

PUBLIC

AI Index: AFR 27/007/2006

04 October 2006

Further Information on UA 69/06 (AFR 27/001/2006, 28 March 2006) and follow-ups (AFR 27/002/2006, 6 April 2006; AFR 27/003/2006, 10 April 2006; AFR 27/005/2006, 25 April 2006; AFR 27/006/2006, 31 May 2006) - Incommunicado detention/ fear of torture or ill-treatment New concern: Legal concern

GAMBIA

**Major Sang Pierre Mendy (m)
Captain Muhammed Jah (also known as Abdoukarim Jah) (m)
Captain Bunja Darboe (m)
Lt Wassa Camara (m)
Ngorr Secka (m), acting Deputy Director General, National
Intelligence Agency
Abdoulie Kujabi (m), former NIA Director
Kemo Balajo (m), former NIA senior officer
Lt-Colonel Vincent Jatta (m), former chief of staff
Foday Barry (m), NIA Director of Operations
Buba Saho (m), NIA official**

Released:

**Mariam Denton (f), lawyer
Lamin Fatty (m), reporter with *The Independent***

Lawyer Mariam Denton, who had been detained in connection with the alleged coup attempt on 21 March, was released without charge on 25 July. An attempt by the prosecutor in her trial to have her charged with concealment of treason failed. It was reported that one of her clients gave her information about the coup attempt, which she refused to divulge.

Amnesty International has learnt that Lamin Fatty, a reporter for *The Independent* newspaper, was released on bail on 12 June. He had been held at the NIA headquarters for over two months, and had no access to a lawyer during his detention. On 14 May, he was charged with publishing false information, but was not brought to court. He is now facing trial before the Kanifing Magistrate's Court in Serrekunda.

There are now known to be 22 people detained in relation to the alleged coup in March. Eight detainees (four military officers and four civilians) have been charged with treason. They include Captain Bunja Darboe and Lieutenant Wassa Camara. Another six military officers and one civilian have been charged with concealment of treason. This group includes Major Sang Pierre Mendy and Captain Muhammed Jah (also known as Abdoukarim Jah). The trial of all 15 men has now been adjourned until 10 October because the court is in recess.

Another group of seven of security officers is charged with conspiracy to commit treason. This group includes former Director of the National Intelligence Agency (NIA) Foday Barry, former NIA Deputy Director General Ngorr Secka, former NIA Director General Abdoulie Kujabi, former Chief of Defence Vincent Jatta, and former NIA Directors Baba Saho and Kemo Balajo. Amnesty International currently has no information on the progress of this case.

On 18 July, four of the six defence lawyers representing the defendants charged with treason reportedly withdrew from the trial with the consent of their clients, due to their concerns that the trial may not be fair. The lawyers were representing six of those charged with treason. These defendants are now potentially without legal representation, and may find it difficult to engage new lawyers due to the high-profile, politically

sensitive nature of the case. Amnesty International is concerned that all 22 detainees are likely to face unfair trial and may be sentenced to death.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- welcoming the release of Mariam Denton, and the release on bail of Lamin Fatty;
- urging the government to ensure legal representation and a fair trial under the terms of international fair trial standards for all 22 detainees facing charges;
- calling on the government to investigate the allegation that the trial of the 15 people charged with treason and concealment of treason may be unfair;
- urging the authorities to give all the detainees regular access to their families, lawyers and any medical attention they may require;
- requesting details of the progress of the case against those charged with conspiracy to commit treason;
- urging the authorities to ensure that all those charged with crimes that carry the death penalty have adequate legal representation at all stages of the proceedings against them.

APPEALS TO:

President and Minister of Defence

Captain (retd.) Alhaji Yahya A. J. J. Jammeh

Office of the President

State House, Banjul

Republic of the Gambia

Fax: + 220 4227 034

Salutation: Your Excellency

Minister of Interior

M. Baboucarr Jatta

Ministry of Interior

71 Dobson Street, Banjul

Gambia

Fax: + 220 420 1320

Salutation: Dear Minister

Attorney General and Secretary of State for Justice

M. Sheikh Tijan Hydera

Department of State for Justice and Attorney General's Chambers

Marina Parade

Banjul

Republic of the Gambia

Fax: + 220 4225 352

Salutation: Dear Secretary of State

COPIES TO: diplomatic representatives of Gambia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 November 2006.