



Government White Paper on the TRRC Report

*User Friendly
Summary*

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Foreword:

This user-friendly version of the Gambia Government’s White Paper on the report of the Truth, Reconciliation, and Reparations Commission (TRRC) is designed to be a companion in your journey toward understanding the TRRC recommendations and the government’s approach to them. Produced by the International Center for Transitional Justice (ICTJ) and its partners, with the generous financial support of the United Nations Peacebuilding Fund (UNPBF), it is hoped that this publication will serve as an informative guide accessible to all, regardless of prior knowledge of the TRRC report and recommendations or the government’s White Paper.

Disclaimer:

The content in this publication is intended for general information purposes only and is presented in good faith. It does not express in part or in whole the views of UNPBF.

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About ICTJ

The International Center for Transitional Justice works across society and borders to challenge the causes and address the consequences of massive human rights violations. We affirm victims' dignity, fight impunity, and promote responsive institutions in societies emerging from repressive rule or armed conflict as well as in established democracies where historical injustices or systemic abuse remain unresolved. ICTJ envisions a world where societies break the cycle of massive human rights violations and lay the foundations for peace, justice, and inclusion. For more information, visit www.ictj.org

CHAPTER 1:

HUMAN RIGHT VIOLATIONS BY STATE SECURITY AGENTS



➤ **Findings of the Truth, Reconciliation, and Reparations Commission (TRRC): What Happened?**

On July 22, 1994, a military junta, the Armed Forces Provisional Ruling Council (AFPRC), composed of young soldiers (First Lieutenant Yahya Jammeh, Second Lieutenant Sanna Sabally, Second Lieutenant Edward Singhateh, Second Lieutenant Sadibu Hydera, and Second Lieutenant Yankuba Touray), ended the democratic government of the first republic of The Gambia. As soon as they assumed power, the junta government suspended

the 1970 constitution and thus ruled the country by decree (an official directive that becomes a law without the checks and balance of the National Assembly) until 1996. This government committed severe atrocities, including arbitrary arrests and detentions, enforced disappearances, torture, extrajudicial killings, and many other acts of inhuman and degrading treatment against political party leaders, government officials, security officers, and ordinary Gambian citizens. The military government caused the killing of the late Ousman Koro Ceesay, the former Minister of Finance and Economic Affairs, as well as the military officers who were accused of attempting to overthrow the junta on November 11, 1994. The ruling junta, the AFPRC, transformed itself into an official political party—the Alliance for Patriotic Reorientation and Construction (APRC)—to support Jammeh’s campaign for the presidency. Consequently, a referendum was held on August 8, 1996, leading to the adoption of the second constitution, and subsequently, a presidential election was held in September 1996, in which Yahya Jammeh emerged as the winner, ushering in civilian rule. The APRC, led by the former President Yahya Jammeh, continued to rule the country with an iron fist and commit gross human rights violations through state security agents and a squad established by him, namely “The Junglers.” The Convoy of the President and the killing of the West African migrants were other mediums through which gross human rights violations occurred.

➤ **When Did It Happen?**

From 1994 to 2016

➤ **Who are the Alleged Perpetrators?**

The AFPRC junta government and security forces (military, police, and National Intelligence Agency)

➤ **TRRC Recommendations and Government Position**

What Is Recommended?

The TRRC recommends, and the government accepts, the following:

- i. Prosecute the junta government and wanted security officials.
- ii. Enact laws to limit the privileges of the president's convoy.
- iii. Ban low-level perpetrators from holding public office.
- iv. Reform state security sector such as the police, military, intelligence agencies, etc.
- v. Train security force agents, including on human rights.
- vi. Undertake institutional reforms of the state security forces such as the police, military, intelligence agencies, etc.
- vii. Set up a task force to investigate cases of enforced disappearances.

➤ **When Is the Implementation Period for the Recommendations?**

From 2023 to 2027

➤ **Which Institutions are Responsible for the Implementation?**

Ministry of Justice (Special Prosecution Office), Office of the President, Gambia Police Force, Gambia Armed Forces, Ministry of Finance and Economic Affairs, Ministry of Defense, Ministry of Interior, National Accreditation and Quality Assurance Authority, National Center for Civic Education, National Human Right Commission, National Center for Arts and Culture, Ministry of Lands, Regional Government and Religious Affairs, Alternative Dispute Resolution Secretariat, National Assembly, Law Reform Commission, Ministry of Foreign Affairs, Ministry of Health, Ministry of Gender, Children and Social Welfare, Judiciary, and National Road Authority

CHAPTER 2:

STUDENT DEMONSTRATIONS



➤ TRRC Findings: What Happened?

On April 10 and 11, 2000, the Gambia Student Union initiated a demonstration against the government of Yahya Jammeh in response to the physical assault and later death of 15-year-old Ebrima Barry and the subsequent rape of Binta Manneh of Brikama-Ba Upper Basic and Senior Secondary School by state security agents. Following those two incidents and the state’s failure to address the human rights violations meted out to these teenage students, the then student union (GAMSU) called for a national peaceful demonstration, which resulted in the deployment of state security agents by the government, and this subsequently led to the

violent reprisal of the demonstration. The event left 12 students dead and dozens seriously wounded.

➤ **When Did It Happen?**

April 10 and 11, 2000

➤ **Who Are the Alleged Perpetrators?**

The then government of Yahya Jammeh, through state security forces (the Police Intervention Unit and the Gambia National Army)

➤ **TRRC Recommendations and Government Position**

What Is Recommended?

The TRRC recommends, and the government accepts, the following:

- i. Prosecute some public and security officials, including the former president and vice president.
- ii. Dismiss some public and security officials from office.
- iii. Ban those responsible from holding public offices.
- iv. Provide proper training to security forces on matters relating to crowd control and the management of violent demonstrations and riots.
- v. Both the Ministry of Basic Education and the Ministry of Higher Education should set up a structure or process to enable them to meet student bodies annually to discuss matters affecting students.

- vi. The government should set up mechanisms or channels of communication to deal with students' complaints on a timely and effective basis.
- vii. The government should establish funds for victim rehabilitation and medical support.
- viii. April 10 and 11 should be declared school holidays.

➤ **When Is the Implementation Period for the Recommendations?**

From 2025 to 2027

➤ **Which Institutions Are Responsible for the Implementation?**

Ministry of Justice (Special Prosecution Office), Gambia Police Force, Ministry of Interior, Ministry of Basic and Secondary Education, Ministry of Higher Education, National Center for Arts and Culture, National Youth Council, and National Center for Civic Education

CHAPTER 3:

Sexual and Gender-Based Violence, Presidential Alternative Treatment Program, and Witch Hunt Exercise



➤ TRRC Findings: What Happened?

The TRRC, in its investigations, found former President Yahya Jammeh and his security apparatus committed serious abuses involving sexual and gender-based violence (SGBV) through the then national beauty pageant competitions and other ceremonial occasions. The presidential alternative treatment program was also another initiative in which the former president was found to be committing SGBV. The former president alleged to

have had the cure for HIV/AIDS, and in his treatment program, most women were sexually abused, mistreated, harassed, and forced to abandon their conventional medications and opt for traditional local herbs. Subsequently, some of these people lost their lives, while others continued to live under the ill effects of this treatment program. The witch hunt exercise, on the other hand, was found to be a strategy to punish those communities that did not support the former government. The then President Yahya Jammeh brought in people who were alleged to be witch hunters and deployed them to communities including Sintet, Jambur, Essau, Barra, and others to arrest innocent citizens with the support of the security forces. Victims of the witch hunt were forced to drink anti-witch traditional medicines, which made most of them sick and subsequently cost them their lives. Several of these victims still continue to suffer the consequences of the bad treatment, including health issues and community stigmatization.

➤ **When Did It Happen?**

From 1994 to 2016

➤ **Who Are the Alleged Perpetrators?**

Then President Yahya Jammeh, then Minister of Interior Ousman Sonko, top security officials, Dr. Tamsir Mbowe, and others.

➤ TRRC Recommendations and Government Position

What Is Recommended?

The TRRC recommends, and the government accepts, the following:

SGBV:

- i. Prosecute the former president, top government officials, and security officers wanted for SGBV crimes.
- ii. Make it mandatory for all institutions, including private institutions and civil society organizations, to put in place sexual abuse and harassment policies as required by the 2010 Women’s Act and the National Women’s Policy.
- iii. Dismiss and ban public and security officials found guilty of SGBV from holding public office.
- iv. Expand the one-stop center approach for the management of SGBV and introduce a toll-free hotline that is accessible to all.
- v. Train law enforcement officials in dealing with SGBV cases as part of the security sector reform mechanisms.
- vi. Sensitize relevant government institutions and the Gambian people in general on SGBV.

Presidential Alternative Treatment Program:

- i. Prosecute former President Yahya Jammeh, former Minister Dr. Tamsir Mbowe, and other senior government officials involved in the program.
- ii. Revoke Dr. Tamsir Mbowe’s practicing license indefinitely for failing to honor the medical code of conduct.
- iii. Dismiss and ban some public and security officials from holding public office.
- iv. Train all health care workers in The Gambia on HIV/AIDS-related stigma and discrimination and the protection of the right to privacy and confidentiality of people living with HIV/AIDS.
- v. Ensure media practitioners uphold the standard for reporting on people living with HIV/AIDS.
- vi. Ensure access to treatment, care, and health services for people living with HIV.

Witch Hunt Exercise:

- i. Prosecute the former president and other senior government officials involved in the exercise.
- ii. Dismiss and ban some public and security officials from holding public office.
- iii. Enact laws to make it illegal to refer to people as witches.
- iv. Train security personnel to recognize the negative impacts of identifying people as witches.
- v. National Center for Civic Education, Ministry of Basic and Secondary Education, and civil society organizations to engage in advocacy and awareness

programs to sensitize the public and local communities to change the mindset and attitudes regarding the stigma attached to witchcraft.

- vi. Guidelines should be provided to security forces to prevent them from being used to carry out unlawful orders.

➤ **When Is the Implementation Period for the Recommendations?**

From 2023 to 2027

➤ **Which Institutions Are Responsible for the Implementation?**

SGBV:

Ministry of Justice (Special Prosecutor's Office), Ministry of Gender Children and Social Welfare, Gambia Police Force, National Legal Aid, Alternative Dispute Resolution Secretariat, Judiciary, Public Utilities and Regulatory Authority, Ministry of Trade, Industry, Regional Integration and Employment, National Human Rights Commission, Ministry of Public Service, Ministry of Interior, National Agency Against Trafficking in Persons, National Council for Civic Education, and National Accreditation and Quality Assurance Authority

Presidential Alternative Treatment Program:

Ministry of Justice (Special Prosecutor's Office), Medical and Dental Council, Ministry of Health, Medicines Control Agency, National Aids Secretariat, Ministry of Basic and Secondary Education, Ministry of Higher Education Research Science and Technology, National Accreditation and Quality Assurance Authority, Nursing and Mid-Wife Council, Gambia Press Union, and Ministry of Information

Witch Hunt Exercise:

Ministry of Justice (Special Prosecutor's Office), Ministry of Interior, Gambia Police Force, National Assembly, Ministry of Defense, National Human Rights Commission, National Council for Civic Education, and Civil Society Organizations

CHAPTER 4:

POLITICAL PERSECUTION (MEDIA, POLITICAL PARTIES, AND RELIGION)



➤ TRRC Findings: What Happened?

Since 1996, the former government of Yahya Jammeh has committed several forms of political persecution, including suppression of the political space, media, and religious freedom; unlawful arrest, detention, and torture; disappearances; and extrajudicial killings of opposition political party leaders, religious leaders, and media practitioners. Political opposition leaders and media practitioners were attacked on several occasions, meant

to silence critics and establish the former president's power. Freedom to worship according to one's wishes was confined. For instance, the people of Kerr Mott Ali village were sent away from their homes because they belonged to or subscribed to a particular sect of religion that was not tolerated by the then government. This was one of many other religious attacks committed by the former government against those who did not follow the dictates of former President Yahya Jammeh as to what religion to practice.

➤ **When Did It Happen?**

From 1996 to 2016

➤ **Who Are the Alleged Perpetrators?**

The then government of Yahya Jammeh through state security forces (the Junglers, military, National Intelligence Agency, etc.)

➤ **TRRC Recommendations and Government Position**

What Is Recommended?

The TRRC recommends, and the government accepts, the following:

- i. Prosecute the then president and some public and security officials.
- ii. The National Assembly should review the Public Order Act.
- iii. Pass legislation against hate speech.

- iv. Provide restitution to and rehabilitate the Ndiggal Sect in The Gambia (Kerr Mot Ali).
- v. Establish civic education programs in schools.

➤ **When Is the Implementation Period?**

From 2023 to 2027

➤ **Which Institutions Are Responsible for the implementation?**

Ministry of Justice (Special Prosecutor’s Office), Gambia Police Force, Ministry of Interior, Peace and Reconciliation Commission, Ministry of Basic and Secondary Education, Ministry of Higher Education Research Science and Technology, National Center for Arts and Culture, National Youth Council, National Council for Civic Education, Ministry of Information, Gambia Radio and Television Services, Office of the President, Gambia Armed Forces, Ministry of Defense, Ministry of Lands, Regional Governments and Religious Affairs, and National Assembly, and Joint Parliamentary Committee

CHAPTER 5:

INSTITUTIONAL MALPRACTICE



➤ **TRRC Findings: What Happened?**

The National Intelligence Agency, commonly called the NIA, was known for its brutality and disregard for human rights. The nation's only intelligence agency was used as a tool to target perceived threats to Jammeh's government and operated with total impunity. The NIA used various methods, such as torture, sexual violence, unlawful arrest, and enforced disappearances, to instill fear and maintain Jammeh's hold on power. Mile II, the main prison facility built in 1920, fell short of UN standards for prisoners' treatment. The prison faced serious issues like insalubrious atmospheres, leaky roofs, mosquito-related

infections, overcrowding, and many other inhuman conditions, making it unsafe and unhealthy for human occupation. The laws designed to protect prisoners' rights were not followed, and some prisoners were brought to prisons without a legal reason or a warrant for their arrest and detention. On the other hand, the independent functioning of public institutions such as the Judiciary, Ministry of Justice, Gambia Police Force, and NIA was undermined. The judiciary's independence was eroded through the appointment of unqualified judges and the unlawful termination of judges. Judges were intimidated, fired, arrested, and detained while executing their functions, and those that resisted intimidation faced punitive measures. Similarly, "machinery judges" were appointed by the former president to deliver rulings against litigants in cases of interest to him.

➤ **When Did It Happen?**

From 1996 to 2016

➤ **Who Are the Alleged Perpetrators?**

The former President Yahya Jammeh, through his government and the state security forces.

➤ **TRRC Recommendations and Government Position**

What Is Recommended?

The TRRC recommends, and the government accepts, the following:

- i. Prosecute some National Intelligence Agency officials.
- ii. Dismiss and ban certain individuals from holding public offices.
- iii. Reform the Security Sector by renaming the National Intelligence Agency to the State Intelligence Agency and limit its excessive powers.
- iv. Reform the prison services and bring facilities to modern standards.
- v. Reform laws related to prisons and prisoners.
- vi. Reform the judicial sector to ensure competency, impartiality, transparency, and accountability.
- vii. Implement constitutional reforms related to the judicial sector.

➤ When Is the Implementation Period?

From 2023 to 2027

➤ Which Institutions Are Responsible for the Implementation?

Ministry of Justice (Special Prosecution Office), Ministry of Finance and Economic Affairs, Office of the Inspector General of Police, National Intelligence Agency, Gambia Armed Forces, National Human Rights Commission, Judiciary, Ministry of Interior, Ministry of Health, Personal

Management Office, General Legal Counsel of The Gambia, Law Reform Commission, National Assembly, Ministry of Lands, Regional Government and Religious Affairs, Judicial Service Commission, National Legal Aid Agency, Ministry of Foreign Affairs, Gambia Prison Service, Social Welfare, Food Safety and Quality Assurance Authority, Cabinet, and Gambia Bar Association

➤ **What Is the Status of the Implementation? What Is the Government Doing?**

✓ Prosecution

For all crimes committed during the dictatorship, the government is creating the Special Prosecution Office and a hybrid Court for the prosecution of perpetrators.

✓ Reparations

The government, through the National Assembly, passed the 2023 Victim Reparations Bill on November 1, 2023.

✓ Banning and Dismissing

The government, through the National Assembly, passed the 2023 Ban from Public Office (TRRC) Bill on November 1, 2023.

✓ Security Reform

The government is currently implementing its security sector reform mechanisms.

QUIZ QUESTIONS (TEST YOURSELF):

CHAPTER ONE: Human Right Violations by State Security Agents

- I. When and how did the AFPRC came to Power?
- II. What types of crimes did the then Junta commit soon after overthrowing the then democratic government of Sir Dawda K. Jawara?
- III. What did the TRRC recommend regarding the crimes mentioned in II.
- IV. Which Institutions are responsible for the implementation of recommendations listed in III?

CHAPTER TWO: Students' Demonstrations

- I. Can you recall when the students' demonstration took place?
- II. Who are the Alleged perpetrators?
- III. What did the TRRC recommend for the students' demonstration?
- IV. What are the actions to be taken by the Government of The Gambia on the TRRC recommendations on the students' demonstration?
- V. Which Institutions are Responsible for the Implementation?

CHAPTER THREE: Sexual and Gender-Based Violence, Presidential Alternative Treatment Program, and Witch Hunt-Exercise

- I. Can you mention the human rights violations committed under this chapter.
- II. What did the TRRC Recommended?
- III. What is the position of the Government?
- IV. Which Institutions are responsible for the implementation?

CHAPTER 4: Political Persecution (Media, Political Parties, and Religion)

- I. Can you remember what sort of human rights violations were committed under this chapter?
- II. What did the TRRC recommend?
- III. What is the position of the Government on the TRRC recommendation?
- IV. Which institutions are responsible for the implementation?

CHAPTER 5: Institutional Malpractice

- I. Can you recall some of the institutions that were allegedly used by the Junta to violate human right

- II. What sort of human rights violations were committed under this chapter?
- III. What did the TRRC recommended?
- IV. What is the position of the Government on the TRRC recommendation?
- V. Which institutions are responsible for the implementation?

GENERAL QUESTIONS

- I. What do you think of the events summarized in the User-friendly version of the White paper?
- II. What events in the TRRC report touched you the most and why?
- III. What advice would you suggest to the government regarding the implementation of the TRRC report?
- IV. As a youth, are you satisfied with the implementation process of the TRRC report? Can you explain why you are satisfied or not satisfied with the process?
- V. As a young person, how will you contribute to the successful implementation of the TRRC report and government white paper?

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