the Gambian people. He highlighted he was responsible for initially putting Yahya Jammeh in power and that he felt partly responsible and was deeply remorseful. He added that he did not come to argue or to try to offer explanations that would extricate him without course.

The Lead Counsel thanked the witness and proceeded on with the witness' testimony on the detention of the security personnel at Mile 2 Prison security wing and that the inhumane conditions were a known fact to the AFPRC. The witness agreed but added that that was all they had, there was nowhere else and that he believed that for the security of this nation, for lives to be spared, sometimes extreme measures had to be taken and if he (the witness) was deemed a security threat and he was kept there for the interest of this country, he would accept it.

The Lead Counsel then told the witness that there is **no excuse to detain the security officers in such horrible conditions as those people were detained at the security wing and the witness accepted it was wrong and that the conditions were not the best.**

Edward Singhateh attempted to defend the detentions by stating that the decree legalised it therefore it is not unlawful to which the Lead Counsel argued that the decree cannot legalise the inhumane nature. When the witness added that was the only infrastructure that was available, the Lead Counsel said that the Commission would consider whether there were other possible places where these people could have been detained instead of under horrible conditions in which they could have been detained at Mile 2 Prison.

Moving on, the Lead Counsel added that soon after the takeover, civilian authorities or former politicians and ministers were **arrested** and taken to Mile 2 Prison, which the witness confirmed but requested to review the list of **detained** security officers to identify the "unnecessary" detentions.

The Lead Counsel started listing the names of some of the security officers that were **detained** and the

witness accepted that for some of them, their **detention** may have been justified, but for the others the **detention** was wrong and unlawful and the conditions of detention were inhumane.

The Lead Counsel moved on to the **arrest** and **detention** of “OJ” Omar Jallow and others and **mock executions** at Mile 2 Prison. The witness claimed that he was not part of those who conducted the **arrests** and went on to explain how he was radioed to join some soldiers including Sanna Sabally and members of his entourage at Mile 2 Prison and when he got there, he found out that those who have been **arrested** were **detained** in the remand wing and they would be taken out and **beaten**, intimidated and somebody would **fire shots** in the air and then they would be moved to a different part of the prison. He added that when he saw that, he decided to leave.

The witness agreed that the mock executions were **psychological torture** and that **“the conduct was not lawful... was despicable...wrong”**.

The Lead Counsel told the witness they heard from “OJ” Omar Jallow that seats were arranged and Council members were seated, watching what was going on, the witness replied in the negative and that he left as soon as he saw what was going on and went to State House explained to Yahya Jammeh what was going on.

He narrated that Yahya Jammeh laughed and said, *“You know, these are elderly people. Now let’s say one of them has a heart attack and dies or something goes wrong, how are we going to explain that anywhere to the international community, to the Gambian people?”* The witness said he then called Sanna Sabally and told him to stop. When asked if it appeared that Yahya Jammeh knew what was happening, the witness said he felt Jammeh knew and would not be surprised he had ordered Sanna Sabally to do that. The Lead Counsel told the witness that they had evidence suggesting that he (the witness) participated as an observer in the decision-making process, which the witness denied. The Lead Counsel thanked the witness and asked that they proceed to the next topic.

The witness was asked if he recalled the night of 5th and 6th September, when he and his colleagues went to Mile 2 Prison at night. Edward Singhateh stated that he could not recall going there on the 5th and not having access that night but could recall that Mamat Cham, Samsudeen Sarr, Mr. Ebrima Chongan and a few others were accused of plotting a counter coup so the Council members agreed to go to the prison to interrogate the officers to find out if they had collaborators. After a debate on the appropriateness of the visit at night, the witness agreed that the time was odd and that should not have happened.

The witness recalled that all of the AFPRC members except Yahya Jammeh were there with their orderlies as well as some soldiers from State House and his brother, Peter Singhateh.

When they arrived, Mamat Cham was dragged out of the cell and someone hit him very hard with an AK47 on his face and he collapsed.

He said he could not recall who hit Captain Cham and replied in the negative when asked if he was carrying a rifle at that time. When asked to comment on the accusation by Captain Mamat Cham, Ebrima Chongan and Abubacarr Sulayman Jeng that he walked in (to the prison) and started yelling, *“Where is Captain Mamat Cham? Where is Captain Mamat Cham”*, the witness maintained that it was false, even after Captain Cham and Ebrima Chongan’s testimonies to that effect were read out to him. The witness also denied accusations by a number of witnesses that he was drunk and went on to add that just because he denied hitting Captain Cham does not mean he was reneging on his responsibility, adding that he accepted having participated in inhumane and illegal treatment of Captain Mamat Cham.

The Lead Counsel then said that after being beaten, Mamat Cham was subjected to mock execution to which the witness responded that he could not recall that nor could he recall hearing a round being discharged, admitting however that he would not be

surprised if it happened. When it was put to him that all of them (Captain Mamat Cham, AIG Ebrima Chongan, RSM Babucarr Jeng) were taken outside and **beaten**, then there was a burst of fire and the victim was taken to another part of the security wing, the witness responded that he was not denying the fact that it could have happened, but argued that he could not recall parts of the events.

Edward Singhateh was told that RSM Babucarr Jeng also claimed that he (the witness) kicked and hit him, which he also denied, adding that he did not touch any of them. He also denied the allegation that he (the witness) pointed a **gun** at Sheriff Gomez and told him that he was going to come back.

The witness was asked if he disputed anything else in the narratives that were presented to him to which he responded that the whole thing was wrong, they should not have been there in the first place. He added that anything that had happened directly or indirectly, they (the Council members present) shared all of the responsibility and took full responsibility for who served directly under him that had **assaulted** or **hit** any of the detainees. He also stated that he was taking full responsibility for the actions of anyone serving under him and directly under his command and control. He further said that there was no excuse for what happened to the security detainees and he would like to apologise to RSM Babucarr Jeng, as well as to AIG Ebrima Chongan and to Mamat Cham.

Steering the testimony towards the 10th/11th November incident, the Lead Counsel asked the witness to tell the Commission what happened. The witness explained that they had heard rumours of a coup two weeks prior but did not act but as it became rife, they (all the Council members except Yahya Jammeh) went to speak to the soldiers and ask them not to launch their coup. They went to Yundum Barracks on the 10th and met with the soldiers and officers and tried to dispel rumours that they had appropriated lots of money to themselves, bought houses and vehicles for themselves and that he, the witness in particular was going to get rid of all senior civil servants, which he added was not true.

When asked what happened when they arrived at Yundum Barracks, the witness said they explained to the officers

and men that they had made big promises but The Gambia was not a rich country and therefore they had to find a way of making sure that they bring the development that they had promised accordingly. When the lead Counsel asked who was present on the other side, the witness said he could not recall but when the Lead Counsel named Lieutenant Barrow and Lieutenant Gibril Saye, the witness said he did believe Basirou Barrow was present but Gibril Saye was present. He however said that soldiers from Fajara Barracks were not present, that the plan was to move from Yundum Barracks to Fajara Barracks and also have a similar meeting but by the time they had finished, they had got word that those in Fajara Barracks had dispersed.

Continuing on his explanation, the witness said they returned back to State House and Sanna Sabally briefed Yahya Jammeh that they hoped they had talked some sense into the coup plotters. He explained that around 10 pm, Sanna Sabally, Sadibou Hydara, Yankuba Touray and their orderlies, all **armed** with AK47s and a couple of 40mm grenade launchers went to his house and Sanna Sabally told him that it was clear that they were launching the coup and were going to come to **arrest** them and their families and have them executed so the witness was to move with them to State House. He said he told Peter Singhateh to go with him and when Peter questioned the need for him to go, he told him that some of the coup plotters named were soldiers serving under him in the training school and does not tell well and also that they had information that they are going to come, **arrest** them in our houses and execute them and their families. He added that his mother and sister refused to move to his uncle's house and leave his pregnant wife and sick, son so he left one of the orderlies, Lamin Marenah behind.

The witness said they proceeded to Banjul to Yahya Jammeh and the order was to pre-emptively attack the barracks in Yundum before the soldiers were properly prepped to have an edge, the element of surprise. He explained that they divided the troops into three - one group to stay at State House, the other to secure the bridge, the other to follow them and their orderlies to Yundum.

He added that before they left, **Yahya Jammeh ordered Sanna Sabally to “take no prisoners.”**

When later asked what he understood that to mean, the witness replied *“that it is very simple, make sure that none of them survive.”* The witness was asked if there was a Council meeting or consultation with Yahya Jammeh before that order was given, he replied no. Regarding the number of men deployed, Edward Singhateh reckoned that they were about 60-70.

The Lead Counsel told the witness that they received evidence that before they departed, Yahya Jammeh said that he was going to join their group and said that if he went, a lot of families would cry but he was restrained. The witness confirmed this, commenting in Mandinka, *“Yahya Jammeh boasts a lot”*. He then added that Yahya Jammeh was told by Sanna Sabally *“no, stay. We would take care of it.”*

The witness went on to explain how they took the back roads through Abuko knowing that perhaps coup plotters would be expecting them through the main gate. He said they stopped a couple of kilometres or so from the camp and as Sanna Sabally was preparing the troops to go, the witness convinced him to be allowed to go in with a small group to assess the situation and radio back the situation. He said he went with two other soldiers, Lamin Senghore and another one whose name he could not recall and infiltrated the back gate through the fence. They moved carefully and he could see there were more soldiers in the barracks than usual, armed and moving up and down. Something was going on.

The witness said he moved out of the shadows and grabbed a soldier who came towards them, pulled him back quickly and covered his mouth, telling him he was not going to hurt him and when the soldier calmed down, he asked him what was going on, but he was unable to respond as he was panicking.

From his demeanour, the witness said he believed the soldier was not part of the coup so he told him to leave because he knew an attack was imminent and when shots are fired all around, it would be unfortunate if the

wrong people got hit. The witness was sure the time that Sanna Sabally had allocated had elapsed and he might have thought that something had happened to him. At this moment he heard gunshots, which meant that either Sanna Sabally had stormed the camp or something else happened.

He further said that the **gunshots** persisted, there was an exchange of fire and after a short while, they had taken the camp and whoever was illegally armed at that point or part of the coup had dispersed. The Lead Counsel told him they had received testimony from people who were with him and they did not talk about any gunfire. The witness insisted there was gunfire at the camp and the camp was taken.

The Lead Counsel reiterated that the evidence that they received was completely different from the witness’ but went on to ask him to explain what happened during firing he talked about. Edward Singhateh said that those who stormed the camp with Sanna Sabally would be best positioned to highlight exactly what happened and explain. He added but from where he was, he heard gunfire, from more than one AK47.

The witness was asked if there were any **casualties** as a result of this **gunfire** and the witness said that he believed there were and went on to state that he took responsibility for those who were executed in the aftermath.

The Lead Counsel told the witness that the Commission’s position is that nobody was killed in action. All those soldiers who died were executed in cold blood by his colleagues the day before Remembrance Day.

He was asked what he said to that.

The witness replied that there was exchange of fire in close proximity for about a couple of hours at Fajara and Yundum Barracks thus casualties would be expected however, people have been led

to believe that there were no casualties, everyone was executed. He further said that no matter how long, other evidence will come out to refute that, but in the interest of reconciliation and moving forward, he would subscribe to the executions. The Lead Counsel responded to the witness that the Commission has a responsibility to investigate the truth and place responsibility where it merits to be placed and that they would look into the evidence and determine who was responsible for what.

The Lead Counsel then said in as much as he wanted to own up to things simply because he belonged to a group that committed violations, he would only be attributed responsibility for those violations if he was individually criminally responsible, not because somebody else is responsible. The Lead Counsel went on to further probe, asking him if he knew of any casualties during the so-called exchange of fire at Yundum and the witness responded that there were no casualties. The witness was then asked to explain what happened after they had taken over barracks and he explained that once they had secured Yundum Barracks, they were informed that they were actually mobilising from Fajara Barracks to meet coup plotters at Yundum and launch their attack.

The Lead Counsel asked if the exchange of fire would not have given notice to those who were at Fajara Barracks. The witness responded that it was unlikely because of the distance and limited access to telecommunication at that time.

The Lead Counsel went to conclude this point by stating that all those who testified at the Commission never mentioned any form of fighting in Yundum Barracks before the camp was taken over by his party but he had given them a different story.

The Lead Counsel and witness went into and elaborated and heated back and forth review of the previous day's testimony with regards to the alleged **torture** of OJ Jallow and other People's Progressive Party, PPP officials at Mile 2 Prison in 1994 and **beatings** and **attacks**

on some security officers at Mile 2 Prison and the witness maintained his position – that he accepted responsibility by virtue of the decree promulgated by the AFPRC and his presence at the prison but denied all allegations of individual, criminal responsibility, adding that though he was not presented with the evidence the previous day, he also took full responsibility for the actions of his orderlies and soldiers under his control including Batch Samba Jallow that “*physically partook*” in the **beatings** and **brutalising** of the helpless prisoners.

The Lead Counsel then launched into a review of the previous day's testimony on the 11th November incident up to the point where the witness explained that it was when Sanna Sabally and his men went towards the guardroom that they met. He said he was not part of those who stormed the camp. He however added that there were no casualties as far as he can recall. The Lead Counsel then referred the witness to the written version of his statement and read it out:

*“I went with two soldiers, I think one was Lamin Senghore and we infiltrated the back gate having gained access through the fence. As we were passing the sentry, the sentry man was concentrating on the activities going on in the camp. I could see more soldiers in the barracks as expected and I knew something was amidst. As I got to the guardroom, I got to see a lot of in and out, and more activities than usual. There was a soldier who left the guardroom and came out. I got out of the shadows and grabbed him and put him back in the shadows, but from the look of things, he does not look to be part of the coupists and I asked him to walk away to the opposite direction. No sooner I had released him and wanting to inform Sanna Sabally of the situation, I heard gunshots around the gunshots. I believed it was that juncture that Fafa Nyang was **killed**, when Sanna and his entourage stormed the barrack”.*

When the Lead Counsel highlighted the discrepancies between the electronic version of the witness' statement and his testimony, he asked him which one he was going to adopt, the witness responded that the one he had signed and which had been

admitted into evidence was his testimony. The Lead Counsel reminded the witness that it is an offence to provide false information to the Commission to which the witness responded that he had reviewed and edited his transcribed statement as he was told to do by the Lead Counsel and adopted the one he had signed, adding that the only intention was to cooperate to get to the truth. The Lead Counsel told the witness that he had given the Commission one statement but after hearing other testimonies, he tweaked his first statement to bring it into accordance with the statements he heard, adding that if the Commission decides to proceed with him (the witness) on a charge of misleading the Commission, then they will discuss the issue then. He however added that there is no suggestion that that is going to happen.

Continuing on, the Lead Counsel asked what happened after the **gunfire** started and the witness explained that they took over the guardroom and the sentries were replaced by troops loyal to the government and then they got information that Basirou Barrow had arrived or was about to arrive and a group was designated to **arrest** him. When asked who headed the group, the witness said he could not recall and when it was put to him that the Commission had evidence that it was Peter Singhateh, the witness responded, *“if it is Peter Singhateh, then so be it. It is not me”*.

The witness continued to explain that Basirou Barrow was captured and beaten by the soldiers who captured him.

When asked whether those men included soldiers directly under his command, the witness responded that he was not sure. The Lead Counsel informed him that Mafugie Sonko⁶⁹ said that when Basirou Barrow arrived they jumped onto him, including Batch Samba Jallow, and **beat** him. Edward Singhateh responded that Mafugie Sonko could not have known because they arrived afterwards.

When asked about the other group that went there, the witness replied that after realising there were more coupists at Fajara Barrack, they took a decision to go

and attack Fajara Barracks as well but as they were about to depart, a convoy arrived and there was an exchange of fire after which some were captured and some escaped. He added that he believed Abdoulie Dot Faal was one of those who were captured and he (Dot Faal) and Basirou Barrow were put in a truck and they proceeded to Fajara Barracks. He confirmed that Abdoulie Dot Faal was **beaten** by all of their soldiers.

The witness was asked if he did anything to stop the **beating** and he said he did not. He further admitted that the beatings were unlawful when probed by the Lead Counsel. When he asked and was allowed to contextualise his statement, the witness went on to explain that much anger had already been built up (because the coupists wanted to kill them and their families) and it was vented on those who were captured. He however agreed that they did not have to be **tortured**, that the action meted out on the detainees was unlawful and he (the witness) had responsibility for that.

The Lead Counsel moved on and asked about those that were captured with Abdoulie Dot Faal to which the witness responded he could not recall how many were captured at that time, but he did know that some arrests were made subsequently and the men were kept in the cells. With regards to the **beating** of Abdoulie J. Darboe and Mafugie Sonko, the witness affirmed that all those who were captured were **beaten**. The Lead Counsel said Mafugie Sonko had stated that the witness' driver Batch Samba Jallow (whom he (Sonko) referred to as Samba Batch) was amongst those who beat him. The witness said he took full responsibility for that.

The Lead Counsel told the witness that the officers including him (the witness) who commanded the operation countenanced the **torture** of the captured soldiers. The witness disagreed, adding it was spontaneous. The Lead Counsel then asked if it was spontaneous for Basirou Barrow, for Abdoulie Dot Faal, for Mafugie Sonko and Abdoulie J. Darboe, the witness - after an exchange ensued between the Lead Counsel - concurred, stating *“...I agree, we countenanced it because we allowed it to happen”*.

⁶⁹Mafugie Sonko is a former driver at the Gambia National Army. He testified before the Commission during the third session of the public hearings.

Moving on to what happened next, the witness explained that the **detainees** were kept in the cells but Abdoulie Dot Faal and Basirou Barrow were put in the truck and taken along with them towards Fajara Barracks and they were **executed**.

He said they also proceeded to attack Fajara Barracks in three groups led by Captain Sanna Sabally, the witness and Baboucarr Jatta respectively, adding that Yankuba Touray and Peter Singhateh were in Baboucarr Jatta's group.

The Lead Counsel pointed out that they had evidence from four different witnesses that the people who were arrested were sent to Mile 2 Prison, but later brought to Fajara Barracks and asked the witness what he had to say to that. The witness said he would agree if they all said that they were taken to Mile 2 Prison because he did not go there.

The witness went on to explain how Baboucarr Jatta's group went through the training school and they entered the camp first, and they could hear **shots** being **fired** and that he and Sanna Sabally entered through the back gate towards the Bakau football field. When asked, the witness stated that to his knowledge there were no **casualties** during the exchange of fire nor did he hear anyone say that people were **killed** during the exchange of fire. The witness also explained how they took fire from the NCO accommodation and that they returned fire. He further explained that they came under fire again, returned fire and **captured** the soldiers who were firing at them. They also came under fire from Sanna Sabally's group who thought they were the coup plotters and someone around the gate also fired at them. The witness said he saw somebody get up with his rifle and he asked him to halt twice and when he did not comply, he **opened fire** and "he was hit in the buttocks. I did not shoot to kill. I shot a warning into the sandbags and one of the rounds or an empty case was hit by a round and it entered his buttocks". The witness said he could not recall the soldier's name but emphasized that he was

alive because he went to visit him before they left the camp to see how he was doing and he apologised to him. The Lead Counsel probed further but though the witness admitted that he had shot and injured only one person throughout his military career, he still could not recall the soldier's name.

The witness also recollected how he threw a grenade into the administrative building and personally pulled out Bunja Darboe in the process of clearing out the area after receiving information that there was movement there. After that, they detained him and he stated that he could not recall whether he was one of those who were subsequently charged and found guilty of treason for his role in the 11th November coup. The witness told the Commission that they later went about securing the entire camp.

*"It was cleared, it was almost daybreak and then I believe Lieutenant **Sanna Sabally sent for the prisoners to be brought.**" They were lined up and two of them were shot dead by the soldiers that were ordered to shoot them and the others fled. When asked, he clarified that the **Council members did not shoot.***

When asked, the witness agreed that it was an **execution** and that it was **unlawful**.

The Lead Counsel proceeded to read from Sanna Sabally's statement where Sabally confirmed that after capturing Fajara Barracks, they brought soldiers from Mile 2 Prison **paraded** them on the field, and the ring leaders were targeted for execution. He went on to read out the part where Sanna Sabally confirmed he ordered the killing and members of the Council and the soldiers opened fire at these individuals and they **died**" and said, "I am responsible since I am the commander on the ground". When confronted

with this, the witness said he stands by his commander (Sanna Sabally) and admitted they were responsible for the **killings** however, he insisted that he was there on the line but did not **shoot** anyone and added that the ring leaders were not the only ones targeted, everyone in the line was targeted.

The Lead Counsel also read out excerpts from Ensa Mendy's⁷⁰ testimony where he confirmed that all of them shot at the **captured** soldiers to which the witness responded that it would have been very difficult for Ensa Mendy to know who opened fire, adding that whether he fired or **killed** anyone was irrelevant to him as his participation was full and he took full responsibility for his actions as if his bullet had **killed** the two officers.

The Lead Counsel highlighted the witness' strategy of confession, accepting general responsibility as a commander but deflect his own action to someone else, all to seal himself from responsibility.

Edward Singhateh also highlighted that if he had wanted, nobody would have escaped, pointing out that he was one of the sharpest shooters of the Gambia National Army, GNA and could easily have killed anyone, even at three hundred metres. He added that those who ran away escaped because they allowed them to. He explained that the soldiers that went after them were not ordered to chase them contrary to Sanna Sabally's testimony that he (Sabally) sent Njie Ponkal and Tumbul Tamba to go after them. The witness continued to maintain that he did not discharge his weapon at Basirou Barrow and Abdoulie Dot Faal on that day.

When asked about the soldiers under his command, the witness explained that when you are lined and AK47 are fired, you cannot tell exactly who and who is discharging at the same time.

The Lead Counsel asked the witness to confirm that at the time they left State House their common plan with Yahya Jammeh and all Council members was to take no

prisoners, which the witness confirmed. He was asked whether that was the plan that was implemented at Fajara Barracks and the witness also agreed. The Lead Counsel further put it to the witness that they executed the soldiers in cold blood on the basis of the common plan to take no prisoners, highlighting that was a crime for which the witness is responsible for. Edward Singhateh agreed.

After a short break, the Lead Counsel revisited the alleged agreement by Council members at the time to take no prisoners versus the witness' testimony that this was an order emanating from Yahya Jammeh and an extended, loped and heated debate ensued between the Lead Counsel and the witness with the Lead Counsel vehemently suggesting that it was not an order by Yahya Jammeh but a collective Council decision while the witness maintained that it was an order from Yahya Jammeh.

Before moving on, the Lead Counsel asked the witness whether he was guilty of the two murders. The witness responded, "absolutely".

The Lead Counsel then asked the witness to tell the Commission where they went to after they finished their operations at Fajara Barracks and the witness proceeded to narrate that they went to Yundum and when they arrived, Sanna Sabally had given the order that the ring leaders in the cells should be **executed** and they did so. Those executed were Fafa Nyang, Ebou M Ceesay and one Sergeant Camara. He further explained that Sanna Sabally had given the order and he instructed the soldiers to **shoot** them. The witness was asked whether he accepted that he also gave an order for the soldiers to shoot and the order it was carried out, to which he agreed.

When asked what he has to say to the family of Fafa Nyang, the witness said not only to the family of Fafa Nyang, but also to the family of Basirou Barrow and Dot Faal and went on to state that he would like to apologise for his actions, adding that they felt

⁷⁰Ensa Mendy was an orderly to Yankuba Touray, Council member. He testified during session 3 of the TRRC public hearings on 2nd March 2019

threatened by them and felt they were going to be executed but that did not justify what they did and went on to ask for forgiveness from the victims' families, asking them to not to blame those under his command; that he takes responsibility for all their actions. He expressed that they were very good soldiers and would not have done that on their own. He blamed the Council for everything. The Lead thanked the witness for accepting responsibility.

The Lead Counsel continued his questioning, asking Edward Singhateh about the two other people executed after Fafa Nyang. The witness narrated that Sanna Sabally had given the order to **execute** Sergeant Camara and Ebou M Ceesay, noting that the order was implemented. When asked whether he knew that it was a crime, the witness said that everything was wrong, unjustifiable and illegal and also extended his apologies to the family of the **executed** soldiers.

The Lead Counsel thanked the witness and asked him to expand on the other **executions** that day. The witness explained that they (Sanna Sabally, Yankuba Touray, Sadibou Hydara and the witness) returned to State House and Sanna Sabally briefed President Jammeh about the execution of Basirou Barrow, Abdoulie Dot Faal, Ebou M Ceesay, Basirou Camara and Fafa Nyang informing him that there were other ring leaders in the cell after which Yahya Jammeh asked *"Why did you leave the others?...if they had succeeded you would not be here, we would all be dead...You should not have spared them."* He added that Yahya Jammeh asked them to go back and finish the job and they did.

When asked whether he would accept that it was a collective decision to go back and "finish the job", the witness responded in the affirmative.

The witness continued to explain that they proceeded to Yundum, met and briefed Baboucarr Jatta and from there they had the detainees removed and put on the back of a Land Rover or a pickup and left in a convoy for somewhere behind Brikama. He was asked if Yahya Jammeh was with them to which he responded that Yahya Jammeh never left State House throughout that period.

The Lead Counsel told the witness they have evidence that Council members met in the anteroom and discussed further what they were going to do. The witness replied that they converged in the anteroom because that was the only space available for them to wait for the detainees to be taken out and discuss what needed to be done. When asked who was present at the meeting, the witness said all the Council members except Yahya Jammeh and he clearly recalled Baboucarr Jatta. When asked if Peter Singhateh and Lieutenant Marong were there, the witness said he could not recall.

The Lead Counsel told the witness that Lieutenant Marong had said that he was present and he (Marong) had told Baboucarr Jatta that the action he had decided to take was illegal, that it was better to **arrest** and court martial the soldier rather than **execute** them. Edward Singhateh maintained that he could not recall this. The Lead Counsel further said that Lieutenant Marong had stated that the witness went and got the wires that were used to tie the hands of the captured soldiers, which the witness denied. The Lead Counsel informed him that the Commission had conducted exhumations of the remains of those who were **executed** that day and the investigators found that wires were used to tie the hands of the victims, which supported the statement of Lieutenant Marong. Edward Singhateh responded that while he did not deny that they were tied, he refuted the accusation that he was the one getting the wires, or that it was him tying the soldiers' hands, noting that he could not recall who gave the order.

Continuing on to explain the events, the witness narrated that detainees were taken off the vehicle, taken into the bush, made to kneel down and Sanna Sabally ordered the soldiers to line-up and open fire.

He added that he did not believe that Yankuba Touray, Sadibou Hydara or Sanna Sabally opened fire. When asked whether he opened fire, the witness

avoided the question, stating that they took the victims there for that purpose and they were **executed** under their command and orders. The Lead Counsel told the witness that Sanna Sabally had said that he fired and that the witness had fired too. The witness again avoided answering the question, stating that it did not make any difference whether he fired or not, he is equally culpable and he accepts his responsibility as everybody else.

The Lead Counsel pointed out that Sanna Sabally testified to giving the command to **execute** and that that *“everybody participated in the execution,”* and specifically affirmed that Yankuba Touray, Peter Singhateh, Sadibou Hydara, the witness and himself (Sanna Sabally) did so. He then asked the witness whether Sanna Sabally was lying. The witness responded that his recollection and Sanna Sabally’s recollection were different. The Lead Counsel told the witness that Alagie Kanyi also testified that all of them stood on an extended line and all of them fired which the witness denied as well. When asked whether he did anything to stop it (the executions), the witness said he did not.

When it was put to the witness that the Commission had received testimonies from other witnesses saying that he (the witness) also participated in **shootings**, Edward Singhateh denied it but added *“I was there, I was not forced. I was there willingly. I am part and parcel of everything and like before, I am equally criminally liable. I accept that... I would agree that I am **guilty** to murder.”* When the names of Lieutenant Buba Jammeh, Abdoulie Bah (Achopin Chopin), Lieutenant Bakary Manneh (Nyancho), Lieutenant Momodou Lamin Darboe, Cadet Sillah and Lieutenant Gibril Saye were mentioned by the Lead Counsel, the witness accepted being part of the **execution in cold blood** of his colleagues from the army.

When asked the witness what he has to say to the families of these people, the witness went on to express sorrow for his actions and asked for forgiveness from the families. He also took responsibility, adding that what happened was illegal, and unfair. Edward Singhateh also implored Gambians not to blame the soldiers that were asked to line-up and shoot as they would not have done it if it was not for the Council ordering them to do so.

The Lead Counsel asked the witness if he would be willing to participate in reconciliation meetings that the Commission may wish to organise. The witness agreed, offering himself unconditionally to the Commission to help the process as he believes he is extremely responsible, not only for his direct actions but for the actions of others. He also went on to expand his responsibility to his role in installing Yahya Jammeh, for sustaining him there by working hard so he (Jammeh) would be re-elected time and time again even after the transition and for everything Yahya Jammeh did to hurt anyone. Edward Singhateh asked for extended forgiveness for *“...indirectly contributing to that sorrow and pain”* and added that he was *“not here to run away from his responsibility. I am here to own up 100%”*.

Before moving on, the Lead Counsel pointed out to the witness that though he (the witness) had extended role to cover moral responsibility, the Commission’s focus was on the issue of legal responsibility. He went on to ask the witness to affirm that on the day before Remembrance Day, the witness and members of the AFPRC ordered and supervised the execution of 11 of their colleagues, which the witness said yes. When asked what they did with the bodies, the witness said they were buried in Yundum. When probed further to explain how it happened, the witness replied that he was not there when they were being buried so he could not explain how the process went.

When asked whether they were given a burial befitting a fallen soldier of the Gambia National Army and whether they offered any form of explanation to the families of the victims, the witness responded in the negative to both. Edward Singhateh also affirmed that the soldiers were buried in a mass grave.

The Lead Counsel asked the witness if it was true that the AFPRC fed the public lies and whether it was a collective decision to feed falsehood to the people, the witness called it propaganda and admitted that they (the Council) agreed there had to be some explanation given to the public though he did not know who drafted what was said.

The Lead Counsel reminded him that the first statement was read by Sanna Sabally at Radio Gambia and he, like Yahya Jammeh also suggested that people died during the fighting. The witness described that as propaganda as well and agreed with the Lead Counsel when he said that the public was misled as to the truth of what happened. The witness agreed, but maintained that it was for propaganda purposes.

Moving on, the Lead Counsel asked about the **arrest** and **shooting** of Alagie Kebbeh during the events of 11th November. The witness narrated that Alagie Kebbeh was **arrested** as being part of the coup and he was taken to Yundum where he was **interrogated** and **threatened** to be killed by Sanna Sabally without success so he asked to take over and when Kebbeh still refused to respond, he withdrew his **pistol** and threatened to **shoot** him in his leg and at this moment a round was discharged and injured his thigh. He stated that he takes full responsibility for it.

The Lead Counsel informed the witness that Alagie Kebbeh and Sanna Sabally had given different versions of that event to the Commission: both stated that Alagie Kebbeh was being interrogated by Sanna Sabally when the witness **shot** Alagie Kebbeh. Edward Singhateh responded that Alagie Kebbeh was mistaken and the facts presented by Sanna Sabally were not accurate. The Lead Counsel also read out an excerpt from Lamin Fatty testimony saying that Edward Singhateh was interrogating Alagie Kebbeh and then shot Alagie Kebbeh.

An extended debate ensued between the Lead Counsel and the witness, dissecting the different versions of the testimonies presented to the Commission on the interrogation and shooting of Alagie Kebbeh. The attention of the Lead Counsel was brought to the time and a request was made to break for Lunch.

Before proceeding with the questioning, the Lead Counsel confirmed with the witness that he had received warnings informing him of his right not to incriminate himself which the witness recalled and confirmed. The Lead Counsel then told the witness that he had clearly incriminated himself in crimes while giving his testimony and asked the witness whether the Commission should take it that he incriminated himself in crime in full knowledge of his right not to incriminate himself and the fact that he had previously been warned not to do so which the witness confirmed he understood.

Moving on, the Lead Counsel and witness again launched into a more detailed debate on the issue of the different version of the shooting of Lance Corporal Alagie Kebbeh during which the Lead Counsel accused Edward Singhateh of avoiding direct responsibility despite the fact that three witnesses accused him of being the person who **shot**. The witness continued to refute that version of events. After another long push and pull, Edward Singhateh still maintained that the evidence against him was inconsistent and maintained his own version.

The Lead Counsel informed him that the Commission would make up its mind on that particular issue and asked the witness to tell the Commission what happened in the arrest of Sanna Sabally. The witness narrated that prior to Sanna Sabally's **arrest** and **detention** at Mile 2 Prison, Yahya Jammeh had informed him that he believed that Sanna Sabally wanted to launch a coup. He said Yahya Jammeh kept emphasizing his fear of what was going to happen and became stronger in his accusations as time went by, pointing to Sanna Sabally's erratic behaviour as evidence.

The witness explained that the relationship between Council members had deteriorated six months into the AFPRC government with animosity between Yahya Jammeh and Sanna Sabally and between Sanna Sabally and him (Edward Singhateh). He explained that his issue with Sanna Sabally worsened as a result of two events that occurred, one of which

involved Sanna Sabally threatening to **arrest** his mother over an official car, which left the witness bitter and hurt and even though Sanna Sabally had apologised after he had complained to Yahya Jammeh, his faith and trust in Sanna Sabally had dwindled and that created a rift.

He said as time went, Yahya Jammeh had informed him that Sanna Sabally was going to launch a coup on a particular day and also alluded that if Sanna Sabally came after him (Jammeh), he may not spare Edward Singhateh whom he believed to be Yahya Jammeh's ally.

The Lead Counsel told the witness that they received evidence from Demba Njie who overheard the witness and Yahya Jammeh while he was walking behind them at State House discussing plans to **arrest** Sanna Sabally after his child's naming ceremony.

When Edward Singhateh responded that the statement was completely false, the Lead Counsel pointed out that it was strange that Sanna Sabally in fact got arrested a day after his naming ceremony.

The Lead Counsel also asked the witness about suggestions that were made by Demba Njie that Yahya Jammeh had given an order in the witness' presence for any Council member who came to State house after 6 pm apart for Edward Singhateh be **shot** at. The witness replied that he was certain such order was not given in his presence.

Proceeding with his testimony, Edward Singhateh explained Yahya Jammeh's mounting, unsubstantiated suspicion of Sanna Sabally and how Yahya Jammeh even offered a ram for sacrifice, which he believed would subdue Sanna Sabally and Sadibou Hydara. He added that at some point, Jammeh also became suspicious of Yankuba Touray but he reminded him that if he went ahead to arrest Yankuba Touray, Sadibou Hydara and Sanna Sabally, there would only be the two of them left.

The witness narrated that Yahya Jammeh had told him he had information that Sanna Sabally was going to launch an attack on them the night before his naming ceremony. He said he stayed outside with his guards all night waiting for the eminent attack, but it never came with Yahya Jammeh calling intermittently during the night to check if Sanna Sabally has attacked. When asked whether Yahya Jammeh had given him any basis of that knowledge, he stated that he had told him that it was intelligence he received from the National Intelligence Agency, NIA or military intelligence.

When the Lead Counsel probed further and asked the witness if as Minister of Defence, he would not have been entitled to receive such intelligence, the witness said he ordinarily would have been however, there was a system whereby the intelligent personnel report directly to the Head of State. He added that it was only subsequently that intelligence officials like Samba Bah and Daba Marenah would brief him in private, knowing that he had been deprived of certain information.

The Lead Counsel asked the witness why he did not enquire himself about the alleged plot against Yahya Jammeh. Edward Singhateh responded that as Yahya Jammeh was feeding him information, he thought perhaps he was getting it from a credible source and he did not cross-check the allegations.

Edward Singhateh told the Commission that Yahya Jammeh had informed him about Sanna Sabally intending to take the bridge so he went to the bridge with his orderlies and Sanna Sabally passed at his usual time without incident but when he told Yahya Jammeh, he still insisted that he was going to launch the coup.

The Lead Counsel asked the witness about Sanna Sabally's testimony that the witness and Yahya Jammeh had made an effort to remove weapons in his possession. Edward Singhateh stated that the weapons that were retrieved were support weapons, not the individual weapons to be carried around

and stressed that Sanna Sabally was not disarmed. The Lead Counsel told him that Sanna Sabally had a different take, that in his mind, the effort to strip him of those weapons was all part of the conspiracy of the witness and Yahya Jammeh to have him **arrested** and purged permanently from the AFPRC. The witness replied that was misconceived and it had nothing to do with his arrest.

Edward Singhateh continued on to explain that when he informed Yahya Jammeh that Sanna Sabally was in his (Sabally's) office, Yahya Jammeh still insisted that Sanna Sabally was going to launch the coup and told him that he would prove to him that they wanted to launch the coup. The witness at this point highlighted that when he said Sanna Sabally, he meant both Sanna Sabally and Sadibou Hydara. To prove that Sanna Sabally wanted to depose him, Yahya Jammeh told him he would call Sanna Sabally to come to his office but he would not come without Sadibou Hydara. Yahya Jammeh then called Sanna Sabally on the intercom and he asked him to come claiming he wanted to discuss something with him and immediately hung up, they could see from the office telephone intercom lights that Sanna Sabally called Sadibou Hydara. When this happened and Sanna Sabally did not come, Yahya Jammeh told him *"You see, I'm telling you they want to depose me and he would not come unless Sadibou Hydara appears."*

Edward Singhateh explained that they discussed the possibility of Sanna Sabally coming with Sadibou Hydara and agreed to get the orderlies to have them **arrested** when they came into the corridor before they entered Yahya Jammeh's office. They briefed the Aide De Camp, ADC, Captain Bajinka at the time, the orderlies, including Bakary Camara, Musa Jammeh. When eventually Sadibou Hydara showed up at the State House, he went to Sanna Sabally's office first and after a few minutes, they came upstairs (to Yahya Jammeh's office) with their **pistols**.

Edward Singhateh then told Sanna Sabally to halt and after they stopped, the orderlies seized them, seized their arms, hands and kept them behind their backs and tied their hands.

He said as soon as Sanna Sabally was seized, he took his pistol out of his holster and he found that there was a round in the chamber and the hammer was cocked all the way backwards, ready to fire. When asked, the witness affirmed that it was unusual to have a weapon in a ready state if you were not going to exchange live rounds.

Continuing on, the witness explained that their orderlies were also **arrested** in order to prevent a fight or loss of life. Sanna Sabally and Sadibou Hydara were put in a pick-up and that was the last time he saw the two of them. When asked what happened after that, the witness replied that as far as he knew, they were taken to Mile 2 Prison, eventually taken to court and tried. Sadibou Hydara passed away before the end of the case and Sanna Sabally was convicted.

When the Lead Counsel put it to the witness that Sanna Sabally testified that he was subjected to **torture** during his pretrial detention, the witness responded that he did not know about the **torture** of Sanna Sabally nor did he expect it. He added what he did expect was maybe he would be **beaten** here and there, not really **tortured** to that extent. The Lead Counsel then asked the witness the definition of **torture** in The Gambia National Army. The witness replied that it was the general definition of torture and added that when he said beating, he did not mean **torture** on the level that had been described by Sanna Sabally during his testimony. He said that that was inconceivable.

The witness was asked if it would be accurate to say that international laws were honoured more in their bridge than in their observance to which the witness alluded that what is practised on the ground could be different but after an exchange with the Lead Counsel on the issue, admitted that under extraordinary conditions, the enemy forces may not comply with international law but own force are expected to comply with the law.

When the Lead Counsel suggested to Edward Singhateh that there was a **culture** of torture in **The Gambia National Army**, the witness, after briefly meandering around the issue, replied that **he would agree that is it prevalent**. He also admitted that **he expected Sanna Sabally and Sadibou Hydera would be tortured but he never imagined that it would go to that extent**.

The witness went on to explain that there was no elaborate plan to **arrest** Sanna Sabally which, after further probing, led the Lead Counsel to suggest that he (Sanna Sabally) did not have plans of staging a coup as at that time and from the evidence that they have, Edward Singhateh and Yahya Jammeh decided to purge Sanna Sabally by having him **arrest** on the basis of a frivolous coup d'état, which was nothing but a figment of one's imagination. The witness replied that Yahya Jammeh had reason to believe that Sanna Sabally was going to unseat him so he (the witness) had to act. The Lead Counsel added that Edward Singhateh clearly benefited from the removal of Sanna Sabally from the scene as he became Vice-Chairman of the AFPRC, a position that was occupied by Sanna Sabally. The witness agreed it was a promotion but as far as he was concerned, it was additional responsibility that did not come with perks. When the Lead Counsel also suggested that because there was a rift between the two of them, he (the witness) had his moment and he took it, Edward Singhateh said absolutely not, adding that he was very willing to go back to barracks immediately after the takeover and has never asked for any position, even after he was removed.

The Lead Counsel highlighted the AFPRC claimed of being "soldiers with a difference", not interested in corruption or staying in power but corruption became more endemic, staying in power became a matter of life and death for them. The witness expressed that he was offended by the generalisation, adding that when he came to

government in 1994, he did not come with anything and when he left, he left with very little to show for it. The Lead Counsel pointed out to the witness his self-perpetuation in power for 13 years was not the story of a person who came into office just to remove a government, do transition and go back to barracks. The witness argued that when members of society asked Yahya Jammeh to retire from the armed forces and stand as a flag bearer for a party, Lamin Kaba Bajo and Yankuba Touray suggested they also retire and join Yahya Jammeh since they came together.

The witness went on to add that he shied away from politics but the Lead Counsel pointed out that his role as Secretary General of the APRC party from 1997-2007 did not support his claim of not being involved in politics. The witness admitted he was part of a military government and later they formed a political party, but not to enrich themselves, but rather to continue the development that they had started, adding that it would have been foolhardy to abandon that development programme mid-way. So, if they were given the opportunity to build more schools, to build more hospitals, to build more roads, then through a democratic process, they would take it.

The Lead Counsel said the point he was trying to make was **he saw his career in front of him and his career ambitions made him to so easily succumb to Yahya Jammeh's views about Sanna Sabally and the two of them got rid of him**.

The witness denied it adding that the security situation of the country during the transition was tense, there was nothing like career planning at that point in time.

The Lead Counsel informed him that Mr. Demba Njie has described him (the witness) as very ambitious, and thoughts that he saw Sanna Sabally as a

stumbling block to his career progression and thus, he gladly participated with Yahya Jammeh to purge Sanna Sabally. The witness disagreed, stating that Demba Njie could not have been able to know what he wanted for himself and believe what he wants, he could only put across his side of the story and whoever wants to believe it, it is fine. The Lead Counsel assured the witness he had been heard on that and suggested they moved on.

The Lead Counsel noted that soon after Sanna Sabally was arrested, the government issued **false statements** supported by the NIA about the circumstances of Sanna Sabally's arrest announcing in essence that Sanna Sabally and Sadibou Hydera had entered Yahya Jammeh's office, both pointing their pistols at him and fired and as they missed their target, the guards came and arrested them. The witness was asked if he knew at the time that the story was false and if he had come out to correct the story. He explained that in a military government with a head of state like Yahya Jammeh, he would have lost his life, if he had refuted the story. When the Lead Counsel suggested to him that he could have resigned his position, gone into exile like some journalists did, the witness responded that it was easier said than done.

The Lead Counsel added that Edward Singhateh chose to continue with his job whilst Sanna Sabally continued to wallow in jail for nine years on trumped-up charges and convicted on false evidence. Edward Singhateh agreed.

He was asked what he would say to Sanna Sabally and the witness said he would like to apologise to Sanna Sabally and that he had attempted to do so before through Bishop Cleary. The Lead Counsel asked if this did not really impact his moral uprightness at the time to really compel him to do something apart from sending a mere apology through a Bishop. The witness, after an exchange with the Lead Counsel on the issue, went on to add the bottom line was he deeply regretted his involvement in the arrest of Sanna Sabally. He further explained that they were the ones who discussed the

July 1994 coup together and conceived it from the beginning and before that, they were friends. The rift or the breakdown in their relationship was highly regrettable.

The Lead Counsel alluded that the witness put his career ambitions above all else including Sanna Sabally's liberty, the law and the truth at that point in time. The witness denied it, adding that at the point he **arrested** Sanna Sabally, he did so because he believed that he needed to be stopped and checked before something drastic happened that they would all regret. When the Lead Counsel put to him that he did so without being presented with any evidence, the witness highlighted that Sanna Sabally had terrorised most people and he believed even Yahya Jammeh was terrified of him too. The Lead Counsel countered that that was not a justification.

Moving on, the Lead Counsel informed the witness that the evidence they received not only suggest that he arrested Sanna Sabally at State House, but he also took him to Mile 2 Prison. When the witness denied taking Sanna Sabally to Mile 2 Prison, the Lead Counsel proceeded to present excerpts from the testimonies of Ebrima Chongan, Baboucarr Jeng, Sheriff Gomez, Mamat Cham and Captain Kambi, all of them unanimous on the point that he (Edward Singhateh) escorted Sanna Sabally and Sadibou Hydera to Mile 2 Prison. The witness continued to maintain that he did not take Sanna Sabally to Mile 2 Prison. The Lead Counsel said the Commission would make its findings and asked him what he had to say to Sanna Sabally seeing he had regretted what happened.

The witness expressed sorry and regret at what happened to Sanna Sabally, adding that he could not imagine how much pain and suffering he had been through and his wish to tell him in person. He was asked if he would be willing to participate in some reconciliation meeting with Sanna Sabally to apologise and beg for his forgiveness, he said absolutely he would.

The Lead Counsel then continued on to the arrest of PPP supporters who were alleged to have been demonstrating or planning a demonstration and were

detained at the Fajara Barracks including “OJ” Omar Jallow, former Minister of Agriculture, Lawyer Ousainou Darboe, and Alhagie MC Cham. He was asked what he could tell the Commission about that and the witness responded that as far as he could recall, the Council was given information by the NIA that there was going to be demonstrations, one before the American Embassy and another one before the British High Commission so they had recommended that it be **squashed**, that those wanting to demonstrate should not be allowed to demonstrate. He added the security chiefs were given the go ahead to devise the plan on how to affect the **arrest** of those who participated in the so-called illegal demonstration.

The witness went on to explain that a number of people were **arrested**, he could not recall how many, but he understood that they were so many that he had to detain some at Fajara Barracks. When he was asked under what condition, Edward Singhateh replied he did not know but he was told that they were kept in a hanger. When asked if that hanger was a place for **detention**, the witness replied no, but that was the only place that was available at the time that could house them.

The witness was then asked if he did not care to find out the conditions of detention. The witness answered that no, he did not.

When the Lead Counsel mentioned the **torture** of MC Cham among the detainees, the witness reiterated that when MC Cham was detained, he (the witness) was not aware of any of them being **beaten**. The Lead Counsel pointed out that that was the modus operandi of The Gambia security forces and Edward Singhateh responded that he had listened to some of their testimony and understood that some of them were beaten and it was wrong, it should not have happened. The Lead Counsel then highlighted that they were kept in **illegal detention, tortured** for over a year under **inhumane conditions**, in a military camp where civilians should not be detained and some of the victims died soon afterwards, the witness agreed and accepted responsibility for violations of their rights.

He was asked what he would say to the very old people including some women who were detained and badly treated and their families, the witness proceeded to express his sorrow and apology in Wolof, asking for forgiveness from the entire country adding that what happened should not have gone that way, it was painful, unlawful, had no justification and it should not have even have happened. Edward Singhateh proceeded to address Mr. Ousainou Darboe in Mandinka, explaining their family ties, how he used to go to their house at night to get food and admitted that he had wronged him. Edward Singhateh also talked about his relationship with MC Cham and the help and support he and his family received from him.

The witness blamed his young age for his misbehaviour at the time they took power and asked for forgiveness from the entire country, especially from the people who suffered in their hands, adding that it happened, but they regretted it. He then switched to speaking Wolof, still appealing to all for forgiveness.

The Lead Counsel thanked the witness and asked to take the opportunity to say that the TRRC is about where they have committed violations against the law and have violated the rights of their people, they have the decency to come out and speak the truth and ask for forgiveness to help heal the rifts and the bad blood amongst them as a people and bring about reconciliation.

Before moving on to the next event, the Commission Chairman wanted the witness to clarify when Yahya Jammeh actually told him of Sanna Sabally's plot to overthrow his government. The witness recalled that it was three to four weeks before the actual event. He further added that prior to that, the relationship between Yahya Jammeh and Sannah Sabally had deteriorated. The Chairman suggested that perhaps the circumstances were not right for him to mediate before Sanna Sabally's **arrest** or did he talk to Sanna Sabally privately about Yahya Jammeh's concern. Edward Singhateh replied that he did not, reiterating that there was a rift between Sanna and himself and thus it was very difficult to approach Sanna Sabally at that time, pointing out to his violent behaviour on the streets.

The witness went on to recount an incident at Gambisara where Sanna Sabally had paraded his (the witness') elders, under the sun at Gambisara and practically insulted all of them. He explained they did not want the population to be pitted against the military and Sanna Sabally's behaviour was that and he was difficult to control and further added that what happened to Sanna Sabally was inexcusable. He said he thought they should have found a much better way to address the problem.

Before moving on to the next event, the Lead Counsel played an excerpt of the video testimony of Alagie Martin where he was talking about the **arrest** and **beating** of Sanna Sabally and naming those that participated including himself (Alagie Martin) and the witness, Edward Singhateh and confirming that beating was the modus operandi of the force he worked with at the time. When asked to comment, the witness still maintained that he did not take Sanna Sabally to Mile 2 Prison. The Lead Counsel thanked the witness and asked him to tell the Commission about the **attack, unlawful detention** and **torture** of United Democratic Party, UDP supporters at Denton Bridge in 1996.

The witness replied that he did not know much about it apart from the little he heard. He added that he understood he was mentioned as to having been at the bridge where some UDP supporters were **beaten** there and others were **arrested** and taken away. The Lead Counsel clarified to the witness that it was alleged that on the last day of its campaign, supporters of the UDP were going to Banjul to receive the UDP leader who was coming from a provincial tour and at the Denton Bridge, more than one hundred of them were taken off the road, made to kneel or lie down and **brutalised**, badly beaten by the military and he (the witness), was alleged to have been present there. Responding (in Mandinka), the witness said he could not deny the allegation, he would say he was there and he was appealing for forgiveness. He added however that though he did not **beat** anybody, he was taking responsibility for anybody who had been wronged.

When asked if he would also accept that soldiers who were his subordinate also carried out the beating of the UDP supporters on that evening, the witness accepted

responsibility on behalf of the troops as well. The witness delved into the history of political fights during the time of Sir Dawda Jawara, citing a few examples where some of his family members were **beaten**. The witness added that he was a young man of 25-26 years at that time though that should not justify **beating** anyone. When asked if he would also accept that soldiers who were subordinate to him carried out the **beating** of the UDP supporters on that evening, the witness accepted and went on to agree that he was culpable by failing to prevent the attacks as well as failing to punish the attackers.

The Lead Counsel thanked the witness and asked that they move on to the **assassination** of Mr. Ousman Koro Ceesay, Finance Minister at the time. Edward Singhateh narrated that the last time he saw Ousman Koro Ceesay alive was at the airport when they went to see off Yahya Jammeh. After they dispersed from the airport, he went home and the following morning, he received a call from the Secretary General Alhagie Mustapha Wadda who told him that they had lost the Finance Minister, a colleague Ousman Koro Ceesay. Subsequently, they (the witness and Mr. Wadda) discussed that a thorough investigation had to be conducted and they attended the burial. The witness went on to explain that when they attended the burial, there was a little bit of hostility because the death of the late Finance Minister was blamed on the military.

The witness explained that a post-mortem was conducted and he believed an investigation by the police under the instructions of the secretary general also was conducted and the report handed over to Yahya Jammeh. When asked, he replied that he did not receive or see the report himself. The Lead Counsel asked the witness if it would surprise him to note that they heard from top officials in the police and all of them confirmed that there was no investigations to which the witness responded that believed there must have been an investigation. The Lead Counsel then asked Edward Singhateh why Mr. Ousman Koro Ceesay was **assassinated** and he launched into an elaborate story of money to the tune of two hundred to two hundred and fifty thousand US

Dollars from Libya to support rebels in Casamance⁷¹ in creating a bottleneck at the Trans-Gambia ferry crossing as a way of getting back at Senegal for the intermittent border closures by the Senegalese authorities, an idea suggested by Ousman Koro Ceesay.

He proceeded to explain that after the **death** of Ousman Koro Ceesay, he came to learn that the NIA, led by Samba Bah at the time, had also conducted an independent investigation which uncovered that they (Koro Ceesay and others) had in the past been taking fuel, ammunition boxes, small amounts of money and other things to support the rebels.

The Lead Counsel informed the witness that they received evidence that on that fateful night, after he (the witness) returned from the airport having seen Yahya Jammeh off, he went to Yankuba Touray's house and together with soldiers from the Gambia National Army, himself, Captain Yankuba Touray, Peter Singhateh, Alagie Kanyi, BK Jatta and a few other soldiers, **assassinated** Ousman Koro Ceesay, took him and his Mercedes-Benz to Jambur, staged an accident, **incinerated** the vehicle and the charred remains were subsequently recovered.

He asked Edward Singhateh if he accepted that he participated in that assassination to which the witness responded that he completely denied it ⁷².

The Lead Counsel proceeded to go through the evidence the Commission had received which implied that he (the witness) was envious of Ousman Koro Ceesay hence why he hated him and wanted him dead. The Lead Counsel read out from the statement of one of their witnesses, which suggested that Ousman Koro Ceesay and Yahya Jammeh at the time got very close because Yahya Jammeh had high esteem for Ousman Koro Ceesay and always asked him for advice *"...and it was then that jealousy start rising from Edward Singhateh"*.

The witness pointed out that Yahya Jammeh had proven time and time again that he had no friends, he had no advisers. Everyone who thought they were close to him

had paid the price. The witness added that if Yahya Jammeh needed something from you, you would be the star of the month. When the Lead Counsel suggested that Ousman Koro Ceesay was regarded as a rising star and held in high esteem by Yahya Jammeh, the witness stated that what he knew was they all relied on him to ensure that they kept the economy afloat and he was a very important part of the team.

The Lead Counsel asked the witness if Ousman Koro Ceesay was petrified of him and the witness responded that he did not see why.

The Lead Counsel then reminded Edward Singhateh that he had told him that he had a reputation of ruthlessness, one of being callous at the time.

The witness responded that if Ousman Koro Ceesay was afraid of him, then that fear most have been misconceived. The Lead Counsel asked for evidence to be played from Bajen Ceesay's⁷³ testimony where she explained that she walked in on Ousman Koro Ceesay telling their mother that he had an argument with Edward Singhateh, during which he (Edward Singhateh) had **threatened to kill** him. When asked what he said to that, the witness replied that that is not true. Nor did he argue with Ousman Koro Ceesay nor did he threaten to kill him. The Lead Counsel added that at that time, there was a rumour in town that the Council was not happy with information that Ousman Koro Ceesay was planning to disclose as part of his budget speech. The witness, adding that there was no information that the Council was hiding at the time and therefore Ousman Koro Ceesay would not have had any information to disclose.

The Lead Counsel and witness launched into a debate on the issue of the money from Libya coming through clandestine channels when it was meant for The Gambia and Yahya Jammeh diverted it to the Casamance rebels. The Lead Counsel then moved

⁷¹Region in Senegal where rebels have been in conflict with the government, asking for independence since 1982.

⁷²See TRRC Digest Editions 2, 3 and 4. Edward Singhateh was adversely mentioned by several witnesses who testified before the Commission.

⁷³Sister to Ousman Koro Ceesay. She testified at the Commission on 17th April 2019.

on to tell the witness that not only did Ousman Koro Ceesay complain to his family that he had threatened him, they had received evidence that Ebrima Kambi warned Ousman Koro Ceesay to be very careful of Edward Singhateh. When the witness responded that he could not comment on something that was said to Ousman Koro Ceesay by a third party, the Lead Counsel presented part of the testimony of Ya Bajen Ceesay Jaiteh when she answered a question from the Lead Counsel “Can you tell us what the note said?” by saying “...So the note said for Koro to be very careful of Edward Singhateh, he was very ruthless and dangerous. So, after I read that information, Koro took the paper from me and shredded and threw it in the kitchen whilst I was cooking.”

The Lead Counsel put it to the witness that the impression his colleagues in the army had of him was that he was dangerous and ruthless, especially with regards to Ousman Koro Ceesay. The witness disagreed that it was a reflection of the general opinion of him in the military at that time or anytime. When Edward Singhateh lamented the absence of evidence from other than the victims that felt he was ruthless and heartless and violent, the Lead Counsel pointed out to him that those who had not crossed his line would not be the best barometer to test how he would deal with people before moving on.

The Lead Counsel reiterated the witness’ testimony to the Commission that he was never at Yankuba Touray’s house on the night Ousman Koro Ceesay was murdered and Edward Singhateh said yes.

He was then asked to explain where he went after he left the airport. The witness explained that he went home and did not leave his house all night. He was then asked as the acting head of state at the time, if he left with his orderlies and driver when he left the airport. The witness said yes, he did.

The Lead Counsel proceeded to read from the statement of Lamin S. Marong who was the witness’ orderly and he

quoted: “On the issue of the death of Ousman Koro Ceesay where I was named, on that day Chairman Jammeh was due to travel. However, a guard of honour was not performed because it was raining heavily that day. On our way back from seeing the President off, I was with Batch Samba Jallow and Lamin Fatty. Edward Singhateh asked us to pass by Yankuba Touray’s residence. Upon arrival, I opened the car door. He alighted...and handed me his briefcase to go home and give it to his wife Aja. He indicated that he did not need an escort. On our way home, I said to Fatty, it is not safe as he is without an orderly.” The witness highlighted that Batch Samba Jallow was not his driver at the time, so he could not have been in the car and as acting President, he would not have risked being dropped off at a place that was going to become a crime scene because he would be linked.

The Lead Counsel pointed out that his own security guard said he did not drop him at his house as he (the witness) claimed, he dropped him off at Yankuba Touray’s house to which the witness responded that he believed his orderly was mistaken. The Lead Counsel proceeded to play an excerpt from the video testimony of which the witness responded that he was not dropped off at Yankuba Touray’s house that day, and reiterated that his orderly was mistaken. The Lead Counsel proceeded to play an excerpt from the video testimony of Lamin Fatty, who was Edward Singhateh’s second security guard on that night. In the video, Lamin Fatty explained that after Yahya Jammeh’s departure, they were supposed to go to Cape House where the witness lived but at Traffic Light, the driver turned and went to Yankuba Touray’s house where the witness alighted. When asked if Mr. Fatty was lying as well, the witness responded Mr. Fatty too was mistaken and despite further probing, maintained that he was not dropped off at Yankuba Touray’s house that day.

The witness was then presented with the testimony of Amat Jangum⁷⁴ who told the Commission he saw the witness in a wet uniform with muddy shoes and they exchanged pleasantries at Yankuba Touray’s house that night. The Lead Counsel also offered the testimony of Lamin Ndure⁷⁵, Yankuba Touray’s driver

⁷⁴Amat Jangum testified before the Commission on 28th March 2019.

⁷⁵Lamin Ndure testified before the Commission on 25th June 2019.

who also testified that he saw the witness at Yankuba Touray's house that night⁷⁶.

The Lead Counsel continued on with the questioning, taking the witness back to evidence presented to the Commission on a "strange" event prior to Yahya Jammeh's departure on that day that stated that Yahya Jammeh had stopped twice before entering the plane to have a conversation with the witness and asked if that was correct. The witness admitted being called aside by Yahya Jammeh to have a discussion with him but said he could not recall at what point, adding that it was not unusual for the President to call someone for a discussion before travelling.

The Lead Counsel further put it to the witness that it had been alleged by witnesses that the discussion was about the planned assassination of Ousman Koro Ceesay which he, the witness was to execute and supervise and that consultations with the President was so abnormal that the killing of Ousman Koro Ceesay was not a coincidence or an accident as was reported by his government. The witness responded that Yahya Jammeh had a habit of consulting anyone at any time, adding that there had been other instances when he had called someone for consultation after boarding the flight.

Moving on, the Lead Counsel informed the witness that they had been told that Yankuba Touray's house was the site of the **murder** and prior to the **execution**, Yankuba Touray's family members had been taken to the witness' house and the witness responded that he could not recall the date specifically as their wives got together all the time. He was asked if he remembered seeing the wives at his house and he said it has been 25 years, he could not. When the Lead Counsel alluded that it would have been a special night because he became acting President, the witness replied that he had handed over the country to him several times before thus it was not a special occasion however, when the Lead Counsel probed further, the witness admitted that at that time, he (the witness) did most of the travelling. When asked if it would be wrong to suggest that this was the first, the witness suggested that the Commission dig into the records and find out, which the Lead Counsel said they would do.

The Lead Counsel proceeded to recount the witnesses, including Ensa Mendy, Yankuba Touray's security guard who also testified that Yankuba Touray's family was taken to the witness house and the house was empty. He then launched into an extended exchange with the witness about the guards that were sent to go on patrol on the basis that Gambia was being attacked from the sea to which the witness suggested that Yahya Jammeh may have withdrawn Yankuba Touray's guards to go to the beach to see if "boats" were landing. The Lead Counsel then countered that the suggestion he was giving was intended to cover-up the main purpose of the removal of the guards, to clear the scene so the heinous crime could be committed away from the prying eyes of the guards. The witness denied the counter suggestion. The Lead Counsel further added that the fact that Yankuba Touray and Yahya Jammeh had a discussion about removing the guards reinforces the theory that Yahya Jammeh, the witness and Yankuba Touray were **complicit** in the **murder** to which the witness answered it would be inconceivable for Yankuba Touray would have allowed such a crime to be committed in his house.

This was followed by another extended banter between the Lead Counsel and the witness on the issue of the guards that claimed they were sent on a wild goose chase with both sides maintaining their position on the matter before moving on to the testimony of Alagie Kanyi who had said that himself, the witness, Yankuba Touray, the witness's brother Peter and others committed the **heinous crime** and proceeded to listen to what Alagie Kanyi had to say about what happened in Yankuba Touray's house.

The excerpt played showed Alagie Kanyi relaying how BK Jatta, Tumbul Tamba, Pa Alieu Gomez and himself went to the witness' house in Cape Point where they were briefed by the witness saying "Okay don't worry. We are going to get rid of one fucking cunt." Alagie Kanyi in the video replied that he did not know who was being referred to when asked however, he confirmed that they knew they were going to go on an operation, adding that they did not know the kind of operation because at that time they were not with their AK47

⁷⁶The video excerpt of Lamin Ndure's testimony that the Lead Counsel intended to show case failed to play despite several attempts over the course of the testimony due to technical difficulties. The witness eventually confirmed on record that he would not mount a legal challenge by virtue of the issue with the video excerpt of Lamin Ndure not playing as intended.

rifles. Alagie Kanyi said that he did not understand the operation to mean getting rid of somebody and that the witness' brother, Peter Singhateh was present.

Alagie Kanyi's narration continued, explaining that they all left for Yankuba Touray's house after 7-8 pm and were told by the witness "Okay, wait for us here. We are going to the airport." He said he could remember there was an activity at the airport, either Yahya Jammeh was leaving and they were going to see him off or receive him. Alagie Kanyi said that when they arrived, he was told by Edward Singhateh "Kanyi, we are coming with one minister. He does not know you. You will be at the gate. It is upon our arrival you will receive us. You salute us and welcome us and come with him inside the house." He also confirmed that the guards and family were not at the house and neither did he see Peter Singhateh and Yankuba Touray.

In the video replay, Alagie Kanyi continued to testify that Edward Singhateh left after 8 pm towards 9 pm and after some time, Peter Singhateh arrived and hid somewhere in the house. About ten minutes later, Edward Singhateh, Yankuba Touray and a civilian arrived and they were told that was the minister whom he later came to know was Ousman Koro Ceesay.

Alagie Kanyi went to explain that Ousman Koro Ceesay was hit with a pestle from the back by Edward Singhateh and how he, Kanyi was given a firewood stick by Edward Singhateh for him to also hit, which he did.

He added that Yankuba Touray, Peter Singhateh and the rest of the people all hit Ousman Koro Ceesay until he died. The Lead Counsel told the witness that not only did Alagie Kanyi put him at the scene but that his testimony that no-one was at the house matched those of other witnesses. He hence asked the witness if the description by Alagie Kanyi, Amat Jangum, Ensa Mendy and Lamin Ndure were consistent. The witness replied in the affirmative. The Lead Counsel further put it to the witness that Alagie Kanyi's story was that the body was removed and taken away by him (the witness), Yankuba

Touray and his brother Peter Singhateh and that it was consistent with the fact that the remains of Ousman Koro Ceesay were found in some remote place away from Yankuba Touray's house. The witness responded in the negative, saying that they are two different things.

The witness and Lead Counsel launched into a long argument and counter arguments, dissecting the evidence presented from Alagie Kanyi's testimony on several points starting with the witness' claim that he never worked with Alagie Kanyi before. When the Lead Counsel put it to the witness that Alagie Kanyi would not have participated in getting Fafa Nyang out of the cell and pushing him to where he was **executed** if the they had not given the order to execute, the witness countered that Alagie Kanyi joined in the executions on his own volitions and that no-one had ordered him to do so. The Lead Counsel interjected saying that Alagie Kanyi had testified that he was in fact forced to do it and that he (the witness) had grabbed him and said let them go and "get rid of this fucking cunt" and the two of them **executed** Ebou M Ceesay and Bakary Camara.

The witness denied the allegation, which led to another extended exchange between the Lead Counsel and the witness. The Lead Counsel ended the exchange stating that Alagie Kanyi and the witness had participated in tandem in the 11th November operation, pointing out that they did not just kill one or two persons but in fact several men including in the forest. The witness responded in the affirmative but added that that was under Sanna Sabally's command. The Lead Counsel also added that Alagie Kanyi stated that "After we had a debriefing at Edward's house in Cape Point and in attendance were BK Jatta, Pa Alieu Gomez, Tumbul Tamba, Peter Singhateh, Edward Singhateh and myself and we agreed that we shall all bury what had transpired.

I participated in the killing because at the time, I dared not disobey orders from Edward or Peter Singhateh."

The witness refuted Alagie Kanyi's statement, stating that Alagie Kanyi was suspected of being part of the 11th November coup plotters and he turned on his own people. He asked how such a person could be trusted to keep a secret of the commission of such an offense when the man had already betrayed and **killed** people in his presence. When the Lead Counsel asked if Alagie Kanyi would be so insane as to come to the Commission and tell the whole world that he murdered a finance minister when he was not there, the witness also used the same argument for his part i.e. if he was insane to commit such an offense with someone that he hardly knew at Yankuba Touray's house where people walked in and out and risk being seen at any moment.

The witness put it to the Lead Counsel that they should have done a proper investigation as to the link between himself and Alagie Kanyi to establish whether this is the truth. The Lead Counsel responded that they had and what Alagie Kanyi had to say was that he dared not disobey orders from Edward or Peter Singhateh, adding that that was why he participated and did what he did.

The witness continued to refute Alagie Kanyi's testimony. The Lead Counsel asked for the video to be continued. The video showed Alagie Kanyi testifying that Edward Singhateh had said "*end of exercise, job well done*". Alagie Kanyi continued in the video to lament his involvement in the activity, reiterating that he dared not disobey him (the witness), which is why he was used to commit this crime. When asked if he denied the allegation, the witness responded that Alagie Kanyi volunteered himself and during his testimony he never said he was forced or ordered and if he partook in the **executions** on his own volition without being ordered Alagie Kanyi by Sanna Sabally or himself and then come and say he was used as a tool, then he thinks there was something fundamentally wrong with this testimony.

The Lead Counsel pointed out to the witness that Alagie Kanyi did not decide what was going to happen to those who were **killed** on 11th November 1994, the decision to **kill** was made by the witness and members of the Council and when the witness concurred, the Lead Counsel went on to point out that the evidence before the Commission

which had been verified and accepted was that Sanna Sabally led a convoy to Yundum Barracks, the prisoners were taken to the forest and the soldiers that accompanied them **executed** the order by firing shots at those people.

When the witness reemphasized that Alagie Kanyi took the decision to join the vehicles and partake in the **shootings** as per his own admission, the Lead Counsel buttressed that the important thing was Alagie Kanyi was saying that on this fateful night at the house of Yankuba Touray, Edward Singhateh, himself, his brother Peter Singhateh, Yankuba Touray, Pa Alieu Gomez and BK Jatta **murdered** Ousman Koro Ceesay. The witness denied the Lead Counsel's statement, adding that he felt sorry for the others that were mentioned by Alagie Kanyi and that he could not understand why he would go to the extent of putting himself and the others in a crime scene when he was not there.

The Lead Counsel then told the witness that his testimony showed a consistent trend to deny any direct involvement in crimes committed.

The witness said that was not correct. The Lead Counsel went on to point out the allegations he denied which included: directly participating in the torture in Mile 2 Prison, being in Mile 2 Prison when "OJ" Omar Jallow was being **tortured** for an extended period, direct torture of the security detainees at Mile 2 Prison in particular Mamat Cham, direct involvement in **torture** of Ebrima Chongan, and direct involvement in the **torture** of RSM Jeng and he replied yes to all.

The Lead Counsel corrected his question regarding "OJ" Omar Jallow to an allegation that the witness was present for an extended period when they were being **tortured** at Mile 2 Prison and asked if that was a lie. The witness responded that that in the context of someone being tortured or beaten, one loses perspective of time where a second can seem like a minute and a minute an hour.

The Lead Counsel then proceeded to highlight and count fifty allegations by other witnesses, all of who claimed to have been present during the alleged incidents and testified to the Commission that had been put to Edward Singhateh to show that everywhere there had been allegations of his direct involvement. Nevertheless, the witness claimed that all of them lied.

He responded that the allegations he had denied were because he had not done them, that he had accepted what he had done but could never accept what he had not done, adding that it did not matter if the heavens fell, he would not accept what he had not done. The Lead Counsel then replied that maybe if the heavens fell, they would not hear the whole truth from him to which the witness took offense, complaining that he had offered himself voluntarily and he had done his best to give all the information as accurately as he could and as far as his recollection was concerned thus for the Lead Counsel to insinuate that he was lying was an insult. He requested that the Chairman advise the Lead Counsel to also accord him that respect in return as he did not come to be called a liar and appealed to not be addressed in that manner.

Turning to face the witness, Chairman Sise assured the witness that the Commission is a dignified place and that their rules require them to treat all with dignity and respect, which he believed the Lead Counsel had been doing. The Chairman offered his apology to the witness if he felt that he was insulted, adding that the truth is not an easy thing to establish given what happened for 22 years.

The Lead Counsel also assured Edward Singhateh that it was not his purpose to disrespect him, he had just flipped the words that he (the witness) had used, not insinuated that he was lying. He added that he had brought out about fifty issues, all of which pointed to allegations of the witness' direct involvement in an activity, all of which he said were lies to establish that anytime there was a direct allegation of his direct involvement in something, it was denied. The Lead Counsel went on to apologise to the witness if he felt offended by his choice of words.

Before turning the floor to the other Commissioners, the Chairman started by referring the witness to his earlier testimony regarding eleven executions which he (the witness) had casted in the context of overall responsibility and asked him of the eleven, if there were any individuals who were directly **killed** by him at all during his service.

Edward Singhateh responded that he did not kill directly but for three of them he gave the order directly, for the two at Fajara Barracks, he was there in the line when they were being shot.

He added that for the six in the forest, he was there and he took full responsibility as if he pulled the trigger himself. He further explained that as an officer, he would line his soldiers and ask them to shoot. He did not have to shoot himself, but he was culpable as if he pulled the trigger himself and therefore he took that responsibility, but as to having singled anybody out and shot them himself, he did not do that.

When the Chairman probed further, asking if throughout his service in the armed forces of The Gambia, he ever shot or killed anyone, he answered shot, yes. Killed, no.

Commissioner Kinteh then told the witness that he had explained that during the **detention** of the security officers, his mission was to interrogate, but in the narratives he said the moment Mamat Cham was out, he was **struck** with a rifle butt and fainted, which was repeated for the three people he had confronted. He further told the witness he would have loved for him to say they went to **torture** than to interrogate because he could not understand how **half dead** people could be interrogated and asked the witness to comment on that.

The witness replied that he never said that they went to **torture** as their intention was to interrogate however, upon arrival there was no asking of questions, adding that what happened was horrible and should not have happened. They were **beaten severely**. If at all the mission was to go and beat, he would have said they went to beat them and they beat them. The witness further added that they never returned because they realised that they did not have the tools or the capacity to interrogate so it was decided that they allow the NIA to conduct such interrogations on their behalf.

Commissioner Kinteh followed up, pointing out that the first **beating** could have been spontaneous, surprising and perhaps he could not have done anything but asked if he made any effort to put a stop so that it did not happen three times or if he had no option but to sit and watch the remaining two occur. The witness admitted he should have stopped Sanna Sabally then but he did not and expressed regret for his inaction. Witness Singhateh further expanded his acceptance of failure to the instance when Sanna Sabally was arrested and a wrong narrative given and said he accepted his responsibility and apologised.

Commissioner Kinteh followed up with another question on the occasion of the 11th November where he was interrogating, stating that it sounded ridiculous that given the proximity, he could not identify among who could have possibly fired at Alagie Kebbeh. He asked the witness if it was that he was avoiding implicating people or he did not want to tell the truth. Witness Singhateh launched into an explanation similar to what he gave to the Lead Counsel, again admitting he should not have been interrogated in that manner, **threatened to shoot** him or interrogate in a confined space with angry soldiers capable of anything and said he took full responsibility and apologised to Alagie Kebbeh.

Commissioner Kinteh further probed, asking the witness if he meant he could not detect who among the lot had fired at Alagie Kebbeh given that he was one of the best shooters in the army and being highly experienced with the weapon if he could tell which one of the possible three could have fired. The witness gave an explanation, concluding that must have been from a pistol, which would be harder to determine and furthermore, he was

concentrating on Alagie Kebbeh. He added that now he guessed they were lucky that it went through his leg and nowhere else otherwise, they would have been talking about another murder.

Commissioner Kah told the witness that the Lead Counsel had said they had testimony that there were some politicians who were involved in the planning of the 22nd July coup and asked if he could confirm if that was true or not. The witness responded that there was no civilian who partook in the planning of 22nd July 1994, it was a purely military affair.

Commissioner Kah followed up with a second question, asking why they promised six months for the transition process and then extended to two years. The witness clarified that first that they never promised six months, there was no plan and this was why they set up the National Consultative Committee, NCC to ask Gambians what they thought about the takeover, how long they thought they should be there and what they wanted from them and it was their recommendations that they followed. He added that the six months was imposed by the donor community who told them that if they did not call elections within six months and hand over, then they would put them under sanctions.

Commissioner Kah's third question enquired if the military mindset the witness came into office with changed to a more democratic system of government in terms of how the military was run and how civilian institutions are run. The witness responded that they were completely lost at the beginning but they were lucky to have senior civil servants under the Jawara regime propping up their government during transition with their institutional memory, experience, willingness, dedication and patriotism to guide them even though they knew a lot of them did not support the military. He added that they had to change overtime but success came through learning and through the senior cadre and experience that they had in the civil service.

Commissioner Kah then asked the witness to explain why all those who planned the coup with Yahya Jammeh eventually fell out with him.

The witness explained that among others, one major problem with Yahya Jammeh was that **when he wanted something done, you have to get it done whether it was right or wrong** and the latter part, he stopped taking advice.

He added that when he became a private lawyer, he found himself defending a lot of people that used to serve in the civil service and gave advice that Yahya Jammeh did not like.

Commissioner Kah's final question enquired about the size and helpfulness of the Libyan government funding to the then regime and other sources of funding the transitional government had. The witness replied that Libya gave various amounts including about two million US Dollars used for rehabilitation of army barracks, five million US Dollars, which was used to purchase groundnuts and various others he could not recall but he believed the records were there. He also explained that Gaddafi was extremely helpful and welcoming however, he had ambitions of expanding his revolution within West Africa, which would have undermined democracy in neighboring countries.

Commissioner Imam Jallow told the witness when they took over the reins of this country, they claimed they were soldiers with a difference but what they had seen happen to the Gambian population was killing, maiming, imprisoning wrongfully and doing all sorts of evil.

He asked the witness to explain what changed their minds to adopt that type of attitude against a free population. The witness explained that the main issues that had been raised before the Commission especially with the **arrest** and **detention** of the protesters, the **arrest** and

beatings of the UDP supporters and the **killings** in the barracks, he did not want to offer an excuse. He did not want to be seen to be insensitive to the victims, the families and their loved ones. The only thing that he could say is that they felt that what they were doing was right.

Witness Singhateh further explained that with regard to 11th November when they actually got wind of the coup, they begged the plotters not to launch which no military government in the world would do so when they launched, their **anger** led them to go overboard. With regards to the UDP supporters at the bridge, he said he did not know exactly what prompted the fight and the **beatings** by the soldiers, but it was wrong. He was there, he did not stop it, he did not intervene as he should have and as a result some people were beaten. He added that people were not randomly taken from the population and then **killed** or **beaten** like that.

Commissioner Imam then wanted to know why, as well-trained officers that knew the rules of the game, they simply accepted the order to take no prisoners and opened fire on their own brothers, **killing** many of them and how many of his soldiers were **killed**. The witness answered that his soldiers were shot but none was killed.

Commissioner Imam Jallow then asked the witness why they did not say no and why they still accepted to **kill** them after capturing the alleged plotters. The witness replied that even though the arguments were that if the coup plotters had succeeded, they and their families would not have been alive and if they freed them, they launched another coup and there would be further bloodshed, they had no excuse. He added that what happened was wrong and apologised for his part and for all of those who were under him and took responsibility.

Commissioner Imam Sey thanked the witness for coming and for apologising to the entire Gambia. He told the witness that the Lead Counsel did not expect he (the witness) would come to deny especially given the many witnesses that testified on different days and named him. Commissioner Imam

Sey asked if the witness was going to apologise to them (the witnesses) as well. The witness responded that the reason he came was to apologise to people, anyone who had any pain during the time he was there. He said that he was not pleased with the manner in which the Lead Counsel posed the questions to him because the way he responded, those he was talking about would be unhappy should they hear it and there would be no reconciliation. He added that he was not happy with the questions he was asked but he had to answer as that was the rule of the commission.

He further said that he is aware that the time they were in power, they had wronged many and the reason he came was because the reason for the Commission was to establish the truth and to try to reconcile so the nation could move forward. He also apologised to all the witnesses he said did not tell the truth and asked for forgiveness.

Commissioner Imam Sey also asked the witness about the six months term of office that said when they took over the country and that Sanna Sabally had testified to the Commission that his ordeal with them (the witness and Yahya Jammeh) started when he said at a meeting that the six months were up and they should leave. The witness responded that there was no talk among the Council and then ministers talk about six months after they came to power, the donor community had said they could only tolerate a military government for six months after which elections were to be conducted and the government to hand over civilian rule. He said after that, they established the NCC to sound the opinions of the people across the country that was where the two year term came about.

Commissioner Imam Sey then said they wanted to know whether he **shot** Alagie Kebbeh and if he asked him who shot him. The witness answered that he did not shoot Alagie Kebbeh and he did not ask him who shot him.

Commissioner Imam Sey also asked if they called former President Jawara's relatives to handover their possessions or did they give them back to them. The witness stated that from what he knew, everything was given back and that it was recorded. The video recorded everything that they took. He added that he never heard anything was missing.

In concluding his questioning, Commissioner Imam Sey wanted to know how they got the sheep they were slaughtering in the six months they were in power to which the witness replied that he could not recall those sheep but he added that Yahya Jammeh loves meat and he would order for a sheep or a goat to be slaughtered for him time to time and he believed it came from his own personal finances.

Commissioner Samba started her question by stating (in the Mandinka language so her fellow Mandinkas get to hear it) that all the **killings** that had been talked about at the Commission, they found out who **killed** who but everyone is trying to extricate themselves from the responsibility for Ousman Koro Ceesays's death and his family may not know for certain who killed their relative. She said they want to know. She added that Edward Singhateh did not accept being present in any of the incidents he was mentioned in and the whole Gambia was hoping that when he came he would make everything clear.

The witness responded that the Commissioner had a right to her view and added that to come to and say things that are not true just to please people was no use. He added that he believed that the manner in which this investigation was proceeding, certain things would also come out which may point to other areas not expected. He asked for their forgiveness if he did not satisfy people and reiterated that he did not come to hide himself or seal himself from anything.

The witness was given the floor for his closing remarks, which he stated in the Mandinka and then Wolof languages, apologising and asking for forgiveness from his family across the country. He also asked for forgiveness from the victims he had hurt directly and indirectly, which he said was a long list that he could not name them all.

He said some unnecessarily lost their children, husbands, fathers, wives, friends and loved ones and he took the responsibility personally. He also took responsibility and asked for forgiveness for all the people that were wronged by any of the security forces that operated under their command because

if not for the 22nd July 1994, all of these would not have happened to them. He said he knows all of this also was a predestined will of God but God endowed them with wisdom to be able to distinguish between right and wrong, the right way and what was not the right way and from what has been heard at the Commission, it was not the right way.

The witness said that finally, he prayed to God to grant the Commissioners the will and wherewithal to be able to accomplish their task and also for God to give them the strength and the wisdom to be able to make things right and solidify peace in the country. He also prayed that God take away the pain of those he had wronged and replace it with happiness and give them the heart to be able to forgive.

The Commission Chairman thanked the witness and said that from time to time they like to remind witnesses that appear there both victims and the perpetrators as well as the general public that the objectives of the Commission, which was neither a court of law nor a witch-hunt but was established essentially to promote healing and reconciliation, promote healing of victims, address impunity and to prevent a repeat of violations and abuses. They bring witnesses to come and assist in creating this impartial record which is what the witness had done.

Persons Mentioned By Witness During Testimony:

Extrajudicial Killing (of Basirou Barrow, Dot Faal, Fafa Nyang, E M Ceesay, Sergeant Camara, Abdoulie Bah, Bakary Manneh, Momodou Lamin Darboe, Cadet Sillah, Gibril Saye)

Yayha Jammeh, Sanna Sabally, Yankuba Touray, Sadibou Hydara, Alagie Kanyi

Unlawful Arrests and Detention

Sanna Sabally, Edward Singhateh, Yankuba Touray, Sadibou Hydara

Present During Beatings and Torture

Edward Singhateh (the witness)

The Lead Counsel highlighted the AFPRC claimed of being “soldiers with a difference”, not interested in corruption or staying in power but corruption became more endemic, staying in power became a matter of life and death for them.



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Led by women human rights activists, the African Network against Extrajudicial Killings and Enforced Disappearances (ANEKED) campaigns against forced disappearances and summary executions. ANEKED combines the power of technology, innovation, traditional media and legal expertise to make issues related to enforced disappearances and extrajudicial killings much more visible, advocating for justice for victims and their families.

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About The Point Newspaper

The Point Newspaper is a major independent Gambian newspaper, co-founded by Deyda Hydara, a fierce advocate of press freedom and a fierce critic of the government of then President Yahya Jammeh, who was allegedly killed under the orders of Jammeh in 2004. The current co-publisher is his son, Baba Hydara.

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