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.

Mbye Babou Chune lost his 14-year-old son, Lamin Chune when security officers fired at unarmed civilians after Yahya Jammeh allegedly gave the order to shoot during the April 2000 Student Protests.
DISCREPANCIES/CONFLICTING TESTIMONIES

Merican Mendy (versus Lamin Camara and “Giri” Abdou Njie)

Merican Mendy testified that on 10th April 2000, soldiers had come into his compound in Brikamaba and dispersed the students that were there. This conflicts with Lamin Camara’s testimony, which indicated that his team had not dispersed any gatherings in Brikamaba on 10th April 2000 nor had he imposed a curfew.

Merican Mendy also recalled that on 11th April in the morning when the soldiers came to his school there was a push and pull between the students and the soldiers, before the students finally ran out of the office with the soldier chasing after them. The witness added that he then heard a gunshot followed by more gunshots from the direction where the students had ran off with the soldier after them. However, Lamin Camara and “Giri” Abdou Njie claim that they did not chase the students but that they were merely running back towards the police station as they had heard students say that they would burn it down. They both denied having shot at the students at this point and that the shooting only began when they reached the police station because they were attacked with stones.

Lamin Camara also told the Commission that when he checked the status of the ammunition at the armoury after the events, he discovered that one bullet as well as an entire magazine was missing, which meant that (in total) 31 bullets were missing from “Giri” Abdou Njie ammunition. “Giri” Abdou Njie claimed that he did not hide the magazine and that it was not missing. He admitted that he had fired 104 rounds but stated that he did not hide this fact. He also said that he was never called to explain his role in the killings until his testimony at the TRRC.

Baboucarr Sowe (versus Wassa Camara and Momodou Ceesay)

During his testimony, Baboucarr Sowe told the Commission that written order of operations were prepared and disseminated to soldiers on rules of engagement regarding the demonstrations that were to take place on 10th April. This conflicts with the testimonies of Wassa Camara and Momodou Ceesay who maintained never having received these written operational orders, despite being read out the operational orders that were submitted to the Commission of Inquiry.

Rex King (versus Baboucarr Sowe and Momodou Ceesay)

Rex King told the Commission that he gave an order to his deputy Sankung Badjie and Baboucarr Sowe that would have seemingly modified the original operational orders to allow the students to meet with the then Vice-President, Isatou Njie-Saidy instead of dispersing them. However, the Lead Counsel noted that Baboucarr Sowe, although his testimony was not yet concluded had never mentioned receiving orders from Rex King to modify the operational orders. The
Lead Counsel also said the then head of the PIU, Momodou Ceesay who was entrusted to maintain law and order around GTTI area did not mention this fact either and his description of events suggested that he was completely ignorant of this new order the witness was claiming.

**Ousman Badjie (versus Alhagie S. Darboe and Boubacarr Jatta)**

Ousman Badjie testified that on 10th April 2000, when he arrived at the Police Intervention Unit Headquarters, PIU at around 8 am, he did not hear anything apart from the sound of a teargas from afar. However, the Deputy Lead Counsel highlighted that the evidence received from multiple witnesses was that there was a lot of shooting going on around the PIU around that time.

Ousman Badjie also denied saying to the detained students at the PIU Headquarters that he knew that they were under the influence of the opposition and that all opposition figures who were behind the students would be arrested and charged, which contradicts Alhagie S. Darboe’s testimony. He also denied telling Alhagie S. Darboe that “the order had already been given” when Alhagie S. Darboe asked him to tell his men to stop firing. This also conflicts with Boubacarr Jatta’s testimony, which stated that he saw Ousman Badjie and Sankung Badjie standing about 15 metres away from the crowd and protested to them for allowing the shooting.

**Isatou Njie-Saidy (versus Baboucarr Jatta)**

Isatou Njie-Saidy claimed not to have given the order for the military to be deployed on the ground, thus conflicting with Baboucarr Jatta’s testimony, which asserted the contrary. Isatou Njie-Saidy claimed that Baboucarr Jatta could deploy without her clearance and asserted that it was her word against his.
OVERVIEW

On Thursday 3rd October 2019, the TRRC completed its 8th three-week session of public hearings, which focused almost entirely on the 10th/11th April 2000 Student Protests, sparked by the death of Ebrima Barry and the rape of Binta Manneh.

It had been previously reported that during the demonstrations, at least 13 students, one Red Cross Volunteer and a three-year old boy named Abdoulie Sanyang were killed when security forces fired at the unarmed civilians. It was however revealed for the first time during this session that another 3 year-old child by the name of Musa Sembene also lost his life during this tragic event as well as two other individuals who died after release from Janjanbureh Prison where they had been tortured, raising the total number of killed individuals to 18. Many more of those shot at by the security forces are still suffering from the injuries sustained and in need of urgent medical attention.

Witnesses who testified during this session alleged that Yahya Jammeh, at the time in Cuba, gave the order to “take care of these bastards in whatever way, in whatever form” and that then Vice-President Isatou Njie-Saidy gave the orders to deploy the army. A number of then government officials who testified during this session, including Isatou Njie-Saidy, claimed throughout their testimony not to have any recollection of details of the events or not to have been present, despite previous testimonies implicating them in the massacre.

One witness was also asked to testify on the extrajudicial killing of Almamo Manneh and the arbitrary arrest of Landing Sanneh and another one on the extrajudicial killing of Ousman Koro Ceesay. These two witnesses were also interrogated about their knowledge of the Junglers and their functions.

During this session, the Lead Counsel referred to threats received by one witness who had testified and reminded the public that such actions are criminal offenses. He recalled that witnesses who appear before the Commission were doing a service to their people by answering to the call of the nation to come and provide truthful accounts about events that are great concern to all of them, which were being investigated.

At the time of release of this publication, no perpetrator has been brought to justice for the 10th/11th April 2000 massacre.

During the eighth session of the TRRC, 25 persons testified including three persons who confessed to committing human rights abuses and violations; and 11 victims (including three women). Four persons testified via video conferencing/Skype.

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

- Extrajudicial killing
- Arbitrary arrest and detention
- Torture, including rape
- Denial of medical treatment
- Fraudulent medical treatment
- Obstruction of justice

25 persons were mentioned by witnesses in relation to human rights violations committed, namely:\n


\[1\] The 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.
Lamin CAMARA: Soldier in the Gambia National Army with the rank of Corporal in 2000. Accused of concealment of evidence. Recommended by the 2000 Commission of Inquiry to be prosecuted for the deaths and injuries suffered by victims at Brikamaba.

Lamin CAMARA: Former private soldier. Accused of arbitrary arrest and torture of civilians in Brikamaba in April 2000. Recommended by the 2000 Commission of Inquiry to be prosecuted for the deaths and injuries suffered by victims at Brikamaba.

FOFANNA (first name not given): Station Officer at the Bakau Police Station in April 2000. Accused of following orders and obstructing justice in the rape case of Binta Manneh.


Lalo JAITEH: Former lieutenant and aide de camp to Yahya Jammeh. Confessed to participating in the arbitrary arrest of Landing Sanneh. Resides in Switzerland at the time of release of this publication.

Mariatou JALLOW: Former CEO of the Royal Victoria Teaching Hospital. Confessed to wilful misrepresentation and denial of medical treatment of those injured during the student demonstrations. CEO and Lead Doctor at the ECG Sibanor Health Centre at the time of release of this publication.

Ismaila JAMMEH: Member of the death squad team “the Junglers”. Confessed to having participated in the killing and enforced disappearance of Almamo Manneh in 2000 in session 7. Accused of participating in the arbitrary arrest of Landing Sanneh. Detained at Yundum Barracks at time of release of this publication.


Yahya JAMMEH: Chairman of the Armed Forces Provisional Ruling Council (AFPRC) and President of The Gambia until December 2016. Accused of ordering the firing of unarmed students during the April 2000 demonstrations resulting in the deaths of Babucarr (Burama) Badjie, Karame Barrow, Lamin Bojang, Reginald Carrol, Modou Lamin Chune, Bamba Jobarteh, Wuyea Foday Mansareh, Bakary Njie, Modou Lamin Njie, Sainey Nyabally, Usman Sabally, Ousman Sembene, Claesco Pierre, Abdoulie Sanyang (three-year old boy), Musa Sembene (three-year old boy) and of Omar Barrow (Red Cross volunteer); of denial of medical treatment of those injured as a result of the security forces firing at them; of arbitrary arrest of Lalo Jaiteh and of ordering the extrajudicial killing of Almamo Manneh and the arrest of Landing Sanneh in 2000. Also accused of fraudulent medical treatment. In exile in Equatorial Guinea at the time of mention.


**Kura Mbisan**: Former wife of the legendary Kora player Lalo Kebba Drammeh. Accused of attempted kidnapping of Omar Joof in Dakar, Senegal.


**Abdou Njie (also known as Giri and sometimes called “Grey”)**: Soldier in the Gambia National Army in 2000. Confessed to having killed at least two students, Ousman Sabally and Sainey Nyabally, and injuring at least seven, including Ebrima Saidy during the 10th/11th Student Protests; to using excessive force and to torturing students during the April demonstrations. Recommended by the 2000 Commission of Inquiry to be prosecuted for the deaths and injuries suffered by victims at Brikamaba. Lance Corporal in the army at the time of release of this publication.

**Momodou Ceesay Njie**: Officer Commander of the PIU in Kanifing in 2000. Admitted to being responsible for the assault and arbitrary arrest of students during the 10th/11th April student demonstrations. Working with the UN in Sudan at the time of release of this publication.

**Omar Sonko**: Accused of killing Almamo Manneh in 2000.


**Ousman Sowe**: Accused of the attempted kidnapping of Omar Joof in Dakar, Senegal. Director of the National Security Services, NSS of The Gambia, which is the new name for National Intelligence Agency, NIA at the time of release of this publication.
6 TYPES OF HUMAN RIGHTS VIOLATIONS
- torture, including rape
- extrajudicial killing
- denial of medical treatment
- arbitrary arrest/detention
- fraudulent medical treatment
- obstruction of justice

25 PERSONS MENTIONED
in relation to human rights violations committed

25 PERSONS TESTIFIED
- 11 Victims (including 3 women)
- 3 persons who confessed to committing human rights abuses and violations

PLACES
- WESTFIELD
- INDEPENDENCE STADIUM
- POLICE INTERVENTION UNIT HEADQUARTERS
- BRIKAMABA
- ROYAL VICTORIA TEACHING HOSPITAL
- JANJANBUREH PRISON
- MILE 2 PRISON
- BRIKAMABA HOSPITAL
- SAINT AUGUSTINE HIGH SCHOOL
- BRIKAMA FIRE SERVICE STATION
- LONDON CORNER IN SERREKUNDA
- RED CROSS
- POLICE HEADQUARTERS
- STATE HOUSE
- LAILO JAITEH’S HOUSE
- LANDING SANNEH’S HOUSE
- ARMITAGE HIGH SCHOOL
- SERREKUNDA POLICE
- BAKAU POLICE STATION
- KANIFING MAGISTRATE COURT
WITNESS NAME: Yusupha MBYE (also known as Papa)

TRRC HEARING DATE (S): 16th September 2019

EVENT (S) DISCUSSED: 10th/11th April 2000 Student Protests, victimisation of the witness and impact on life

POSITION BEFORE THE EVENT (S): Student

ROLE DURING THE EVENT (S): Victim

POSITION AT THE TIME OF TESTIMONY: Unemployed

SUMMARY OF TESTIMONY:

Yusupha Mbye, also known as Papa, testified before the Commission that in April 2000 he was 17 years old and in grade 10 at Pipeline Secondary School.

He explained that on 10th April, on his way to school, he stopped at his regular breakfast stand as he usually and while eating breakfast, a schoolmate, one Omar Gassama asked him and other students around if they were aware of what was about to happened on that day, to which they replied no. He said Omar Gassama then informed them that Gambian students were going to protest that day but when asked where the protest was going to take place, Omar said he did not know but he heard they were going to converge at Gambia Technical Training Institute, GTTI, where the demonstration was going to begin.

Yusupha Mbye further stated that after breakfast, he met up with other students who were gathering at the school gate. They then moved first to Kairaba Avenue, then Latrikunda Germany, the Pipeline Comprehensive, all the while gathering in numbers. At Africell, they were joined by students from the greater Banjul area - and members of the Police Intervention Unit, PIU who were in uniform with shields, batons, and tear gas.

The witness recounted that the PIU demanded that the students disperse, but the students continued milling around talking among themselves. The PIU then fired teargas and the students scattered before regrouping across the road. He said they then began to move to Westfield to better understand the situation. On the way, they passed the Post Office and some students began to loot it, so the PIU fired teargas again to which the students responded by throwing stones. The teargas continued, so the students ran away. The witness explained that the students and PIU were chasing each other until both parties reached Westfield.

Continuing with his testimony, Yusupha Mbye stated that once they reached Westfield, they saw the PIU come from the direction of the Red Cross. The information spread among the crowd that two people had been shot, one at the gates of the Red Cross, the other at Westfield, and some students began throwing stones.

The witness said he was told that Baboucarr Jatta, the then Chief of Defense Staff, CDS, was coming through Westfield on his way to the PIU Headquarters. According to Yusupha Mbye, the students were hurling insults at Baboucarr Jatta, asking him if the two people had been shot, and why. Baboucarr Jatta did not respond, until he reached the gate of the PIU at which point, with security forces behind him, he began “negotiating” with the crowd.

The witness narrated that suddenly Baboucarr Jatta disappeared and the paramilitaries opened fire on the students. The last thing he remembered was the shooting.

Yusupha Mbye testified that when he woke up in the hospital, he had no memory of what had happened to

2The witness used paramilitaries and PIU interchangeably throughout his testimony.
him. There, the on-duty nurse told him that when he was brought to the hospital, he was assumed to be dead and taken to the mortuary. While tagging him, they saw his feet move and he was rushed to the theatre and operated on. While he was in the theatre, a passing family member recognised his shoes and called his father to deliver the news that he was among the victims at the hospital.

The witness further recalled that he was told his family had already gone to the hospital to look for him, but were using a different name for him. After running around the hospital looking for him, he said his father was told there was someone with the last name Mbye in a coma in the Intensive Care Unit, ICU. He told the Commission that when his family saw the severity of his condition, they left their telephone number with the nurses because they did not think he would survive the night. His family visited regularly and after a few days he came out of the coma.

After he came out of his coma, the witness was told that he was shot in the upper back near his neck, and when he fell down the bullet became lodged in his throat. He explained that as a result, he suffered a severe spinal cord injury and had been wheelchair-bound since then. The bullet was removed from his throat, but he still had no sensation in his body. He was unable to eat, and had to be fed liquid food through a tube.

Yusupha Mbye stated that he spent a lot of time lying on one side and developed bedsores. Due to his injury, he said he could not control his bodily functions, exacerbating the infections and sores on his right leg. He told the Commission that it was difficult to get the nurses’ attention at night because he could not properly call for help on account of the hole in his neck. He accused the nurses of neglect, and added he was in so much pain he had to be given injections to sleep.

The witness explained that he was joined at the hospital by fellow victims, Assan Suwareh who was shot in the stomach, one Fra, and a small child who was shot in the head during the 10\textsuperscript{th}/11\textsuperscript{th} April demonstrations. The witness did not remember Fra’s full name or the nature of his injuries. When asked to tell them what eventually happened to the child, the witness said that he later heard he was taken to Dakar for treatment but died. He was asked if he had any encounter with this particular child while he was at the ICU to which he responded that he did not but remembered that the child was always crying.

The witness said one day he was told that Yahya Jammeh was going to visit the hospital. He told the Commission that he was unhappy Yahya Jammeh was going to be visiting and said a proverb in Wolof: “It was like a witch coming to mourn your death after killing you.”

He pointed out that they were children who had gone to demonstrate peacefully, for which they had been shot and their futures destroyed.

“For what reason? When he came, I was asleep.” He was asked if he knew what happened as a result of Yahya Jammeh’s visit, what was said or if he did anything and the witness said he did not even ask when he woke up nor did he even bother to find out.

The witness said that Fatoumata Jahumpa Ceesay, who he identified as working at the President’s Office at the time, was also sent to visit. According to the witness, she brought cornflakes, milk, and 100 dalasi. As someone on a liquid diet, he could not eat the cornflakes, so his family gave everything away, including the money, as alms. “I did not want anything from them.”

Yusupha Mbye testified that his condition did not improve at the Royal Victoria Teaching Hospital, RVTH so the Egyptian doctor who operated on him, Mohammed Nawal, helped him go to Egypt for treatment. He was asked what had happened to his bedsores, if he had any complications from that and he responded that it was only after he went overseas for treatment that he had an operation and added that to this day, he was still suffering from bedsores.
The witness testified that when he arrived in Egypt, they conducted an MRI scan, an X-ray, and photographed his bedsores. The witness said the Egyptian doctors commented that the doctors in The Gambia removed the bullet without attending to the wounds caused by its entrance into the body.

He testified that he had plastic surgery for the bedsores, and **one of the infections was so serious they had to grind some of his bone.**

After his surgeries, the bedsores began to improve, and with rehabilitation and physical therapy he was slowly able to move his hands again. The witness continued that the equipment and the level of personalized care at the hospital in Cairo were much better than at RVTH in Banjul.

Yusapha Mbye confirmed that he was not the only victim of the 10th/11th April incident to go to Egypt. He was the first to arrive but soon after, Assan Suwareh and Sainey Senghore joined him. He said they were in Egypt for about 4 months.

The witness testified that one day, they were informed that the money the Gambian government had sent for the treatment was exhausted. He had undergone surgery, but the rehabilitation was far from complete. He explained that the Egyptian doctor wrote to the Gambian government, but did not receive a response.

Yusupha Mbye told the Commission that one of the doctors in Egypt, who he referred to as Baha, paid for another month of rehabilitation for the three young men from his own pocket. He also hired an “Oustass” to come and teach them Islamic studies. On Thursdays and Fridays, the witness testified, he would leave his phone with them so they could communicate with their families back in The Gambia. When their clothes were stolen, he bought them new clothes.

The witness was asked how it made him feel being in a foreign country without any family member, he replied that it was hard and added that communication was a problem as everything they said had to be translated. This meant that when they needed something, the doctor would write it in English and Arabic for the nurse to understand.

Despite the fact that the treatment was not complete, the witness and the other two young men were forced to return to The Gambia.

**The Gambian Government did not reply to messages asking for the rest of the payment, and not even to those requesting return tickets for the three young men.**

After being dropped off at the airport, the witness said they were essentially left to themselves to return. He explained that his bedsores had not fully healed and he could not sit in the same place for too long and could not move without assistance. Their mobility was further handicapped as Sainey Senghore and the witness were both in wheelchairs. Sainey Senghore could move his own wheelchair so Assan Suwareh was left to push the witness.

Further narrating their ordeal, Yusupha Mbye told the Commission that at the airport, they were told they had overstayed their visas and that they would have to pay extra to board with the wheelchair. He said Assan Suwareh called his sister who sent money so they could board the flight.

During the stopover in Brussels they were told they would have to wait 18 hours for the next flight to The Gambia. The witness stated that they were all in a great deal of pain, so through Assan Suwareh’s sister they got the phone number of the Gambian Ambassador in Belgium and called to ask for assistance. He said when they told the Ambassador they were victims of 10th/11th April, he responded that he was unaware of the incident. He said the Ambassador came to the airport, helped them secure a room, and brought them food. They spent the night in a hotel and the Ambassador came back the next morning to see them off to Banjul.
The witness then explained that when they returned to the airport in Banjul, the then director of RVTH Mariatou Jallow took their medical documents and told them that they were being discharged and should return to their homes. According to the witness, his father replied that they could not take him back while he was still seriously injured and insisted the government provide basic care. He said while Sainey Senghore and Assan Suwareh went home, Yusupha Mbye was taken back to RVTH.

The witness testified that he was at RVTH when Yahya Jammeh came to check on the then Vice President’s husband. Having heard that the witness was there, Yahya Jammeh came to see him. He said that apparently, the director of the hospital at the time (he did not specify if it was Mariatou Jallow) told Yahya Jammeh that the witness needed to be taken overseas to complete his treatment. The witness said that Yahya Jammeh tried to speak to him but he refused to respond. He told the Commission he did not believe Yahya Jammeh was being genuine.

Soon after, the witness said he was sent to Dundee, Scotland to continue his treatment. Yusupha Mbye stated that that his escort, Tumani Bojang, dropped him at the hospital in Dundee and left him there without visiting for the entirety of his stay. He further stated that after arriving in Dundee, he learned that the Gambian government still owed the hospital money. The money that was paid for Yusupha Mbye’s treatment went to pay that debt, and he did not receive any care. “There was no benefit from the trip. It had no use” he said.

The witness highlighted that the bus from Dundee to London was incredibly painful in his condition without painkillers and unable to change his urine bag or diapers.

Yusupha Mbye said that when he returned to The Gambia, RVTH tried to discharge him again but his father stood his ground again and said he must be returned to the hospital. He went back to the same room he had occupied before and during the total of three years he spent at the RVTH, it was his friends and family who visited and cared for him, feeding and bathing him.

The witness testified that he was undergoing massage therapy, provided by a volunteer, until he was told that an executive order had been given from the State House that no one should touch or treat him because his case was political. After being pressed by the Counsel, the witness said that this order must have come from Yahya Jammeh.

Further testifying, he explained that he tried to access his medical documents that had been seized by Mariatou Jallow so he could seek further treatment abroad. He sent a letter but was told the documents were not at the records office and he should instead make the request from the Medical and Health, which he did but was then told he needed to go to the President’s Office. He testified that he wrote letters to the President’s Office and even published an open letter in the newspaper, but to no avail.

In 2003, Yusupha Mbye said he decided that as he was doing nothing at the hospital, he would return home however, he said when he asked to be discharged, he was told they could not discharge him because he had never been admitted in the first place. He was sent to Medical and Health, who also said the same. His father eventually had to write again to the President’s Office in order to get him discharged. Yusupha Mbye testified that World Vision helped his family build an extra room and toilet that he could access in his wheel chair.

The witness expressed his anger that the people who did this to him have never faced any punishment.

Even after returning home, the witness said he still had many difficulties including sickness and infections. He said in 2014, the Washington DC-based diaspora group DUGA-DC started an online charity petition (Gofundme) for the victims of 10th/11th April who were still suffering to be taken to Senegal to get medical documents that would allow them to travel abroad for further treatment. After some money was raised, the witness said he was taken to Senegal where he received treatment. He told the Commission the physiotherapy improved his condition slightly and he can now feel his feet and move his toes.

Isatou Njie-Saidy.
However, the witness highlighted that he still needed rehabilitation because none of the treatments he had received were complete. He said he would like to stop using the urine bag because he was tired of getting infections.

He told the Commission that this incident completely changed his life. He was going to school to better himself and become something important in society, but almost twenty years later he is still sick all the time and completely dependent on his family.

"The people I was supposed to assist, they are now assisting me."

The witness expressed his appreciation to Saul Mbenga who helped smuggle him to Dakar, and the Gambians in the diaspora who helped support his continued recovery in Dakar.

Yusupha Mbye told the Commission that he was in Dakar when current President Adama Barrow was sworn in in 2017. He said he met him after the swearing-in ceremony and testified that it was promised that he would receive the treatment he needed. However, since then he had not seen the current President. He said the President had failed on this promise but this is not the largest challenge he had faced.

In response to questions for the Commissioners, he confirmed that if given the opportunity he would like to continue his education.

In his concluding remarks, the witness asked the Commission why justice was not included in the TRRC. He said that without justice, reconciliation was impossible.

He said that if the current government does not own up to its responsibility before the next April 10/11 anniversary, they will protest outside the State House. "If he wants, he can give the order like the other one to shoot us." He finished by saying that when they went to protest in 2000, they were children but they put The Gambia forward, and that everyone should work together to move The Gambia forward.

Persons Mentioned By Witness During Testimony:
None

The witness expressed his anger that the people who did this to him have never faced any punishment.
WITNESS NAME: Ebrima SAIDY

TRRC HEARING DATE (S): 16th September 2019

EVENT (S) DISCUSSED: 10th/11th April 2000 Student Protests, impact on witness and his family

POSITION BEFORE THE EVENT (S): Farmer

ROLE DURING THE EVENT (S): Victim of shooting

POSITION AT THE TIME OF TESTIMONY: Farmer

SUMMARY OF TESTIMONY:

Ebrima Saidy recalled that on 11th April 2000, as he came back from the farm at around 10 am, his mother told him that the students were on a strike and “they” were killing them. As his children were going to Brikamaba Middle School, he said he picked up his bicycle and went out to look for them to take them home. He said one of his children was 15 and the other one 10 years old.

He said haw soldiers not far from the school and recalled that they were wearing uniforms and had guns. When he got to the school, he could not find his children and so he decided to go and look for them. At the highway he made enquiries about his children but was told that they had already gone home. This was around 11 am.

Ebrima Saidy explained that that as he was going to cross the highway to go home, he was shot. He said that the shot came from the direction of Brikamaba Police Station and described that it was “a little bit far”. When asked whether there were any students around that area, he responded that there were only adults. The witness further explained that he was shot in his back and the bullet came out through the front area on the stomach at the right side (he showed the wound to the Commission). After the shot, he said he screamed “I was shot”; covered his wound with his hands and knelt down. As he was on the verge of falling down, some people helped him, got him on his bicycle and took him to Brikamaba Hospital.

He explained that the first shot he heard was not the one that touched him and said that after he got hit, the firing continued.

The shots were coming from the West. He reiterated that the students were behind and “far apart” from where he and others were.

When asked whether there were any disturbances that caused the shooting, he replied that the protests were a result of what had happened to Binta Manneh. He stated that where he was, there were no disturbances: “they just saw us and shot at us”, despite the fact that they did not carry any weapon.

Ebrima Saidy explained that at Brikamaba Hospital, he was taken to the doctor’s room as he was losing a lot of blood. When asked whether anyone else was injured from the gun shots, the witness responded that there was a student native of Dasilameh but he did not know his name. The witness said his eldest wife, Kaddy Saidy was the first one to visit him. She was crying and he told her to have faith in God: “whatever God’s will is, that is what happened”.

When asked who he thought was responsible for his gunshot, he responded that the soldiers were because they were the ones with the guns and the shooting came from the side of the police station. He stated that even if he did not know the name of the individual who shot him, the one who was in charge of the police station at the time should be able to tell.

He further narrated that at the hospital, he was told that they were going to refer him to Bansang Hospital but they had to wait for another person who was also shot because there was just one ambulance. Ebrima Saidy said that because of his pain he did not pay attention to the other victim but remembered that it

*Binta Manneh, testified at the TRRC on 20th August 2019. She was raped when she was 15 years old by an unknown man in uniform in March 2000, which was one of the reasons that sparked the students’ demonstrations in April 2000 and to the shooting of the witness.
was a student and that he was on a drip. They were both put into the ambulance and taken to Bansang Hospital.

Once at that hospital, he said he was taken to the theater and placed on a big table and his hands and feet were attached with a belt. One man, whose name he could not remember tried to calm him down and told him he would not die. His said his eyes were then covered and he was asked to inhale gas and he woke up after the end of the operation.

When he woke-up, he saw another victim, whose name he did not know, but he recognised his elder brother Kitim Kanaji, who was in the room. There was also another person in the room with him, a student from Boraba, who had been shot. When asked whether he got to see Kitim Kanaji in any of the TRRC sittings, the witness responded that he did, just after the testimony of Njie Manneh. Counsel Singhateh informed him that it was Musa Kanaji.

When he was released, he explained that he did not remember the nature of Musa Kanaji’s wound but he remembered that the student who was also in the room with them had been shot in the hand and the bullet penetrated through his finger and his hand was terribly swollen. He did not know his name but recalled that he had an aunt called Mariama Dumbuya, a native of Wellingara, who stayed with him at the hospital. Ebrima Saidy explained that he (the witness) spent three months at Bansang Hospital.

The witness said he heard there were people who were arrested and taken to McCarthy/Janjanbureh Prison but that he did not hear of any deaths. When asked who the arrested persons were, he responded that the information he got was that they were politicians who had manipulated the children to hold the demonstrations.

The witness narrated that after he was released, he was told not to do hard work for one month. When asked about the impact of the injury on the income of the family, Ebrima Saidy explained that it was hard because the bulk of feeding the family was on his shoulder and due to the injury, he could not do the work as needed. His injury brought about a lot of hardship on the family and he could no longer afford to pay the school fees of his children who had to drop out of school.

When asked whether the incident had psychological impact on him, he explained that it had placed “a lot of worry in his mind on how he was going to manage sustaining his family”.

Persons Mentioned By Witness During Testimony:
None

His injury brought about a lot of hardship on the family and he could no longer afford to pay the school fees of his children who had to drop out of school.

*Musa Kanaji testified at the TRRC on 22nd August 2019.*
WITNESS NAME: Memba BARRY

TRRC HEARING DATE (S): 17th September 2019

EVENT(S) DISCUSSED: Killing of Ebrima Barry and its impact on the family, 10th/11th April Student Protests

POSITION BEFORE THE EVENT (S): Police Officer

ROLE DURING THE EVENT (S): Brother of Ebrima Barry

POSITION AT THE TIME OF TESTIMONY: Sub-inspector at Farato Police Station

SUMMARY OF TESTIMONY:

The witness explained that he had many siblings and half-siblings and that one of them was Ebrima Barry. He recalled that in the year 2000, when he was posted at McCarthy, he was informed that his brother Ebrima had died. He said the next day, he travelled to Brikama, where the family lived and when he reached the Brikama Fire Service Station, he saw many young people gathered there. Some were throwing stones at the station and there was “serious commotion” there. He asked the taxi driver what was happening and he responded that fire fighters had beaten one person to death but that he did not know the identity of the victim. When asked why the young people were protesting, the witness said that he believed that the youth were reacting against the death of the student that was killed.

Memba Barry described that when he reached his family compound, he found many people in there and there were a lot of wailing and when his mother saw him, she told him that his brother Burama (Ebrima Barry) had died but did not tell him how. He reckoned that his brother was about 15 years old when he died and that it happened in March or April 2000.

The witness said that “the sadness was too much” to hear that a young child of 15 years could have been beaten to death. The witness explained that it was his father who told him about the circumstances of the death of Ebrima, that he had been called and informed that Ebrima had an issue with one of his teachers and that he had been taken to the Fire Service Station. Memba Barry said that the father told him that when he arrived there,

he found Ebrima squatting and crying and told the fire service officers that they should release his son and let him go home with him. The officers said they would release him but shaved his head first.

After that, the father left with Ebrima Barry.

When asked whether his father had told him what issues Ebrima Barry had with his teacher, the witness said that he had not. The witness recalled that the school his brother attended was Methodist School, also called Foster Secondary School and that it was opposite the Fire Service Station. He remembered that the principal of the school was called Foster.

Memba Barry said that his father did not tell him the names of the fire officers he spoke to but his father told him that there were many officers at the station when he picked-up Ebrima. When asked what the father told him about the condition of Ebrima Barry, he responded that it looked like Ebrima had been punished and that he was squatting and crying.

The witness further explained that his father told him that when he got back home with Ebrima, he (Ebrima) was so tired that he could not even zip his trousers and he was constantly crying. The witness said that the Fire Officers punished Ebrima Barry by making him carry a cement bag and added that it would have
been especially difficult for Ebrima to do so, because one of his hand was visibly very weak due to a childhood injury. He said that his father explained that Ebrima had “disturbed” them a lot the night after he was released (meaning that he was constantly crying) and had to be taken to the hospital and that was where he died.

The witness told the Commission that before his brother’s death he had seen him during a family visit that lasted almost six days. He confirmed that by then his brother was in perfect health.

After the death of Ebrima Barry, a lot of people came to their home and many were. He said the death of his brother was a source of great sadness for his father because he loved him very much.

His father lost a lot of his composure, which eventually led to his death about two years later. The witness explained that the condition of Ebrima’s mother was even worse, she became sick and died within one year after the death of her son.

When Counsel Jahateh asked the witness if he was saying that the death of Ebrima Barry’s mother and father were caused by their son, Ebrima Barry’s death, the witness agreed.

Speaking about his own sorrow, the witness explained that it affected him as well because he and his brother had lots of thing that they did together and he respected him at lot: “the sadness got into me so much but through the help of God nothing happened to me”.

When asked to describe Ebrima Barry as a child, the witness responded that he was not a troublesome type, that he was a well-behaved child and that no-one ever complained about his stubbornness. He said Ebrima respected and honored his elders. In his house nobody had come to complain about Ebrima Barry’s attitude.

Memba Barry confirmed that nothing happened to those who were responsible of Ebrima Barry’s death. He only heard that the fire service men had been under custody but that he knows that no-one was taken to court. He stated that the authorities were aware of Ebrima Barry’s death and the circumstances relating to it but that the government never apologized or compensated them for the loss of his brother. He repeated this at the end of his statement.

He explained that a short while after the death of his brother, he returned to the provinces and heard that students had converged at Westfield to demonstrate against the death of Ebrima Barry and that one of the students was shot and he died. He mentioned that even in McCarthy where he was, students were demonstrating. He explained that in McCarthy, the students of Armitage held a protest at GAMTEL, broke the door and they also destroyed the telephone booths that were there. He said that they also cut off the rope of the ferry.

When asked whether there was any protest in Brikama where Ebrima Barry died, the witness responded he had seen protests when he came for the burial but that he did not know what happened on 10th April because he had returned to the provinces by then but he remembered that his family told him that protesters had come to visit his family compound to express their condolences to the family. He then recalled that he had heard that some were shot, some got injured, some died and somewhere at the hospital.

The witness explained that some of the protesters were taken to McCarthy at the Janjanbureh Prison. When asked whether he knew whether the proper procedure was applied to the students that were taken to Janjanbureh Prisons, he responded that it was not.

Memba Barry then described the normal procedure for children detainees as such: at least one of the parents have to be there when the statement is taken.
and also when the accusations are read and explained to the child – these were the requirement before a child could be taken before a court. He confirmed that in this case, the children had been interrogated in the absence of their parents, were detained without having been charged with any offence and taken to court. He said that they were taken to the prison by soldiers, which also was not the proper procedure as it should have been the police.

When asked what impact Ebrima Barry’s death had on his family and the community and what impact in general it had on the country, the witness said the death of Ebrima Barry was a setback for the family, their neighbours and the entire country because it was very painful to see a person die at that age and without offspring to remember him by.

He mentioned that his parents suffered a lot and that his father kept talking to himself just like that, and that he had high blood pressure, which eventually led to his death.

When asked if he knew whether anybody was held responsible for Ebrima Barry’s death to date, he again said that he had not seen it but he heard that people had being arrested but no-one was ever taken to court. He said the government never apologised or compensated them for the loss of his brother.

He once again explained that it “the sadness was too much”, that after the death of his brother, other young people died during the 10th and 11th April demonstrations. He was so concerned by that he almost forgot about his own brother. He said that the police aggression was uncalled for and many people lost their lives, some got wounded and some were paralyzed.

**Persons Mentioned By Witness During Testimony:**

None
WITNESS NAME: Awa SANNEH

TRRC HEARING DATE (S): 17th September 2019

EVENT (S) DISCUSSED: Witness’ late husband’s death on 10th April 2000, impact of his death on the witness and family

POSITION BEFORE THE EVENT (S): Housewife

ROLE DURING THE EVENT (S): Wife of victim

POSITION AT THE TIME OF TESTIMONY: Corporate Account Manager (Gambia Telecommunications Company Ltd)

SUMMARY OF TESTIMONY:

Describing her late husband, witness Awa Sanneh said Omar Barrow was kind, caring, jovial and a hardworking person. She added that he was a journalist working for Sud FM in Banjul at the time as well as a Red Cross volunteer.

Discussing the circumstances surrounding her husband’s death, she explained that on the morning of 10th April 2000, her husband told her he was going to the Red Cross because some students were going to hold a peaceful demonstration and since he was part of the Emergency Response Team, he was going to render first aid services in case anything happened. She added that usually the Red Cross would be on standby in such events.

She explained that she saw her husband off to work and then went about her normal daily activities. As she was on her way to the market, she met a neighbour who informed her that no one was selling at the market, everyone had gone home because of the students demonstration that was taking place. When asked if she knew how serious the issue was at the time, she responded that she just saw people passing by, but she did not know how serious it was by then.

Awa Sanneh narrated that she went home to inform her mother-in-law who decided to go to the small market behind their compound. When her mother-in-law came back, she looked very sad and told her she had seen students on the highway “carrying” the army commander, Baboucarr Jatta and she did not think things were going to end peacefully. The witness stated that despite hearing this, she did not think anything of it with regards to her husband.

On whether her husband, Omar Barrow had gone that morning in his capacity as a Red Cross volunteer or as a journalist, the witness clarified that she was told he had a small notepad with him and generally speaking, he would sometimes scribble in it but she could not confirm what exactly he was writing.

Proceeding with the testimony, she said later in the day, people started coming to their house but when they realised that she did not know about her husband’s death, they left without telling her. Later, her husband’s aunty came to the house with two of her daughters to break the news to the family as her son, who worked at the police station, had informed her about it.

On how the news was broken to them, the witness explained that her five-month old baby, whom she was carrying was first taken from her by one of the lady’s daughters. They then went inside the house and she suddenly heard screams. The witness went inside to find out what had happened and she heard her mother-in-law scream that they had killed her son. In shock, the witness asked which son she was referring to and the mother-in-law confirmed it was Omar Barrow.
Awa Sanneh further testified that she was in complete denial and responded: “Pa Omar? No, that is not possible. Pa Omar cannot die. He is not dead. That's not true.”

She added that she also told her she walked her husband outside when he was going to work, so he could not have died.

Later, two colleagues of her husband from the Gambia Red Cross came to the house and told her that Omar Barrow had been shot and was being operated on at the theatre. They tried to reassure her and said they would call her at around 6pm so she could speak with him.

The witness recalled that upon hearing this news, she calmed down. However, people kept coming to the house to find out if Omar Barrow had died and she would tell them he had just been shot. She added that others came crying and told her he had really died, some said they saw his body lifeless, some told her they saw him at the morgue others said they saw him being carried by the ambulance.

Awa Sanneh stated that around 6pm, she heard the sound of vehicle horns. She was emotionally unstable and rushed outside where she saw a fleet of Red Cross vehicles assembled from the junction to her house. She added that when she immediately saw one of Omar Barrow’s colleagues, she scolded him and asked him if Omar Barrow had really died and when he told her she should take heart, it became too much for her to bear.

The witness told the Commission that she was devastated and grief haunted her every day after his death. She wanted to be with him but deep down she knew that was not going to happen again, which was a very painful feeling for her.

When asked if she eventually found out what led to his death, she said later they were told he was shot inside the Red Cross Headquarters. The Counsel then read out a press release issued by the Red Cross published by the Observer on 11th April 2000, titled Omar Barrow Killed and said:

“Mr. Omar Barrow died at the Royal Victoria Hospital in Banjul after all efforts to save his life. Omar Barrow was shot within the premises of The Gambia Red Cross whilst rendering humanitarian [...] of The Gambian Emergency Response Team and the Resource Development Committee. Mr. Barrow, a very active and dedicated Red Cross volunteer died in the line of duty. The entire membership of The Gambia Red Cross society will observe a week of mourning for the late Omar Barrow effectively the 10th of April 2000 and all in ceremonial uniform or Red Cross T-shirts. The Red Cross said it extends condolence to the family and friends of Omar Barrow. The late Barrow is survived by a wife and a seven-month old baby girl.”

The witness went on to state that it devastated her to know that her husband, a humanitarian worker was killed inside the Red Cross premises whilst rendering services to other victims and casualties, wearing the Red Cross emblem.

She said when she went to the morgue, her husband’s head was facing the wall, but it was then turned to face her. She highlighted that blood was oozing out of his mouth and his entire shirt was stained with blood. In tears, the witness stated that she could not imagine being in that kind of situation. She had to bend and could not stand up again.

Regarding the age of her child, she confirmed that her baby was five months old and not seven as the Gambia Red Cross had indicated.

Further testifying, the witness said that after losing her husband at a young age gave birth to very difficult times. She highlighted that being a housewife,
unemployed, very young and having to take care of the baby was very challenging. Even though her husband’s family was there to support her, she said they could not due to financial constraints. She therefore had to find a job to be able to take care of herself and her baby alone.

Narrating the impact of Omar Barrow’s death on his family, she said they suffered because he was the breadwinner of the family. He was the only one working and all his siblings were going to school at the time. She said his father was not strong so Omar Barrow took care of the family and his death was a great loss for them. When asked if his death had any emotional effect on his parents, she replied yes. She explained that his father kept on thinking about his death, which led to his demise two years after the death of Omar Barrow. She added that after losing their breadwinner, the one who helped their family, nothing was done about the issue.

There was no assistance from the government neither was there justice. Nothing.

Awa Sanneh stated that after her husband’s death, she could not even think about having another man in her life because she was very young and his death haunted her a lot. Holding back tears, she added that she used to have nightmares. At night, she would wake up and go sit outside alone in the dark, very confused. She said she did not know what to do. It was a great loss for her.

She also told the Commission that their child was now 19 years old and had just started going to The University of The Gambia. She specified that she was struggling to pay her daughter’s tuition fees and had arrears to pay off from the previous semester when her daughter was starting her second semester.

In her closing remarks, she stated that her husband was not just a good person but a caring, hardworking and ambitious person who loved his parents and wife. She said he died while serving humanity, but he did not participate in the demonstration directly. She thanked the Red Cross Society, her parents, her then in-laws, family and neighbours for their support during those difficult times. She said she did not know the reason for her husband’s death. Thus, she recommended that thorough investigations be conducted for the killing of her late husband and that security officers be trained, especially the Police Intervention Unit on how to control a crowd and also better protection be provided for humanitarian workers.

Persons Mentioned By Witness During Testimony:
None

When her mother-in-law came back, she looked very sad and told her she had seen students on the highway “carrying” the Army Commander, Baboucarr Jatta and she did not think things were going to end peacefully.
WITNESS NAME: Merican Samuel Joseph MENDY
TRRC HEARING DATE (S): 17th September 2019
EVENT (S) DISCUSSED: Rape of Binta Manneh, 10th/11th April 2000 Student Protests
POSITION BEFORE THE EVENT (S): Principal at Brikamaba Upper Basic School
ROLE DURING THE EVENT (S): Assisted students
POSITION AT THE TIME OF TESTIMONY: Teacher
SUMMARY OF TESTIMONY:
Merican Mendy told the Commission that prior to the events of 10th/11th April 2000, the school sent a team of students to participate in the athletics interschool competition in Bakau. He stated that when students would be sent to represent the school, he would normally be constantly communicating with the teachers so as to be updated. However, this time around, one of the teachers on the ground, Mr. Ebrima Bah informed him late in the evening on Saturday that “something tragic had happened,” that Binta Manneh, one of the grade 7 students on the team, had been raped.

The witness said that he asked who the rapist was and the teacher told him that according to Binta Manneh, two men in blue uniform (paramilitary) apprehended her outside of Bakau Stadium the night before. The witness added that Mr. Bah said he had reported the case at the Bakau Police Station and they had taken Binta Manneh to the Royal Victoria Teaching Hospital, RVTH.

Merican Mendy testified that he was devasted upon hearing the news. He felt it was “not proper for such a thing to happen to a young innocent girl like Binta”. He described Binta Manneh as a very quiet and sometimes jovial, talented athlete. He said that he felt that the school was also a victim seeing Binta Manneh was representing the school.

The witness recounted that he then went to Binta Manneh’s home in Brikamading and told the family what had happened to Binta and they were devastated upon hearing the news, especially her father. On Sunday morning, together with Binta Manneh’s father, they travelled to the Kombos and first went to Bakau Police Station where they met with Mr. Bah. The witness explained that they were told that the investigation was in progress but no arrest had been made yet. He added that he later found out that one of the officers on the case was one Aziz Bojang.

Merican Mendy recalled that by the time they were done at the police station, it was too late to go to the RVTH to see Binta Manneh so they went there next day. He said when they arrived at the gynaecology ward, Binta Manneh was in the bathroom and when she came out and they saw her, they were heartbroken to the extent that they all cried. “Looking at Binta, you would realise that Binta was in pain”, he stated. He added that the smiling girl was no longer smiling and the fact that this was caused by rape was more devastating.

The witness testified that the nurse confirmed that Binta Manneh was raped. He emphasized that penetration had happened and Binta Manneh had been “defiled” in other words “desvirginised” and the nurse reported that there were traces of semen. He said the nurse added that Binta Manneh would have to stay in the hospital so they could conduct other test including pregnancy and HIV.
After receiving this information, they were told they would receive a report from the hospital but the witness stated that they never did. Asked if anything else happened during his visit at the hospital, the witness responded in the negative. Merican Mendy recalled that after the hospital, they went back to the police station in Bakau to enquire whether they had any new information on the case but they did not and told them they would let them know if they had a lead.

The witness revealed that after their second visit to the police station, he went back to Brikamaba as there was school the next day but Mr. Bah stayed behind to update him. The witness testified that upon his return to Brikamaba, he liaised with Mr. Bah who informed him that the police had suggested an identification parade to be organised for Binta Manneh to identify the perpetrator but then later, he called to say that the parade had been cancelled. After that, Mr. Bah himself had to travel back to Brikamaba.

Continuing on with his testimony, Merican Mendy said that when he was first informed of an identification parade being organised, he told Mr. Bah that he was not convinced that Binta would be able to identify anybody should there be any identification parade, the reason being 1) Binta Manneh was very young at the time, about 14/15 years old; 2) the incident had happened at night in a place that she was unfamiliar with being her first time in the Kombos. He was therefore sceptical of the outcome.

The witness recounted that they were eventually called for an identification parade at the Banjul Police Headquarters and Mr. Bah had to travel to represent the witness. The witness said that Mr. Bah told him that Binta Manneh was unable to identify anybody, which did not surprise the witness. The witness specified that the identification parade took place in the first two weeks after the incident took place.

Further testifying, the witness explained that after the school held talks with the parents and convinced them, Binta Manneh returned to school. However, she only stayed for a short while and the witness believed that stigmatization could have been the greatest contributing factor of her drop-out.

He added that schoolmates were pointing fingers at her or calling her names, essentially teasing and taunting her about something that was in no way her fault.

Merican Mendy stated that the school suggested for Binta Manneh to be relocated to another school so that at least she would go there as a new person without anybody knowing anything about her. The witness highlighted that the school wanted to keep Binta Manneh because she was very talented and they hoped to nurture her talent so she could become an athlete of international standard or at least a national one. He added that it was a great loss to the school to have Binta Manneh leave and as a teacher, he knew the education policy did not encourage students dropping out. The witness stressed that they were very much saddened by the incident as a family in that school.

Before moving on to the 10th/11th April students’ demonstrations, the witness disclosed that they still pursued the matter of Binta Manneh’s rape with the police but up until this day, they had not received any information and believed that when the ID parade failed, that was the end of the case for them. The witness also recalled that the case of Binta Manneh contributed a lot in getting his students involved in the demonstrations as they were very much affected by that case and he believed that they were angered after knowing that Binta Manneh was raped.

Merican Mendy told the Commission that his students did not participate in the demonstrations on 10th April 2000, however, on that day, at around 10 am, a teacher called his attention to what was happening in the Kombos and asked if he knew there was a demonstration there. He also observed that some of the teachers who had mobile phones were constantly on them and they confirmed the information he had gotten before, that is that students in the Kombos were demonstrating.
The witness said that nobody told him at that time the reason for the demonstration but considering that there had been two incidents that involved students and students were demonstrating, one could conclude that those two incidents were the cause.

He then explained the case of Ebrima Barry, a student at Methodist Upper Basic School, who was allegedly made to carry bags of cement and later forced to eat cement at around the same period Binta Manneh was raped.

Upon hearing that there were demonstrations in the Kombos, the witness said that he did not summon any assembly nor did he talk to the students but he advised the teachers to keep the information to themselves and they did. The witness said he thought the demonstration would last for just a day and did not think there would be any in the provinces the next day.

The witness said that during the course of the day, a Criminal Investigation Division, CID officer, one Fa Kebba Darboe came to the school and asked the witness whether he had noticed anything about his students and when the witness said no, the CID officer told him there was a demonstration in the Kombos and left.

The witness said at around 8 pm, he turned on the television and saw the images of the demonstrations. He recalled seeing on screen security officers running after students. He added that he switched off the television because normally students would come to the school (where the witness lived) to watch TV and he knew that students would come back to see what had happened in the Kombos.

When the students arrived, the witness said he made them watch a cassette but when he briefly went away, one of the students switched on the TV and they saw the images of the students being chased. He said the students started to feel agitated and anger was growing amongst them. They witness added that he kept them there as he did not want them to participate in the demonstrations. He specified that he appealed to them not to participate in the demonstrations as it could be dangerous.

Merican Mendy recalled that he moved the TV outside so there would be more space and all of a sudden, they heard commanding voices for them to disperse. The witness said that when he turned around, he saw five people: four military men in green camouflage and one in police uniform. The witness stated that when the students left the police officer told him “if I feared for my life, I may try and spend the night somewhere instead of his house”. The witness said he was not sure why the man had said that to him because he had not received any threats up to that point but he heeded his advice and spent the night with a friend, one Mustapha Njie at the primary school. The witness said he did so because they might have heard something concerning him.

According to the witness, the next morning, at around 8 am, he went back to his school but was stopped by an armed soldier standing at the gate by the staff quarters, which was unusual. He specified that the closest military base was Kudang. He said he was eventually let into the school compound and saw that there were already some students and a few teachers inside. He added that when he looked towards the main school gate, he saw some students standing, most of them girls.

The witness said that he told the teachers to go home as there would be no school and then he went into his office, where some students joined him. After a while, other students arrived and informed him that the head boy of the school, one Hamadi Sowe and the assistant head boy, one Malick Jallow were arrested in the night and were being detained at the Brikamaba Police Station. The students asked the witness to go to the station and secure the release of the two students. The witness agreed but some of the students wanted to go with him to the police station. During that discussion, another armed soldier came in and said “Master, tell your children to go away”.
He recalled that when the students insisted they would not leave, there was a push and pull before they finally ran out of the office with the soldier chasing after them. The witness added that he then heard a gunshot followed by more gunshots from the direction where the students had ran off with the soldier after them. The witness came out of the school and went to the primary school as some students had gathered there.

Merican Mendy explained that he then proceeded across the road, the Banjul Basse Highway and went into a compound by a roadside where some teachers were staying, commonly referred to as Teachers Quarters. There were some students on the road and four soldiers further up the road. He clarified that the soldiers were closer to the Basse side.

Continuing on with his testimony, he revealed that the unarmed students were picking stones and throwing them in the direction of the soldiers.

The soldiers started firing and all of a sudden, he saw Musa Kanaji, who was bleeding, being brought in by some other students into the next compound, where he lived with his family.

One of the teachers, Ebrima Mbye who was a first aider and a Red Cross volunteer rendered first aid treatment to Musa Kanaji and Musa Kanaji was helped to the health center. The witness said that from what he could observe, Musa had been shot in the lower torso.

The witness also vividly recalled that Ousman Sabally, one of his students was shot in the chest and was confirmed dead at the Bansang hospital. The witness explained that when he went back to the Teachers Quarter, about ten minutes later, Ousman Sabally was brought into that compound by other students who told him “Master, they have shot this one”. They lay him down and they tried to give me water but he would not swallow. The witness added that at that point, he concluded that Ousman would not make it.

Further testifying, the witness stated that after Ousman Sabally was taken the hospital, he decided to go to the health center with another teacher, one Mr. Kanyi (late now). They took the back way and before they got there, they stopped by the police station so they could confirm the presence of the head boy and the assistant head boy.

The witness told the Commission that before he went to the police station, one Bukari Jabula came with an AK47 magazine, which he had picked from the road and gave it to the witness. When the witness looked, it was fully loaded with what he described as sharp, pointed, metal head bullets. The witness said he gave the partially filled magazine to one Lamin Njie and he was told that after the events, Lamin Njie had gone to the Commission of Inquiry to testify and had presented the magazine.

The witness said he saw Malick Jallow and Hamadi Sowe at the police station but the police did not give them any information as the reason for the arrest nor was there a lawyer present. He said he did not spend much time there as there was a crowd gathering and moving towards the police station. He recalled that Mr. Njie told him to move as it might soon not be safe. The witness said that when he came back later in the day, at around 5 pm, he went back to the police station and asked if Malick Jallow and Hamadi Sowe could be provided with food. When the request was accepted, the witness got food from a restaurant.

The witness testified that on 12th April, he went to Bansang again with Ousman Sabally’s family and two members of his Parent Teachers Association, PTA committee.

They collected Ousman Sabally’s body and he was buried around 5 pm.

The witness said that when he got back to Brikamaba, he went to the police station again and was informed that Malick Jallow and Hamadi Sowe were taken to
He added that Musa Kanaji had been incapacitated for the rest of his life as he understood he only had one kidney left and who knew what could happen if the kidney had any issues.

The Chairman asked the witness if he put together a report and sent it to the Ministry of Education and the witness said no but they had a log book and recorded things in it.

Commissioner Sosseh then asked what measures the witness had taken to protect Binta Manneh from harassment when she went back to school. The witness responded that if Binta Manneh had stayed in school, he would have done everything to provide protection. He is a counselor and would have offered that service. He said there were even plans to ensure Binta Manneh did not pay anything at school.

In his concluding remarks, the witness said the victims at the time did not have hope but now with the TRRC, they have the opportunity to have their stories heard and hope that something will come out of it. He asked for rehabilitation (physically and psychologically) for the victims, especially Binta Manneh.

**Persons Mentioned By Witness During Testimony:**

None
On 10th April 2000, Oumie Jagne was shot twice in the arm by a paramilitary officer when she went out to search for her sister, Anna Jagne who was being chased by paramilitary officers during the protests. Oumie Jagne suffered life-changing injuries.
WITNESS NAME: Oumie JAGNE

TRRC HEARING DATE (S): 18th September 2019

EVENT (S) DISCUSSED: 10th-11th April 2000 Student Protests, victimisation of the witness and her sister

POSITION BEFORE THE EVENT (S): Not mentioned

ROLE DURING THE EVENT (S): Searched for her sister, Anna Jagne

POSITION AT THE TIME OF TESTIMONY: Not mentioned

SUMMARY OF TESTIMONY:

[The witness testified in Wolof-There were some issues with translation and the Lead Counsel had to correct the interpretation on a number of occasions]

Oumie Jagne told the Commission that she remembered 10th and 11th April events as that was when she was shot with a gun. She could not remember the year but from what she could recollect, the incident happened about 19 years ago, to which the Lead Counsel concluded that this must have been the year 2000.

She went on to explain that on 10th April, as she was returning home from the market, two female students came running into her compound. They were looking for Anna Jagne’s mother, the witness’ mother to which the witness responded that their mother was not home. She said the students informed her that they had seen her sister, Anna Jagne (then a student at the Ice High School in Kanifing) running away from the paramilitaries, that they had separated with Anna Jagne around the prison in Jeshwang and that the paramilitaries were still chasing after her.

The witness stated that she could not tell the exact age of the girls but her sister Anna was in grade 9 (about 15 years old at the time). She added that as the students were almost naked she offered to give them clothes. She said the girls had explained that the paramilitaries had stripped the entire classroom of their clothing, except for their undergarments and told them to walk out, which they did. The paramilitaries were behind them following and the three girls, including the witness’ sister Anna Jagne, who were in front escaped.

The witness narrated that after the girls got dressed, they all left to look for Anna Jagne. When asked if at this stage the girls had explained what was happening in the Kombos, the witness responded that they just told her there was a “strike”.

Going back to when they left, the witness explained that they went behind the Jeshwang Prison but when they arrived at the Gambia Technical Training Institute, GTTI, the place was “hot”, the paras were beating the students and the students were also fighting back and burning vehicles. When asked to give them a good understanding of what the situation was like at that point, the witness responded that the paramilitaries were scattered everywhere around GTTI, that it was chaotic and she was running, trying to reach her sister.

The witness further testified that the paramilitaries were carrying guns and also recalled that they were using black pipes to beat the students. She added that there were many “paras”. When asked how she knew they were paramilitary personnel, the witness explained that they wore black uniforms, which were associated with the paramilitary unit.

Struggling to hold back tears, the witness explained that when she arrived at GTTI, they were running and she was also following them until Anna Jagne saw her and started calling “Oumie Jagne, Oumie Jagne”. The witness explained that she was heading towards Iceman, she managed to throw some clothes at her sister and a bullet struck her in the arm.
When the bullet struck her, she said she told the soldier he had wounded her and the soldier responded: “if you stop, when I get to you, I will shoot you again”.

When asked if Anna Jagne managed to get the clothes, the witness indicated that she thought so.

Continuing with her testimony, the witness explained that she tried to escape and a second bullet struck her. She specified that the person who shot her was a paramilitary, a short man. She later came to know where he lived but does not know his name. At this point, the Lead Counsel instructed her to write down the person’s address and not say it publicly and the witness complied.

Proceeding with her testimony, the witness reiterated that she told the para he had shot her and after that event, whenever she saw him, she would remind him he had shot her to which he would not say anything and just go about his business.

The Lead Counsel asked her again what else she said to him after he shot her, the witness said she did not say anything else but when he shot her, she got a good look at the man. The Lead Counsel asked the witness to describe the distance between the witness and the shooter, and she said there was a “little distance between her and the shooter”. Looking at the room where she was sitting, the witness gave an estimate equal between the table of the Commissioners to the main entrance door of the building where the hearing was being held.

The Lead Counsel asked if she heard clearly when the shooter responded and the witness confirmed she did. She again stated that he retorted “if you stop, I will shoot you again”. On what happened after the second shooting, the witness explained that a man passing came to her aid, a piece of her “wrap around” was torn and tied around her arm.

The Lead Counsel asked if it was obvious that she was not part of the students’ demonstration and the witness responded that she was not part of the demonstrators, she had just gone out there to help her sister.

On describing her injury, the witness explained that it was the same hand that both bullets struck. The first bullet struck the foreside of the hand. When she was rolling, she was lucky to put her hand behind her and the second bullet struck it.

She added that if it had not been for her hand, the bullet would have struck around her ribs.

Upon request from the Lead Counsel, the witness got up and showed her arm to the commissioners and the cameras. The Lead Counsel then concluded that both bullets had hit her almost in the same spot on her arm.

Going back to the Good Samaritan, the witness explained that he went to the Red Cross for help and returned with a Red Cross vehicle, which he told her to board. The witness said she refused because there were corpses, which she was unable to count as she was in intense pain, in the vehicle. She said the man then tried to convince her and she eventually boarded the vehicle. She said that at that time, her hand was giving her “serious trouble”.

The witness was taken to the hospital in Banjul at the Accident & Emergency, A&E unit, where she found others who had been shot and injured. They gave her a bed to lie down. The witness said her elder sister arrived and went to look for a doctor who removed the first bullet using scissors. The witness specified that the bullet was taken out from her arm at the A&E unit as when the doctor arrived, he was able to see a little part of the bullet lodged in her arm.

Oumie Jagne told the Commission that when the first bullet was removed, they took her upstairs to the “female surgical”, where she was admitted. When asked if she received any other treatment that day, the witness said they just dressed up the wound however, she said they saw that her arm was getting more and more swollen so they took her to get an X-ray done and saw the second bullet lodged inside, between her bones in her arm.
The witness further recalled that the doctor tried to remove the second bullet but he was unable to. One night, the witness said she saw something sticking out in between her bones and which she thought was the second bullet. She said she told her mother who called the nurse and they examined her arm and took note. She said her mother asked her if they had shot her twice and when the witness confirmed, she (her mother) cried.

Oumie Jagne explained that the next day, the doctor came and examined her arm and decided to try to remove the second bullet but he could not see it as the bullet had gone back inside her arm. The witness recounted that they were dressing her arm continuously and one day when they removed the bandage, they saw that the second bullet had fallen out.

The Lead Counsel asked if they were able to remove all the particles, which were lodged in her arm and the witness explained that when they checked her arm back at the theatre, they said that one of her veins had been damaged and there were some fragments still lodged in her arm. She said the doctors said they could not touch it at that moment and that it was best to wait until the wound was better before they could see what could be done.

When asked if she still had particles lodged in her arm, the witness responded that she used to go to the hospital to have physiotherapy and every time they touched her hand it would hurt. She said she was advised to go back to the theatre to see what could be done with her arm. Upon clarification from the Lead Counsel, the witness confirmed that the doctor informed her that she was still in pain because particles of the bullet were still in her arm.

The witness stated that she was hospitalised for a long time at the female wing of the Royal Victoria Teaching Hospital, RVTH. She explained that she was admitted twice in the hospital.

The witness mentioned that her elder sister, Amie Jagne was also admitted at the hospital because she had been shot on the leg on 10th April as well. The witness found out the following day, when the nurses were going around to dress the wounded and asked her if she was related to one Amie Jagne (her half-sister).

Struggling again to hold back her tears, the witness moved on to discuss Yahya Jammeh’s visit whilst she was hospitalised. She said this happened on the 3rd or 4th day (she could not remember when exactly), but the day before, the nurse had informed her that Yahya Jammeh was going to visit to which the witness said she was tired and not interested.

The witness explained that when Yahya Jammeh visited, her sister, Amie Jagne was angry for what he did. She insulted Yahya Jammeh and even threw her crutch at him but Yahya Jammeh dodged and laughed.

Upon probing by the Lead Counsel, the witness clarified that she held Yahya Jammeh responsible for their injuries and he was there giving envelopes. She said they threw the envelopes back at him because they felt offended that after doing what he did, it was like he came to mock them.

She said that in her opinion, Yahya Jammeh was responsible because it looked like he gave the order to do what they did. Before that, the security forces used to spray water.

When asked to call the names of individuals or institutions she believed Yahya Jammeh gave orders to, the witness stated that she heard Isatou Njie-Saidy was part of “it”. The Lead Counsel asked if Isatou Njie-Saidy had done anything to her, Oumie Jagne responded in the negative but added that while she was admitted, she had heard that Isatou Njie-Saidy was among those Yahya Jammeh spoke to.

The witness said that it was her belief that Yahya Jammeh had given the orders to the paramilitary to shoot them as the time he was the head of state and that if he had not given the orders, no one would...
shoot at them. The Lead Counsel tried to clarify if this was because of this view that the witness was angry when Yahya Jammeh visited the hospital and the witness confirmed it was. She added that if Yahya Jammeh had not given the orders, they would not have wounded them. The Lead Counsel asked the witness what her sister (Amie Jagne) said to Yahya Jammeh and the witness repeated that her sister insulted Yahya Jammeh. The Lead Counsel asked the witness if she recalled the exact words and the witness declined to utter them as they were “ugly”. Despite insistence from the Lead Counsel to repeat the words that were said, the witness refused. She reiterated that those insults were “very dirty insults” and the Lead Counsel moved on.

The witness said that she refused to talk to Yahya Jammeh because she was in pain and angry with him that, her mother was the one that spoke to Yahya Jammeh. She said her mother mentioned to Jammeh that Amie had a brother (who is late now) in Europe who they were going to ask to help Amie get treatment abroad. She said that when her brother tried and Yahya Jammeh heard about it, he (Yahya Jammeh) went back to the hospital and said that no victim would leave Gambia to seek treatment abroad. Asked how she felt, the witness said it showed her that Yahya Jammeh did not want to help her get the fragments of the bullets removed and that he was a wicked person.

The witness said that she managed to get hold of her medical records, through the doctor after several attempts. Regarding what happened to her sister, Amie Jagne, she explained that she was helped by her European friend who took her to the UK for treatment. The witness added that she was discharged after six months but had to return for another operation.

When asked if her arm had healed, the witness responded in the negative. She said she cannot use her hand to do heavy domestic work. She added that the last time she went to the hospital, she was told the Turkish wanted to help them.

Commissioner Jones asked for clarity regarding the screws in her hand as this had not been translated well and the witness explained that after they removed the bullet from her arm, they added screws as they realised she would not be able to use it otherwise.

When asked by Imam Abdourahman Sey about her sister Anna Jagne, the witness, in between tears, told him that she passed away in an accident at Essau.

In her closing remarks, Oumie Jagne stated “before I sit down in front of the TRRC, I thought we should have started with the justice”.

She added that they had given a letter to the Attorney General and Minister of Justice, Ba Tambadou and that they also went to Henry Gomez who told them he would talk to Adama Barrow, the current President of The Gambia but up to this day, they had not heard anything. She also stated that Yahya Jammeh’s belongings, which were frozen, should go to the victims as it was because of him that they are suffering.

The witness further stated that Adama Barrow had failed them and appealed to the government because they have not said anything to them. She called for justice.

She ended by thanking Saul Mbenga, Ousainou Mbenga, her husband who has really been helping her and her mother.

Persons Mentioned By Witness During Testimony:

Denial of medical treatment

Yahya Jammeh

Extra-judicial killing

Yahya Jammeh

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8Advisor the President Adama Barrow at the time of the testimony.
The witness explained that when Yahya Jammeh visited, her sister, Amie Jagne was angry for what he did. She insulted Yahya Jammeh and even threw her crutch at him but Yahya Jammeh dodged and laughed.
Ousman Sembene told the Commission that in April 2000, his youngest child Musa Sembene was three years old. Describing his son, who he was very close to, he said he was a friendly child and was attending nursery school in Serrekunda. He further added that he used to take his son to school and after school, his son would be at his shop until closing time.

The witness explained that in April 2000, he lived in a compound at London Corner, in Serrekunda with his family. Recalling the students’ demonstrations that occurred in April 2000, the witness said that on 10th April, he took his son Musa to school as usual and returned to his shop after dropping him off. Later in the day, on his way to Kanifing to get some materials, students holding stones near the Pipeline Mosque stopped him and without any additional information, he was instructed to turn back, which he did.

He explained that when he took a turn leading to Bakoteh, he saw another group of students so he turned and headed to Tipper Garage. He stated that he first heard the gunshots around 11am/12pm coming from Tipper Garage towards Serrekunda and decided to go back home. When asked if he had seen who was shooting, he responded in the negative.

Ousman Sembene testified that 10 minutes after arriving home, somebody (he could not remember who) came and informed him that his son, Musa, had been shot and he had been taken to the Serrekunda Hospital. He said the news shocked him and he “felt a lot of pain”.

Continuing with his testimony, the witness told the Commission that he went to the Serrekunda Hospital and when he past around the police station, he again heard gunshots. He diverted and went via near the tank in Serrekunda. The Deputy Lead Counsel asked if he saw who was shooting to which he responded he did not.

He said when he got to the hospital, they informed him that his son had been transferred to Banjul and he proceeded to the Royal Victoria Hospital, RVH. When he arrived at the intensive care unit, ICU, he said he found his son lying.

“He was bleeding through the nose and his mouth”.

According to the witness, a doctor then came and pinched him on the leg. Musa Sembene moved his leg and the doctor told the witness that “yes, he might survive”, which gave him hope. The next day, he came back and another doctor pinched his son’s leg and said “it will be good, it will be good”.

Ousman Sembene stated that when he got to the RVH, he saw a lot of people (he did not know them) with gunshot wounds admitted there. On the reaction of Musa’s mother, Josephine (Tuti) Gomez, he said that she took it “painfully”. She told him that the bullet had struck Musa in the compound. The witness explained that the bullet had struck on the right hand side of his head.
Further testifying, he stated that whilst Musa was at the ICU, they did not provide any treatment. “They did nothing for him”. He added that they did not tell him anything about Musa’s condition nor did they tell them what to do.

He said he believed that Yahya Jammeh, who was the then Commander in Chief, had given the orders to the paramilitary to shoot. He added that the information was provided to him from people who were discussing though he admitted that his belief was based on his own deductions and said if Yahya Jammeh had not given the order, nobody would have dared to do what had been done. He specified that he did not have any evidence to suggest he had given the orders.

Ousman Sembene told the Commission that the then Vice-president, Isatou Njie-Saidy came to the hospital, on the 3rd day and stayed for about 5-10 minutes. The witness said that when he saw her, he was hopeful because she was a woman and a mother and so he assumed that after that visit she would have done something to help the victims however, she did not personally help him. He said that she appeared on TV and all his hope dissipated.

“The way she talked, how I looked at her and what I came to understand, what she said, it seemed like the situation of the children did not bother her”.

He said after her speech, he stopped watching Gambian TV, which he still does not watch up to today. He explained that he lost all hope when he realised she was not going to offer support.

Going back to his son Musa, the witness explained that he had not been treated the first three days and on the fourth day, 13th April 2000, a Cuban doctor, whose name he did not know, told him that they could not do anything for Musa in Gambia and advised him to go to Senegal.

The doctor added that he would write a referral paper for the transfer, which he did.

Ousman Sembene stated that he made arrangements for his son and a nurse called Veronique Correa (a sister to Musa’s mother) to fly with Sabena Airlines to Dakar on the same day. According to the witness, Dr. Mariatou Jallow provided an ambulance to take them to the airport. Upon arrival, the captain of Sabena Airlines took Musa onboard the plane and arranged pillows so he could lie comfortably. The witness stated that the captain’s kindness did not stop there and when told that Musa’s mother was going to travel the next day by road with Ousman Sembene, he offered to take all three of them (Musa, his mother and the nurse) on board.

Once in Dakar, the witness told the Commission that Musa was taken to Principal Hospital. The witness said he arrived in Dakar around 2-3pm the next day with one of his friends, Yahya Darboe and his (the witness’s) second wife. Once he arrived in Dakar, he said he went straight to the Principal Hospital where he was informed that the bullet had moved. He said his son spent a week at the hospital.

Ousman Sembene recalled that his son could not talk during that time and it made him very sad. He added that he received help from family members whilst in Dakar, not from the Gambia government, who he never talked to and who never tried to contact him.

After a week, Musa Sembene was transferred to Hospital Abass Ndao and the following day, they took him to Hospital Fann, where he was X-rayed. The bullet, which had gone through the right side of the head and moved to the left side, was found and removed. The witness recounted how when Musa woke up, he asked about his family, his elder brothers and he told him he was going back to Banjul to bring more family members to see him. The witness said he felt happy at that point and he would to talk to him from morning to evening.

An extract from a newspaper article, which Ousman Sembene had provided to the Commission was read. The article was titled “In the wake of student demonstrations, bullet removed from kid’s head” and was published in The Independent newspaper on the 5th to 7th May 2000 edition with Musa’s picture on the front page.

Then the CEO at RVTH.
“Three-year old nursery school pupil Musa Sembene is currently recovering in a Dakar hospital from a bullet wound in his head allegedly caused by a shot from an unidentified soldier during the 10th April student demonstration.”

The Deputy Lead Counsel further read: “Mr. Sembene who looked forlorn and worried as he recounted the incident, said doctors at the RVH confirmed Musa was shot with live ammunition and needed to be admitted. He added that after three days, with Musa still in a coma, a doctor advised him to seek better treatment abroad since the RVH did not have the required equipment to extract the bullet lodged in Musa’s head.”

Another paragraph read: “According to Mr. Sembene, after 10 days at the hospital, Musa was transferred to the Abass Ndao Hospital where the bullet was finally removed. I was asked to go back to Dakar where the bullet was handed over to me. According to a medical report, the bullet is 26.13 millimeters long 7.14 millimeters thick and weighs 7.19 grams.” Asked if he still had the bullet, the witness said he looked for it but could not find it.

The Deputy Lead Counsel also said a number of news outlets had covered the story. When asked if the doctors in Dakar had provided any information about the impact of Musa’s stay in the hospital in Gambia for days, he said that they told him that the days spent in The Gambia were what had caused the problem for Musa. They said they wanted to keep Musa for observation even though the treatment went well.

He son stayed for nearly two months and died on the 5th June 2000 (8.15pm). He was buried in Dakar.

The Deputy Lead Counsel then noted that the witness had provided the Commission with his son’s medical records as well.

When asked if the Gambia government had reacted at all given everything that had happened, the witness said no. He added that he did not know if any investigations were conducted to identify the person or the soldier who was responsible for shooting his son. He stated that he was aware of the Commission of Inquiry into the April 2000 shootings but he later heard that Yahya Jammeh had “forgiven them”. The witness was never called to attend the Commission of Inquiry and as far he knew, nobody had been held responsible for his son’s killing.

On the impact on himself and his family, the witness said it was really hard and painful. He said financially it was not a given to try and get medical treatment for his son and it also took a toll on the mother who lost a lot of weight due to the suffering. He said Musa was a small, friendly boy and after his death, his customers who were used to seeing him at his shop would still ask for him. He added that Musa’s mother was supposed to come to the TRRC but she could not bear talking about Musa because his death had “made her very lonely” - even after 19 years, they still felt the pain of Musa’s loss.

The witness confirmed that he was given a death certificate but he had misplaced it. He offered to search for it and even to go to Dakar to get a replacement if needed.

The witness declared that he held Yahya Jammeh, the then Vice-President and the ministers for his son’s death.

In his short concluding remarks, he thanked Yahya Darboe and his own family in The Gambia and in Dakar; and Sabena airlines, who wrote him a letter of condolences. He extended his thanks to the TRRC for giving him the opportunity to talk about this incident.

Persons Mentioned By Witness During Testimony:

Extrajudicial killing

Yahya Jammeh
WITNESS NAME: Muhammed SARJAW

TRRC HEARING DATE (S): 19th September 2019

EVENT (S) DISCUSSED: 10th/11th April 2000 Student Protests

POSITION BEFORE THE EVENT (S): Father of Amadou Sarjaw

ROLE DURING THE EVENT (S): Witness, father of Amadou Sarjaw, 3 year-old casualty of 10th April 2000 student demonstration

POSITION HELD AT TIME OF TESTIMONY: Widow

The witness testified that on 10th April 2000, he was in his house by the Banjul-Serrekunda highway when he heard a commotion outside and went to the gate. Students dressed in school uniform were running through his compound, from the highway into the neighborhood. On the highway, he saw men in security uniforms (he called them "para") firing at the young people who had gathered by the side of the road. He retreated to his veranda as more students gathered at his gate. Meanwhile, his son Amadou continued to play in the yard of the compound. He explained that suddenly three shots rang out and all the people who had gathered outside his gate suddenly rushed into the compound to avoid the security service’s bullets. He said when he saw the students knock down his son, he went to go save him but he could not get him from the crush of the crowd.

As the crowd moved on, the witness reached his son, who had been trampled.

Muhammed Sarjaw told the Commission he was sad and wanted to cry, but controlled himself, while the women in the compound began wailing. He went to his mother’s house to deliver the news.

He was told that while he was at his mother’s house, a man named James Kujabi who lived with the family touched Amadou and said his body was still warm and thus he must be alive. He added that he had heard that James Kujabi was related to the ex-President, Yahya Jammeh. Further testifying, he explained that he was told James Kujabi took Amadou to Banjul hospital. The witness stated that upon hearing that when he returned home, he went immediately to the emergency unit of the Royal Victorian Hospital, RVH.

The witness said the scene at RVH was chaotic but he found James Kujabi talking to a foreign doctor, whom he assumed was Nigerian based on his accent and mannerism. According to the witness, the doctor was on the phone and refused to see any patients. James Kujabi got angry and the witness testified that the foreign doctor told James that if James could resuscitate the child, he should do so. James Kujabi began looking for another doctor and got a hold of a senior person (he did not identify name or position) at the hospital. James Kujabi told the senior person what the foreign doctor said, after which the senior person turned to the doctor and told him that James Kujabi was Yahya Jammeh’s younger brother.

Muhammed Sarjaw told the Commission that Amadou looked injured, so he took him to one Dr. Jatta who owned a pharmacy in Jeshwang who declared his son dead.

The witness further testified that he went home with his dead son and told the child’s mother, who had been on the other side of the compound during the stampede.
The witness stated that the foreign doctor dropped to his knees and touched James Kujabi’s feet asking for forgiveness. Under questioning, Muhammed Sarjaw admitted he did not know precisely how James Kujabi and Yahya Jammeh were related, but heard they were cousins. He did not remember James Kujabi’s position exactly, but understood that when Yahya Jammeh or his mother travelled, James Kujabi would go in advance and make sure everything was ready for them. The foreign doctor inspected Amadou and soon after pronounced the child dead.

The witness testified that after the pronouncement, the body was given back to them and they put his dead son in James Kujabi’s vehicle and took him home.

Amadou’s body was washed, and buried around 5pm that same day. The witness said that they were never given a death certificate by the hospital.

Muhammed Sarjaw continued that after the incident, he heard of a man in Serrekunda who was trying to organise those who had lost their children in the incident. They made a committee to pursue the issue with the government, but the witness said a law was passed which forbade people from referring to the incident and the organisation was disbanded. Apart from James Kujabi, no one connected to the government officially knew of his son’s death.

When asked who was responsible for his son’s death, the witness responded that those who were shooting at the children must have gotten their orders from somewhere. He added that when an order comes not to discuss an issue, it must be from someone powerful. The only person with that kind of power at that time was the then President Yahya Jammeh.

The witness continued on to explain that one day, men from the government arrived at his door with an envelope with 5000 dalasi. They said they were sent by the government to express their condolences, but they did not spend any time at the house nor listen to what the witness and his family had to say. This was the only acknowledgement and compensation the witness ever received from the government. Muhammed Sarjaw told the Commission that the envelope with the money only increased his family’s anger. “That money is not significant for us. No one can replace a human being’s life.”

The witness testified that the whole ordeal was incredibly difficult. His wife cried for days and refused to eat. He said he felt pain and regret, “but when a poor man gets angry … you just take cold water and sit down and drink because you have no power to do anything else”.

Muhammed Sarjaw concluded his testimony by beseeching African leaders to avoid conflict, respect peoples’ rights, and treat all people fairly regardless of their economic or educational status. He stated: “When a person is associated with a position they think it all belongs to them. Whoever is made a leader, if they are a right-minded person, they should not bring trouble into their country. They should maintain peace, bring a good living for the people and bring the country forward.”

Persons Mentioned By Witness During Testimony:
None
WITNESS NAME: Mariatou JALLOW  

TRRC HEARING DATE (S): 19th September 2019  

EVENT (S) DISCUSSED: 10th/11th April Student Protests, politicization of the event, Presidential Treatment Programme  

POSITION BEFORE THE EVENT (S): CEO of Royal Victorian Teaching Hospital  

ROLE DURING THE EVENT (S): CEO of Royal Victorian Teaching Hospital  

POSITION HELD AT THE TIME OF TESTIMONY: CEO and Lead Doctor at the ECG Sibanor Health Centre  

SUMMARY OF TESTIMONY:  

Dr. Mariatou Jallow began her testimony detailing her background studying medicine in Ghana and Canada and working at all levels of the Gambian health system. In 2000, she was the Chief Executive Officer, CEO of Royal Victorian Teaching Hospital, RVTH in Banjul, which she specified entailed running the day to day operation of the hospital, recruiting appropriate doctors, making sure patients got the treatment they needed, and a range of administrative duties.  

Dr. Mariatou Jallow testified that on 10th April, she was in her office when she received a call that people were being brought in with severe injuries. She went and saw a number of young people in distress with very serious injuries such as broken limbs and large open wounds. She told the Commission at that point she could not determine the cause of the injuries, but she had heard rumors they had been shot. She further stated that the whole hospital was mobilised – the theatre was prepared, doctors and anesthesiologists were brought, and preparations for blood transfusions were put in place and a duty room was established where information would be collated and there would always be someone to inform people arriving at the hospital if their friends or families had been admitted.  

Dr. Mariatou Jallow remembered 14 deaths being registered that day – 12 from Kombo10 and two from upcountry11. She did not remember how many patients were admitted but said that around 15 were hospitalised. Of the 15, she remembered four patients who had very severe injuries, which required operations. The doctor told the Commission that others were treated and sent home the same day, but again she did not remember exactly how many. She said the hospital should still have all the records.  

The witness testified that many people rushed to the hospital to find out what happened. She said those who had relatives who had died would be sat down and calmly told their relative had passed on and those with loved ones who had been admitted were guided to their bedside. She further explained that they were trying to make the situation as orderly as possible, hence the establishment of the duty room, but it was still very chaotic.  

Under further questioning by the Lead Counsel, the witness acknowledged that the chaos could have had negative consequences on the well-being of the patients but in such a situation, she said it is important to make sure only those who are needed are there, but considering it was a major disastrous event, this was difficult.  

Dr. Mariatou Jallow told the Commission that it was not until she heard previous testimony at the TRRC that she learned that someone was taken to the mortuary who had not died12. She detailed the steps a doctor should take before declaring someone dead, and acknowledged that this was a major failure.  

The doctor then described the system for keeping records. She said medical records, which include  

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10 Usually refers to the outskirts of Banjul or Greater Banjul area.  
11 Typically refers to the towns and villages in rural Gambia.  
12 On 20th August 2019 Sainey Senghore testified that Assan Suwareh had been assumed dead but was saved by his cousin; On 16th September 2019, Yusupha Mbye testified he had been assumed dead and taken to the mortuary.
the doctor’s observations, are kept at the hospital and when a patient is discharged, they are given a discharge card with a number so if they return to the hospital their files can be easily accessed. If a patient wants to access their records, she said they need to write to the CEO to request access, at which point a medical report would be written by the doctor and provided to the patient. She explained that the raw medical records are not given out to patients and instead kept in files in the records office.

However, Dr. Mariatou Jallow testified that in this case she was ordered by the State House not to give patients from the 10th/11th April incident access to their records. She acknowledged this was abnormal, and indeed unlawful.

She told the Commission she complied with the instructions because of “difficult circumstances” deriving from not being under a democracy. She defended herself, saying the decision she took were administrative and not related to the well-being of the patient. Under further questioning she acknowledged that it was wrong of her to comply with the unlawful instructions coming from the State House. She told the Commission she acted out of fear.

“Being under a dictatorship and knowing that I could be imprisoned, or something bad could happen to me if I was found to be on the wrong side of the ex-President, it made me fear.”

She further stated that as a result, she instructed the nurses and the records office that documents about those hospitalised in connection with the April 2000 incident were not be given out.

Under further questioning, Dr. Mariatou Jallow testified that she knew that some patients wanted to seek further treatment abroad, and acknowledged that it was impossible for people to go abroad for medical treatment without medical documentation. She admitted that denying people their records made it impossible for them to seek treatment abroad however, she told the Commission that those who needed treatment abroad were sent abroad.

The Lead Counsel then brought up the case of Oumie Jagne, who was shot twice in the arm and wanted to seek medical care abroad but could not without access to her records. The witness said she did not remember that specific case, but that if someone wanted to go abroad they needed to get a recommendation from the medical board.

The Lead Counsel responded that if someone wanted to seek medical care privately, they would need copies of their medical records. The witness responded that according to her information, to get a visa what is recognised is a medical board report signed by three different doctors.

The Lead Counsel asked the witness if she told the patients that in order to seek treatment overseas they needed the signed report from the medical board to which the witness responded that she did not tell them, and that she should have told them. However, the witness again said that while this situation was different, it was never normal procedure to provide the raw medical documents.

The Lead Counsel accused Dr. Mariatou Jallow of legal hairsplitting, at which point she acknowledged there was a blanket order to restrict patients from the 10th/11th April incident from accessing the documents that detailed their medical issues.

Under questioning, the doctor further admitted that patients were told this was because their cases were political and that the policy continued even for those who went for treatment abroad. She acknowledged this was unlawful.

Then the Lead Counsel asked about Yahya Jammeh’s visit to the hospital after the incident. The witness said she accompanied him while he visited patients. The Lead Counsel asked if there was an effort to make it seem as if everything was proceeding well. The witness responded that it was the doctors,
who also accompanied Yahya Jammeh, who were giving the updates on the patient’s condition. Under further questioning, Dr. Mariatou Jallow admitted that they were putting on a show for Yahya Jammeh, and that indeed the situation was dire. She told the Commission that she did not make a show, but that the clinicians in charge of the patient gave updates that did not reflect reality. After further questioning, she admitted that she knew the reports the doctors were giving Yahya Jammeh were false but that she did not correct the doctors in front of him because she did not want to deliver bad news to the ex-President.

She told the Commission that during the rounds, Yahya Jammeh seemed concerned with the patients’ well-being, but that she did not know what was going on in his head at the time. She did remember that the victims were not happy with Yahya Jammeh’s visit and that one refused to talk to him.

She said they were not happy because they felt the government had a hand in what was done to them, and they felt it was hypocritical of him to be visiting them.

Dr. Mariatou Jallow further testified that three patients needed further medical treatment, so a medical board was convened and recommendations were made. Then, a directive came from the President’s Office that the three patients be sent to Egypt for further treatment. She said usually such arrangements would be made by the hospital, but in this case the State House made the final bookings. The witness said she did not know why this was the case, but she guessed because they had Egyptian doctors in the hospital and The Gambia had bilateral relations with Egypt. The witness told the Commission that she did not know who funded the trip but it was not the hospital as overseas treatment was not in their budget. Upon further questioning, she revealed that no parental consent was obtained, which was required considering the patients were under the age of 18 at the time.

The witness continued that she did not know how much of the duration of the trip the Gambian government paid for. She acknowledged that it was the responsibility of the hospital and the funders to follow up to make sure the payments were made and the patient’s condition was improving. She admitted that responsibility fell on her, and that she failed.

The witness admitted that the letters regarding completing the three boys treatment in Egypt went unanswered. She apologised and said “I failed them, the nation failed them, for having them there without any support. As an individual, and as a government, we failed them.”

She added that in 2000 they were living in “adverse circumstances.” The Lead Counsel asked what was adverse, to which the witness responded, “here were young children who had been violated by the government that was supposed to protect them.”

Speaking directly to the three men, she said:

“The system failed you, and I was a part of that system, and I cannot exonerate myself … This should not have happened. It happened. I had no evil intention.”

At this point in her testimony, she asked the men for forgiveness.

After her statement to the three men, she continued her testimony, telling the Commission that one day she got word from the State House that the boys would be returning home. She said she was told to go to the airport to meet them, collect their medical documents from Egypt, and escort them back to the hospital. Under further questioning, Dr. Mariatou Jallow told the Commission that she was reminded that due to the sensitive political nature of the case, she was to hold onto the boys’ medical documents. She admitted she knew the order to seize the documents was unlawful, but as a civil servant, she was given an instruction and could not refuse. She confiscated the documents and submitted them to the records office.
The Lead Counsel asked if there was an attempt to have Yusupha Mbye discharged early. The witness said she was confused, and said they were all brought back to the hospital and she never asked them if they wanted to go home.

The witness then confirmed that Yusupha Mbye was sent for a second treatment in Dundee, Scotland. The Lead Counsel read from Yusupha Mbye’s statement to the TRRC which said that he remained at RVTH for a year and he “was flown to Scotland but no treatment was never offered”. The witness responded that she was away in September 2001 and was not familiar with this incident. When told that the Gambian government had owed the hospital in Scotland money, and that the money paid for Yusupha Mbye’s treatment was put to those debts and therefore he received no surgery, the witness told the Commission that the system had failed him again.

The Lead Counsel then asked about the Presidential Treatment Program or Alternative treatment Program − the ex-President’s alleged cure for HIV/AIDS. He told the commission there would be further testimony specifically on this subject, but that he wanted to ask a few preliminary questions. The witness confirmed that the ex-President said he had cures for HIV/AIDs, asthma, hypertension, and tuberculosis.

She said that the treatment for HIV/AIDS was a hoax, and the doctors who participated in it knew it was a fraud.

The Commissioners then began asking the witness questions. One Commissioner asked why she did not resign, to which she responded that she was a medical doctor and she felt she still had something to offer the nation. Regarding the complications from the poor treatment in Banjul that led the three boys to seek treatment in Egypt, she said they should have been referred to Egypt immediately.

Another commissioner asked about a three-year-old boy who was struck by a stray bullet and was kept with the bullet in his head for three days. Dr. Mariatou Jallow responded that she did not remember this case precisely, but that there must have been a reason, and that perhaps the risk of taking the bullet out was too great. The Commissioner followed up by pointing out that the boy was transferred to Senegal, where the bullet was removed and the boy lived for two more months.

He mentioned that people had commented that if the boy had been evacuated earlier, he may have lived.

She said this case had not been brought to her attention but that an X-ray should have been done. She suggested maybe there was not a neurosurgeon at the hospital. She did acknowledge that the boy was failed, and said that she apologised “on behalf of the system.”

In her concluding remarks, Dr. Mariatou Jallow addressed the men who were sent to Egypt and the parents of the three-year-old who passed away. She told them that that the system failed, and as part of the system she could not exonerate herself. However, she wanted them to know she meant no harm, and everything she did was with a pure heart. She commented that moving forward it was important to have a democratic system where people do not feel intimidated into taking certain actions. She said that democracy must be maintained and they could not go back to the previous system where people could not practice their professions as they should.

Persons Mentioned By Witness During Testimony:

Wilful misrepresentation
Dr. Mariatou Jallow (the witness)

Denial of medical treatment
Yahya Jammeh, Dr. Mariatou Jallow (the witness)

Fraudulent medical treatment
Yahya Jammeh
WITNESS NAME: Awa SANNEH BITTAYE

TRRC HEARING DATE (S): 23rd September 2019

EVENT (S) DISCUSSED: 10th April 2000 Student Protests; What happened to her and her colleagues; The impact on her and her family.

POSITION BEFORE THE EVENT (S): Police Officer

ROLE DURING THE EVENT (S): Police Officer

POSITION AT THE TIME OF TESTIMONY: Police Officer

SUMMARY OF TESTIMONY:

Awa Sanneh Bittaye told the Commission that she started working in the Police force in 1997 and in 2000 she was posted at the Kotu Police Station, which was headed by one inspector Demba Sey the Station Officer, SO, assisted by Sergeant Momodou Lamin Cham (the Assistant Station Officer, ASO).

On 10th April 2000, she said she came early to the police station where there were about eight officers in uniform including the SO and ASO as well as one CID officer called Ensa Badjie also known as Jesus.

The witness remembered that at around 9 am, she heard sound on the corrugate, like stones falling on the roof. She said that Ensa Badjie “Jesus” went out to find out what was happening and came back into the office running saying that the students “were coming”. At that moment, a stone hit the glass door of the station and one piece of glass hit him, tore his skin and wounded him.

She explained that she and the other police officers wanted to go out, but because of the stones that were being thrown, they had to go inside again. Ensa Badjie “Jesus” told the female officers to go under the counter to seek protection. So, she, another female officer called Mengeh Ceesay as well as Sergeant Momodou Cham stayed there. The others went outside to “run away from the stones”.

When asked whether at that point they knew what was happening, Awa Sanneh Bittaye responded that she was aware that the students were demonstrating but that they were told the students were going to the Gambia Technical Training Institute, GTTI. So, they were not expecting that they would be coming to their area but when the police station started being thrown at with stones and when Ensa Badjie “Jesus” said that “the students are coming”, they knew that the attack was related to the demonstration.

She explained that she had learnt about the demonstration from the police diary. The diary also mentioned that then the Minister of Interior Ousman Badjie had paid a visit to the police station over the weekend. When asked if this was normal procedure for the Minister of the Interior to visit police stations when “such things were about to happen”, she responded that it was and that it was a way to give advice to more junior officers – but she acknowledged that such visits would usually be undertaken by the Inspector General of Police, IGP or the Deputy IGP.

Counsel Singhateh further asked her about the level of preparedness by the police that day, knowing that the students were going to demonstrate. The witness responded that they were not prepared at all as they believed that the students were only going to GTTI to express whatever grievances they had and did not expect them to come to Kotu and were not even briefed about this during the morning parade.

Continuing her testimony, Awa Sanneh Bittaye said that as she was hiding under the counter, they soon realised that things “were getting out of hand”. The witness said that her colleague Mengeh Ceesay told her that they should get out and run away. As Mengeh

13 Crime Investigation Division.
Ceesay ran out, she was immediately hit by a stone, fell on the ground and laid there. The witness explained that at this point she was not sure whether Mengeh was dead and out of fear, she returned back inside the office. She explained that she could not inform other colleagues that they were in danger because she had no radio and the landline phone was far away, she added that there were no mobile phones at that time.

The witness explained that she did not see who threw the stone at Mengeh Ceesay because her colleague had gone out first and then she, the witness, ran back inside. After that she saw Sergeant Momodou Cham running into the SO’s office and she followed him, because she was afraid to be hit as well. Once they got into the office, Sergeant Momodou Cham locked the door.

She remembered that the office had a window and while looking out of it, she saw a “boy” running towards Mengeh Ceesay who was still lying on the ground and stole the chain from her neck.

She said that to Sergeant Momodou Cham but he held her mouth and told her to be quiet to avoid being heard by the “boys”. She remained at the window and saw one officer Trawally, who was a resident of the station, helping his wife and children getting over the fence.

When asked to describe the station, the witness said that the SO’s office was straight when one came from the entrance and that the counter was on the right-hand side while the cells were on the left-hand side. She explained that the house of officer Trawally was behind the SO’s office and that’s why she could see what was happening.

The witness was asked to describe “the boys” she had referred to, she mentioned that that the majority of them were students, and that she recognised them from the trousers they were wearing adding that most of them had removed their shirts. She mentioned that some of them were probably not students as they had dread locks.

When asked how she felt at time when she was left there only with Sergeant Momodou Cham and Mengeh Ceesay lying there, Awa Sanneh Bittaye explained that she thought that “they were dead already” because the students outnumbered them. Each time she spoke, Sergeant Momodou Cham would tell her keep quiet. While they were in the office, she said she could smell the scent of petrol and decided to go out. She stated that she had to argue with Sergeant Momodou Cham who did not want to go out. She said she told him that he could stay inside, which he did. She explained how she removed her police uniform shirt and put her singlet on top of her skirt so that could look like a dress, so that the students would not recognise her and went out.

When she came out, she passed by a “boy” with his gallon and he threw petrol on her.

She pushed him and he fell down and then he threw a stone after her, which landed on her stomach but she nonetheless managed to run out.

She later noted, that the “boy” looked like a student because he was wearing a school uniform. She said that he was sprinkling petrol on the counter and she thought that they had come to light up the station. She explained from the way she left she could not see her colleague Mengeh Ceesay. She described that one group of students had gone inside the station while another was outside. She ran into that latter group and they greeted her not knowing that she was police and used “abusive words” to refer to the police. She said that as a strategy she also insulted the police, so that they would believe that she was one of them. She explained that she did so because at the time she was four to five months pregnant. When asked, she said that she was 20-21 years old and rather small, so she could easily be mistaken for a student. After a while, she managed to sneak away from the group.

When asked how did she feel seeing her fellow youths attacking the police station, she responded that she

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Baboucarr Jatta testified before the Commission on 18th April 2019 and again in session 8, on 3rd October 2019.
considered it to be because of “a lack of awareness”, which was also the root cause of many things. But she did not know the exact reason for their aggression.

She said that when she left the station, she went straight to a container not far away because she knew the people there and also because her uncle Abou Jobe usually came to that place too. There, one man called Jumpa helped her and went to get a mat for her to lie down because her stomach was hurting.

After some time - around 11 am - Jumpa told her that the students were going away and she insisted on going inside to check on Mengeh Ceesay. A man called Sainy Jammeh (who is now late) went with her and they saw Mengeh making movements. Awa Sanneh Bittaye said that she did not see any wounds on Mengeh Ceesay’s body but realised that she could not move and Sainy Jammeh had to drag her out. They saw a private vehicle and asked the driver to take them to the nearest hospital but he responded that this was not possible because the whole hall was packed with injured students and their parents. She said that after a while Mengeh Ceesay’s husband came and took her to Lamtoro. The witness mentioned that she later came to know that Mengeh Ceesay had been hit with a stone on her neck but that she did not know if she suffered complications from the injury.

Speaking about her own condition, Awa Sanneh Bittaye said that after a while her husband came. She explained that as he was studying medicine at the university, many nurses knew him. When one of the nurses wanted to inject her, he explained that she should not because she was pregnant. She said she was then taken to a room where only pregnant women were and discharged after two weeks with instructions to rest for three months and not do any heavy work.

The witness explained that one day she received a call from someone telling her that she was “needed” at the Kairaba Police Station. She said she told him that she was sick so the person told her that he would come to her house to pick her up because the then Deputy IGP Sankung Badjie wanted to see her.

When they arrived at Kairaba Police Station, Sankung Badijie, the then Minister of Interior Ousman Badjie, and other senior officers were waiting for her. Herself, Mengeh Ceesay and another officer Obolog Tamba, from Bundung Police Station were asked to come to the SO’s office and recount what had happened to them on 10th April 2000. She said they all explained their stories and were told to write a statement in order to get compensation. After that, she said she

She explained that at that time **Mengeh Ceesay was conscious and crying.**

The Counsel then asked her if she knew what the extent of the damage was and Awa Sanneh Bittaye responded that those who were resident at the station would know better than her because she would only come to work in the morning and then get back home. She however remembered that the protestors tore the diary, opened the exhibit room, destroyed the seats and then set them on fire. She concluded: “whatever they could destroy, they destroyed”.

She explained that she did not hear about others being injured in addition to herself, Mengeh Ceesay and Ensa Badjie “Jesus”, because after the incident she did not return to work for a while as she was ill.

She continued her testimony, explaining that at her mother’s house, her aunt Sabti Jobe who was a journalist came out and called three soldiers who were in a pick-up and told them to drive the witness and Mengeh Ceesay to the Serrekunda Health Centre. There the nurse said that they needed to be referred to a hospital and called an ambulance. She explained that while she saw no injured persons at the Serrekunda Health Centre, the place was full of people inquiring about loved ones.

Awa Sanneh Bittaye said that they were then taken to Banjul and immediately sent to the accident and emergency ward. She assumed that would have been around 1 pm or later in the afternoon. She explained that at the hospital, they had to lie on the ground because the whole hall was packed with injured students and their parents. She said that after a while Mengeh Ceesay’s husband came and took her to Lamtoro. A private medical clinic.
was taken back home. Later in her testimony she added that she never received compensation and added that she was not aware of anyone who had been compensated.

Awa Sanneh Bittaye said that in October 2000, she gave birth to a baby boy, who died the same day. After that, she returned home until she regained strength and resumed work.

When asked if the death of her baby could have been due to the stone that had hit her on the stomach, the witness responded that this was what the doctor told her.

She explained that the death of her child, who was her first one, was hard and that she could do nothing except to cry and go home. She said that for her second child the doctor told her to only go to him and not to the nurses, which she did until she gave birth.

When asked to tell the Commission how this incident had impacted her life, the witness said that she hardly talked about it because it usually hurts to do so. Many people were surprised when she told them that she was going to testify before the TRRC as she had not told them what had happened to her.

When asked why she stayed with the police after that event, she said that she considered that what happened to her was not the fault of the police. She noted that the police made a mistake when the superiors did not show to their subordinates that they really felt for them after what had happened. She mentioned that in fact she was very angry with the students because they should not have attacked persons who were running away. She believed that at the time they were “possessed” and this explained why they could not see that. This is why she never wanted to discuss that incident anywhere.

**Persons Mentioned By Witness During Testimony:**

None
He joined the United Democratic Party, UDP and rose up the ranks until he was elected a National Assembly member for Brikama North in 2017.

At the request of the Lead Counsel, the witness explained that in August 1999, he was elected as Vice-President of the Gambia Students’ Union, GAMSU during a congress at the Gambia College. The union comprised of all the students in the tertiary institution, senior secondary schools and the upper basic schools and was intended to stand for the welfare of the students and help address any issues between students and school authorities. They also organised student activities and conducted sensitisation and leadership trainings for their members.

Talking about the lead up to the April 2000 student protests, the witness said the protests were a result of two events: the murder of Ebrima Barry, a student from Foster Senior Secondary School, and the rape of a student named Binta Manneh from Brikamaba Upper Basic School.

Alhagie Darboe testified that this moment motivated him to pursue a larger career in politics.

“To me, the problem about The Gambia was Jammeh, unless and until we get Jammeh out, no institution in the country will be regulated”.

NAME OF WITNESS: Alhagie S. DARBOE

TRRC HEARING DATE (S): 23rd September 2019

EVENT (S) DISCUSSED: Students’ Union activities in the Gambia in 2000, the 10th/11th Student Protests and the aftermath

POSITION BEFORE THE EVENT (S): Vice-President of Gambia Students’ Union, GAMSU

ROLE DURING THE EVENT (S): Vice-President of GAMSU

POSITION AT THE TIME OF TESTIMONY: Member of The Gambia National Assembly

SUMMARY OF TESTIMONY:

Alhagie S. Darboe began his testimony by introducing himself and detailing his extensive career as a student organiser, a teacher, a member of community development councils, a member of the independent electoral commission, and his role founding and leading youth and sports associations before eventually becoming involved explicitly in local politics in 2012.

Before detailing his involvement in the April 2000 student protests, the witness discussed his exit from youth and organised sports in 2015. He told the Commission that during a debate at the National Youth Conference and Festival, NAYCONF that year, he stated that the organisation’s vision was achievable if they changed their strategy from “Jammehisation” to “Gambianisation.” The statement, which made the front page of the newspapers, led the National Sports Council to demand his resignation. He added that he held out for three months until the involvement of security services and the ministry forced him to leave office.

Alhagie Darboe testified that this moment motivated him to pursue a larger career in politics.
The witness testified that he heard the students were planning on demonstrating, so he went to the school where he met a group of students about to leave to demonstrate. With the assistance of some teachers, he succeeded in stopping the students from protesting at that juncture.

He recalled that he then went to Royal Victoria Teaching Hospital, RVTH to join the family members of the victim and observe the post-mortem, but he was told only four family members were allowed to attend. He then visited the school in Brikama Jamisa, where the principal had gathered the students and appealed for calm.

Alhagie Darboe testified that in the subsequent days, he was among a group of student leaders who went to the police to enquire about the case. The students were told an investigation was underway and were given a form to facilitate the inquiry. Upon further questioning, the witness told the Commission that essentially the police ceded their responsibility of taking statements to the student leaders, and were not involved in trying to obtain statements.

He added that the student leadership was upset with this turn of events because it showed the police were not committed to investigating the circumstances surrounding Ebrima Barry’s death.

The witness continued that they interviewed the head teacher of the school, Mr. Ajaw who told them that Ebrima Barry had had a problem with a teacher, which resulted to a fight between the two and Ebrima was eventually sent home. Fearing that Ebrima Barry may react, the teacher asked members of the fire service station near the school to be present when he was issued his suspension letter. The witness said that Mr. Ajaw told them that he did not hear anything further until he learned Ebrima Barry was dead. The story was corroborated by another teacher and another student. The student added that the day after Ebrima Barry was escorted out by the fire officials, he paid him a visit at his house and found him crying from pain. Ebrima allegedly told this student that he was taken to the Police Intervention Unit, PIU at Brikama and tortured. The next day the student heard that Ebrima Barry had died.

Alhagie Darboe testified that he also interviewed Ebrima Barry’s father, who told him that he was selling his goods in the market when his son arrived with the fire service officials, and informed him his son had an issue with the school authorities. According to the witness, Ebrima Barry’s father went with the fire official, back to the school and apologised to the head teacher on his son’s behalf. The head teacher accepted the apology and told the father that Ebrima Barry should return to school after the Tobaski break. Ebrima’s father said that evening, his son began complaining of pain and said that he had been tortured at the fire service station. According to the witness, the father said he was on the way to the market the next day when he was told his son’s situation was worsening so he went to the hospital where the doctor carried out some tests before pronouncing him dead.

The witness clarified that he conducted these interviews with Lamin Jobe and Molo Jallow who were also student leaders from the college. He added that there were no demonstrations at the police station or fire service by the students before 13th March. In response to questions by the Lead Counsel, Alhagie Darboe said they made recordings of their interviews, transferred them to paper, and then brought them to be signed by the witnesses.

The witness then moved onto the rape of Binta Manneh. He told the Commission that Binta Manneh was a student at Brikamaba Upper Basic School who came to take part in the inter school annual athletic championship and was raped by a PIU officer on 11th March around the Independent Stadium. The witness clarified that the GAMSU President, Omar Joof, investigated the rape while he investigated the death of Ebrima Barry.

The GAMSU were very concerned with these two issues, the witness testified, and wrote letters to the then Inspector General of Police, IGP Rex King
and the then Permanent Secretary of the Department of Education demanding the authorities identify the perpetrators of the two incidents and ensure they face justice. Alhagie Darboe added that they had given the authorities an ultimatum that they must act by 7th April but their letter received no response.

On 22nd March, the newspaper published an article, which claimed the autopsy of Ebrima Barry found he died of natural causes. According to the witness, after the Tobaski break and the autopsy had been publicised, the GAMSU executives held a meeting in which they decided to call a press conference to express their concern with the investigation.

A few days after the Tobaski break the witness heard a rumour there would be no class and students were planning on marching at the Commissioners’ place. He went to the secretariat of GAMSU where the rumour was confirmed by executive members. Then GAMSU President Omar Joof told him to accompany the students to make sure they did not run into any problems. The witness testified that he wanted to continue the meeting to establish more facts, but the students wanted to take to the streets.

The march, which according to the witness gathered around one hundred students, occurred without any problems. They were received by the then Commissioner at his office, to whom they expressed their concern that the authorities needed to act on the death of Ebrima Barry. According to the witness, the Commissioner assured them that action would be taken and the students then moved onto the family of Ebrima in Brikama where they expressed their condolences and gave them the charity they had collected.

Witness Darboe said that on their way back to the college the leaders could not control students and when they got close to the fire station some of the students began to throw stones. They destroyed the windows of the vehicles at the fire station and the PIU officers were sent. The students were escorted back to the college.

Alhagie Darboe told the Commission that PIU officers identified him as one of the student leaders and attempted to arrest him but he advised them not to because it could spark a commotion in the market. Landing Badjie overheard him and reinforced the message. The witness said he stayed behind to make sure all the students left the market area and went back to the college.

When they returned to the college, the witness continued, they found a number of security officials present. He was told there was a meeting in the principal’s office with then IGP Rex King, the Commissioner in charge of West Coast Region, regional education officers, and the then Head Chief of Kombo central, Bakary Sanyang Bojang. The security officials were condemning the actions of the students.

The witness further testified that the following day, 23rd March, the student leadership decided to go to the school to appeal for calm and make it clear there was no demonstration planned. An emergency meeting was called at the college that was attended by the then Interior Minister/Secretary of State, Ousman Badjie, Rex King, and his then deputy. Instead of a dialogue, the witness described the meeting as the authorities threatening the students. He told the Commission government officials were more concerned with making sure “the security of the country would not be compromised,” in the reported words of Ousman Badjie, than seeing justice carried out.

According to the witness, after the meeting with the government officials the students went ahead with their press conference at Kanifing Youth Centre during which they expressed their disappointment and frustration about the lack of official action regarding the two cases, appealed to the authorities to take the investigations seriously, and urged students to remain calm.

After the press conference the witness attended another meeting at the Police Headquarters with Ousman Badjie, Rex King, his then deputy Sankung Badjie, the then Chief Fire Officer, the Crime Management Coordinator, CMC Landing Badjie (alias 13 Badjie), and other senior police officers. GAMSU was represented by Omar Joof, Alhagie Camara, Alieu Khan and the witness.
This meeting, the witness testified, was also disappointing. The fire chief officer asked GAMSU what kind of power, if any, they actually had.

The officials kept threatening the students that if GAMSU acted, they would be dealt with accordingly.

The security officials left the meeting suddenly to see Yahya Jammeh off to Cuba and the meeting ended without a solution. The witness added that after the meeting, Landing Badjie called them to his office and expressed his disappointment with how IGP Rex King had handled the meeting, adding that he would have preferred to continue with the meeting even if that means not seeing Yahya Jammeh off.

The witness told the Commission that there was a final meeting on 7th April, which was the deadline of the ultimatum the students had presented. According to him, GAMSU agreed to show their grievance through a peaceful march from Gambia Technical Training Institute, GTTI to Sting Corner\(^{15}\).

Alhagie Darboe affirmed that GAMSU wrote a request for a permit to protest but on the 9th when they met again, the secretary of GAMSU reported that she could not submit the request because the officer on duty had told her that the senior officer in charge was not at work.

He said that at one point before the 10th April, Alieu Khan visited the then Secretary of State, SoS for local government, one Mr. Bajo, on another matter but the issue of the looming demonstration came up and Mr. Bajo said he could facilitate a dialogue with the then Vice-President\(^{16}\). The idea of a dialogue was brought to the executive members of GAMSU, who accepted the proposition, and called off the demonstration, with the condition that the students could gather at GTTI without the PIU’s presence. A delegation of students would be selected and led by their president, they would be taken to go see the then Vice-President. The witness said the conditions were not put into writing but were verbally presented to Mr. Bajo who passed them on to the then Vice-President who accepted.

The witness continued that Omar Joof was present and was aware that the demonstration was called off. The cancellation he said, was communicated to the students through their leadership, but not over the radio. The witness disagreed with the Lead Counsel’s contention that the demonstration and its cancellation were both well known.

On the morning of the 10th, the student delegation that had been chosen was supposed to be at GTTI around 8 am. The witness told the Commission that he was not part of that delegation but arrived at GTTI around 7:30 or 8:00 am where he met another group of students, no larger than 50 people.

The witness said that less than 30 minutes after he arrived outside the gates of GTTI, PIU officers arrived. The PIU were trying to address the students via microphone and the witness said Omar Joof asked him to go speak with the officers. When asked if the executives of GAMSU were bringing students down from the buses that morning, the witness responded that the place was a bus stop, so students were descending, but that Omar Joof was telling the students that the demonstration had been cancelled.

The witness said that as he walked towards the PIU officers with his hands raised in the air, the officer in charge told him they should disperse immediately. The witness added that the officers were armed with full riot gear, which included truncheons but no firearms.

The witness continued that he tried to tell the PIU what was going on but the security forces advanced at the students. He testified that they did not touch him but they began beating and arresting other student leaders. The witness said he was trying to tell the officers to stop beating the students and that they were not there to protest but the officers paid him no mind. By this time, the group of students were around 100 while the PIU numbered around 30.

He said that as soon as the PIU began beating and arresting students, they scattered and began running through the cemetery. The witness alleged the PIU chased the students in the direction of Westfield and Jimpex. At this point, Alhagie Darboe told the

\(^{15}\)It is the area after Old Cape Road and before Old Jeshwang, going to Mile 7.

\(^{16}\)At the time Isatou Njie-Saidy.
Badjie obliged, but once they were outside the gates the gathered students insisted on continuing their march to Westfield junction. According to the witness it was around 10am.

Alhagie Darboe testified that at Westfield, the students gathered at the monument and the plan was for Omar Joof to inform them about the latest developments and tell them to disperse. When asked how many students had gathered, he replied “the number was too large at that time”. As Omar Joof stood up to address the students, a truck driven by people in military uniform stopped and began firing in the air. The students “could not be controlled, and everybody started running for their lives.”

The witness continued that he believed the security forces were firing blanks because he did not see anyone “going down” at Westfield. PIU officers threw tear gas, adding to the confusion. He added that the PIU also had guns and he would venture that both the PIU and the military men in the truck were firing.

The witness told the Commission he was held at gunpoint by a military officer who asked him why he was there. ‘I told him that I was a student leader and he told me to leave the scene because it was not safe for me. I complied’.

Meanwhile, the witness continued, the students had dispersed along Kairaba Avenue, Brikama highway, through Ebou Town, and towards GTTI. He said that as Jimpex, they saw a large group of students force a group of PIU officers to retreat. When asked why the PIU officers retreated, the witness said that while the officers were firing, the students were also throwing stones but after a brief retreat, the PIU gained forward momentum and the students began to disperse. This moment, he said, was when the firing was most intense: “It was at this point that I saw students falling down. At the Sankung Sillah junction where I stood watching, I saw at least four bodies down.” The witness said this all happened around 11am to noon.

Alhagie Darboe stated that he waved down a passing Red Cross ambulance, which picked up the bodies and transported them to Banjul. The witnesses
followed rumours that students were gathered at Sankung Sillah factory, and eventually found them seeking refuge in a neighbouring compound. The woman who owned the compound let the students stay there and gave them food, water, and massages until most returned to their homes that evening.

As he returned home that evening, he met Alhagie Camara, and they went to another compound where they found Omar Joof, Alieu Khan, and Alieu Darboe and after discussing, they agree to all go their own way and avoid Brikama highway to not get arrested.

Alhagie Darboe revealed that he then went back to the compound from the afternoon and spent the night there. He had communicated with his family in Brikama and they advised him to stay where he was because the military were looking for him.

Upon questioning from the Lead Counsel, the witness said the GAMSU leaders had control over the students when they arrived at GTTI the morning of the 10th but they lost control when the PIU officers came to disperse them. At the monument at Westfield, he said the GAMSU leadership was also in control of the students until the security services began firing. He told the Lead Counsel that while at the lady’s house for the evening, he heard there had been demonstrations in Brikama as well.

The afternoon of 11th April, he thanked the lady for her generosity and left to go home. He added that at Sankung Sillah junction, he came across a military checkpoint searching every vehicle. Feeling the route was unsafe, he elected to instead go the back route through Tallinding, Fajikunda, and down to Tabokoto on foot.

The witness recalled that at Tabokoto he boarded a vehicle, but their vehicle was stopped by a checkpoint at Abuko. The passengers were forced to disembark and were led to a group of soldiers screening passengers. The witness told the Commission he peeled off by pretending to be a customer trying to buy slippers in the market. He escaped through the agric camp and behind the wild life conservation to Banjulinding.

At Banjulinding, he was stopped and taken to a police station where he told the police he was going to Yundum. In response they castigated him for walking around after dark considering the current situation of the country. He told the Commission that he did not reveal his identity to the officers.

He was released, and after being harangued at another checkpoint he managed to get to his brother’s home, then on to his uncle’s in Busumbala. There he communicated with his family again, who told him not to return as it was not safe yet.

The witness testified that he later learned that on 10th April, soldiers, military police, and July 22nd movement boys went to Daruhairu, where he was living at the time, to look for him and after slapping a boy around, he was forced to show them where his compound was. He said they searched everywhere and threatened his family, demanding they reveal his location. According to the witness, his family insisted they did not know where he was and for the next week, the security services visited his house every day and searched aggressively while brandishing weapons.

The witness continued that while he was with his uncle in Busumbala, he went outside to make a call and heard people saying they arrested students Alieu Khan, Baboucarr Ann and Sainabou Gaye. Soon afterwards, he saw on Gambia Radio and Television Services, GRTS that the court ruled that all students who had been arrested should be released and that students should not be arrested again. He stated that upon hearing this news, he immediately went back to Brikama.

The Lead Counsel then asked the witness if he knew what happened to those who fell around Westfield.

Alhagie Darboe replied that some students were injured and admitted to RVTH, some students died, and some were arrested and either taken to the Police Headquarters or tortured at the National Intelligence Agency, NIA.
He continued that he learned from the newspapers about the deaths of Momodou Lamin Njie, Modou Lamin Chune, Kalisco Preira, Wuyea Foday Mansareh, Karamo Barrow, Omar Barrow, Musa Sembene, Baboucarr Badjie, Sainey Nyabally, Ousman Nyabally, and an unidentified boy. The Lead Counsel added the names of Bamba Jobarteh and Reginald Carrol.

He also mentioned Assan Suwareh, Yusupha Mbye and Baboucarr Senghore, whose grave injuries were covered by the press. He continued that after Baboucarr Ann and Pa Alassan Ceesay were released, they personally told him they had been tortured by the security services.

The witness testified that when Yahya Jammeh returned from his trip to Cuba, there was talk of another demonstration. They went to the radio station to tell the students there was no planned demonstration, and as a result the ex-President invited the student leaders to Kanilai. The students agreed to accept the invitation but only if Yahya Jammeh acknowledged the 10th April incident.

The witness explained that he was joined in Kanilai by the GAMSU executive board, a group of students from GTTI and Gambia College, then NIA Director General Kebba Ceesay, the late Baba Jobe, the then chief of protocol Mr. Njie, and Yahya Jammeh.

According to the witness, the meeting was open in the usual way and introductions were made. The students decided Nakulang Ceesay should chair the meeting, which he did and asked them to introduce themselves.

Alhagie S. Darboe then stated “the President said he was not happy with me.” When he asked Yahya Jammeh for the reason, he replied that the witness had not introduced him. The witness explained that it was not his responsibility to introduce Yahya Jammeh, but nonetheless, apologised for the oversight.

Nakulang Ceesay then introduced Yahya Jammeh as an honorary member of GAMSU and at this point, the witness disclosed that GAMSU had conferred this to Yahya Jammeh back in 1999.

After the introductions, Yahya Jammeh asked them what their problem was. The witness responded that he did not want to take the lead on bringing up 10th April, so he replied that GAMSU suffered administrative constrains in terms of mobility, logistics and a place where the student’s secretariat could be housed. The witness told the Commission his response was not well received by Yahya Jammeh, who asked if they did not have any problems apart from that. The witness said he responded: “I do not think so.”

The witness said that Yahya Jammeh asked whether 10th April was an issue and the witness responded affirmatively, but added that now the problem was bigger than GAMSU and that it had become a national problem. The witness said he then led the students as they narrated the events of 10th/11th April as they had previously planned with different students telling different sections. The witness, Alhagie Camara, Alieu Khan, and Alieu Darboe started from the death of Ebrima Barry and the rape of Binta Manneh and took him up to the current moment.

Further recounting the meeting, the witness explained that after their narration, Yahya Jammeh asked why they had not requested an audience with him and the students allegedly responded that they tried to meet him, but to no avail. Yahya Jammeh told them that anytime they want to see him on any issue, they should channel it through his protocol or Baba Jobe. He allegedly continued, shaking his head saying everything happened because of communication breakdown. He went on to warn the students to stay away from the opposition, and that they “should be careful of the people who call themselves lawyers pretending to be struggling for the release of the students.” The students, he reminded them, “were released because of his wish, not the efforts of any lawyers.” He then renewed his commitment to support the students and GAMSU, and advised them to focus on their education, and “not to allow [themselves] to be used by the opposition.”

According to Alhagie Darboe, during the Commission of Inquiry, the witness was invited to the NIA with Baboucarr Ann, Alhagie Camara and Pa Alassan Ceesay. They were told that Yahya Jammeh was willing to honour his promise to give them brand new

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17 His name is sometimes reported as Claesco Pierre.
vehicles – on the condition that they removed Omar Joof as president of GAMSU and made an announcement to that effect.

After conferring among themselves, the witness continued, the students told the officials at the NIA that they would not grant their request as their request for the cars was made unconditionally and they expected it be fulfilled unconditionally. He added that Omar Joof had been elected by their congress and only their congress had the mandate to remove him.

In response, the NIA officials asked if they could convene a congress. The witness replied that they could convene an extra ordinary congress, but only after the ban on the Upper Basic Schools and Senior Secondary Schools being a part of GAMSU was lifted. The Secretary of State for education was contacted and they agreed to lift the ban.

The witness remembered that he told the officials at the NIA that if they were to organise a congress, they need to tour to the schools. The NIA approved and told them to apply for the permit from Ministry of Education. After a bureaucratic mess with the Ministry of Education they were given verbal permission “but nobody dared to put it in writing.”

Further testifying, he stated that the students were provided with a vehicle and a driver and visited schools throughout the country dispatching invitation letters for the extraordinary congress and informing the students, the Principal Education Officers, PEOs and the principals. The witness told the Commission that GAMSU were told Yahya Jammeh would pay the bill for the congress but two days beforehand he went back on his word. With the support from philanthropists, they convened the students at Gambia College, where the students renewed their trust and confidence in the leadership. The executive branch of GAMSU, including Omar Joof, maintained their positions.

Upon later questioning from the Deputy Chairman, the witness stated that they commemorated the first anniversary of 10th April in 2001. The requested permit was granted and they marched from Westfield to GTTI with a police escort. At GTTI, the witness said he gave a solemn speech in which he condemned the brutal killing, torture and injury the students faced. He expressed his total disappointment that the Commission of Inquiry was not independent and did not do a thorough investigation.

He demanded justice to be done and called for compensation for the dead and the injured students.

The witness added that he escaped the commemoration event without being arrested, but Alhagie Nyabally was arrested before he reached home.

The witness continued that when his term as Vice-President of GAMSU ended, they went to organise a new congress but it coincided with the NAYCONF in Basse. At this NAYCONF, Yahya Jammeh invited the head boys and head girls from all upper basic schools and senior secondary schools to accompany him at the opening ceremony. A parallel student association called National Patriotic Students Association, NAPSA was formed and all the upper basic and senior secondary schools would no longer be part of GAMSU. Between the emergence of the parallel student union and tensions within GAMSU, the student union disbanded.

According to Alhagie Darboe, he was seen as the organiser behind 10th/11th April, a troublemaker and aligned with the opposition. He was so keen to avoid interaction with students that he delayed his university enrolment and even when he did attend university, he did so undercover. Then one day at university, one Dr. Saja Taal told the class he could not know the type of students in the university and that his lectures were taken to State House, at which point the witness realised his cover had been blown and people knew who he was. The witness said he was advised by contacts within the security services to distance himself from student activities, which was impossible as a university student, so he dropped out and did not return to complete his programme at the university. The witness declared that he would finally go back and complete his degree at the university.
In response to a question by Commissioner Kah, the witness said he was continuously under surveillance until the day Jammeh left.

Alhagie Darboe concluded his testimony by expressing his hope that justice would be done for the victims of the 10th/11th April. He noted they could not bring their lives back but their families deserved to be compensated. He said the incident was a lesson for all Gambians. The government should take the concerns of citizens seriously, uphold citizens’ rights, and rule ethically. Peace and security cannot happen without justice. He also called for the security forces to receive further training in crowd control. As a politician, he noted it is his responsibility to nurture good governance through both words and actions.

He said reconciliation required the truth but also that those who are responsible are brought to justice. If the government is reluctant to accept the findings of the TRRC, reconciliation will be difficult and the TRRC would have been a futile exercise.

Persons Mentioned By Witness During Testimony:
None

He said reconciliation required the truth but also that those who are responsible are brought to justice.
Alhagie Nyabally recalled the case of Ebrima Barry who died at the hands of the Gambia Fire Service and mentioned that he had personally taught Ebrima Barry when he was in grade ten. The witness explained that Alieu Khan and Alhagie S. Darboe, respectively President and Vice-President of the sub-union were investigating the case and were very instrumental in trying to liaise with authorities in Brikama to find a remedy to the situation. At the same time, the witness said, Omar Joof, Baboucarr Ann and Molo Jallow were in Serrekunda and Banjul working on the case of Binta Manneh, to make sure that the police would proceed with an identification parade to identify the assailant.

Regarding Ebrima Barry’s case, the witness explained that he first heard the news of his death on 9th March. He was told that Ebrima Barry had died as a result of torture by fire service men, who forced him to carry bags of cement. The witness said that he had heard that Ebrima Barry was made to eat cement, which caused him a lot of pain and eventually led to his death. The witness explained that he got that information from Baboucarr Ann, who he believed was the secretary to the advisory board of GAMSU at the time, but he was not fully sure.

When asked whether he knew if any efforts were made by the Student Union’s leadership to liaise with the authorities with respect to the investigations, Alhagie Nyabally said that a lot were made notably by Omar Joof, Alhagie S. Darboe, Alieu Khan, Baboucarr Ann, Baboucarr Jonka, Molo Jallow and a student of the university of the Gambia called Momodou Max Jallow, who was also instrumental. He said that all of them were putting their heads together to see how things could be solved in a very responsible manner but noted that “unfortunately things fell apart”.

Alhagie Nyabally described some of the efforts that were made by the student leadership to resolve the matter. He said that meetings were convened in different places, including a “fundamental one” at the Gambia College, which gathered senior security officers. While he did not attend that meeting because he was not part of the leadership, he said

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Binta Manneh, testified at the TRRC on 20th August 2019. She was raped when she was 15 years old by an unknown man in uniform in March 2000, which was one of the reasons that sparked the student demonstrations in April 2000 and led to the shooting of the witness.
that he was told that soldiers were there, as well as Rex King, who at the time was Inspector General of Police, IGP, and whose real name was Zephaniah Beresford King. He recalled that from the GAMSU side, Omar Joof, Alhagie S. Darboe, Sainabou Gaye (the then Secretary General), Alieu Darboe (who was a co-opted member as the President of the University of the Gambia), Alasana Ceesay (the then Treasurer), Baboucarr Ann (the then Secretary to the Advisory Board) as well as Momodou Jallow were in attendance.

When asked what the outcome of the meeting had been, the witness replied that “nothing positive came out of it” regarding peace in the country. In his opinion, while Jenung Manneh who was the principal (of the Gambia College) did everything he could to correct the situation, he could not do much because of the presence of top security officials who were “in the hands of a very brutal dictator” and did not dare to oppose him (Yahya Jammeh). Alhagie Nyabally continued by saying that himself, Molo Jallow and Momodou Max Jallow, then tried to convey a meeting at the IGP’s office. The witness noted that he was not allowed to attend because the IGP considered him as “somebody who was very recalcitrant” as he was always reminding everyone of what the law said. So only Molo Jallow and Momodou Max Jallow were part of the meeting, which was also attended by Pa Amadou Jallow, who was one of the top officials at the Gambia police at the time, as well as by Landing Badjie called 13 Badjie, who according to the witness was “very vocal and instrumental when it came to professionalism”. The witness concluded that “absolutely nothing” came out of this meeting.

Alhagie Nyabally explained that the student leaders as well as the entire student fraternity felt disappointed and disgruntled by the lack of results and by the way and manner in which the authorities treated the matter.

When asked whether the student approached the Ministry of Education, the witness responded in the affirmative and reiterated that Omar Joof was very instrumental in this case together with Molo Jallow, Baboucarr Ann and Alieu Khan and noted that they were always in touch with Jenung Manneh, Principal of the Gambia College. He added that Jenung Manneh was always advising the students’ leaders but noted that he was “also put in a tight corner sometimes”. He went on to say that the IGP was also tight to corner as well as the Chief of Defence Staff and the ministries, but blamed them for not being professional because if they had been, they would not have accepted something that was not the truth.

When asked to explain what he meant by the expression “tight to the corner”, Alhagie Nyabally said that he was implying that while they were aware what the truth was, they knew that they would face negative consequences if they admitted the facts. He added: “that was The Gambia they had for 22 good years. Every top brass of the government at the time were tight to the corner. They knew for sure that what they were doing sometimes was not correct but nobody dares to challenge it. That became executive order and decision to be concluded by the President himself alone. He does whatever he wants. He was the President, he was the Minister, he was everything, he was the caretaker. So, if he employed you, you could not say no, if you say no, he sacrificed you and many of those people were breadwinners of their family.

So, they wanted to get their bread been buttered at the detriment of the citizenry, that was why I said most of them were tight to the corner”.

Regarding the negative consequence people could face, Alhagie Nyabally explained that one could be sacked, arrested, called for questioning or be in the black books of the government. In his opinion, the best thing to do was to say “yes sir” and allow the dust to settle.

The witness was then asked what the outcome of the meetings were, to which he responded that on 24th March a press conference was held in the
Father Ferral Hall in Kanifing. He said that most of the security officers were there, and remembered Ebrima Drammeh who was the Director of Terrorism and Counter Terrorism at the National Intelligent Agency, NIA, Tijan Bah an NIA official posted at the Office of the President, Ebrima Kinteh who was also from the NIA and attached to the State House, Mboob\(^2\) from the police as well as Inspector Darboe. He added that many of the students’ leaders were in attendance, representing the sub-unions, secondary schools and that overall “many people were there”.

Ahlagie Nyabally explained that the press conference addressed some of the events surrounding Ebrima Barry and Binta Manneh’s cases and the efforts made by the student leadership to resolve the problem. He added that at the time the press was very powerful and through the media, the whole world was aware of what had happened. He remembered seeing journalists from the Independent Newspaper, Foroyaa, the Daily Observer, the Point Newspaper and thought that Pa Nderry Mbaï\(^2\) was there as well. While he saw a cameraman being present, he could not say if the event had been broadcasted by the Gambia Radio Television Services, GRTS.

The witness said that during the press conference, people raised some concerns but many were careful with their choice of words because of the presence of security officers. They merely expressed their disappointment and praised the efforts of the student leadership to obtain justice.

When asked if after that press conference, there were additional negotiations, he said that he believed that on 7\(^{th}\) April, there was another meeting held at Banjul Police Headquarters. He added that he did not attend that meeting but was informed about it by Baboucarr Ann, who was his close friend and also by Alagie Camara who used to come to his house to brief him. He added that being the longest serving council member, most of them bestow their hopes in him (the witness) to guide them and advise them. He was told that nothing came out of that meeting either. Ahlagie Nyabally was further asked if the student leadership engaged other officials apart from the security personnel and the Ministry of Education. He responded that they also reached out to the Ministry of Interior, whose Minister was Ousman Badjie and as well as to the Minister of Local Government, Lamin Kaba Bajo. He added that the later played a very important role, trying to put the students in touch with the Vice-President so that they could dialogue with her as the President\(^2\) was travelling. He continued explaining that Lamin Kaba Bajo did his best and selected five student leaders to go and meet the Vice-President in Banjul but added that “unfortunately, things fell apart, it was sad”.

The witness recalled that Sainabou Gaye, then Secretary General of GAMSU was asked to submit a letter to the Police Headquarters in Banjul, but when she went on the Sunday her letter was not accepted, because the top brass was not there. As she could not deliver the letter, they wanted to issue a press release to inform the students that the planned demonstration had been cancelled. They wanted to meet the Vice-President and discuss with her but it was too late. He added that before they could inform the media, they heard about a press release by the Minister of Interior Ousman Badjie saying that should the students go on a demonstration, they would not compromise with the security of the country.

When asked to give more details about that press release, Alhagie Nyabally said that he fully remembered hearing it on GTRS on the 7 am news on Sunday 9\(^{th}\) April. He explained that he did not remember the exact content of the statement, but knew that it was saying that the government noted with great concern that they were made to understand that GAMSU wanted to organise a nationwide protest and condemned the demonstration. It also said that their door was opened for dialogue.

Counsel Singhateh clarified that she was asking about GAMSU’s press release, to which the witness responded that it was sent but GRTS never received it and added that “nobody wanted to listen to GAMSU at the time”.

When going back to the press release of the Minister of the Interior, Alhagie Nyabally was asked how its tone was perceived. He responded while the tone was acceptable the language was not respectful, saying that “they heard students want to go on a demonstration, they would not compromise it with the security of the state and then they are advising the students to desist. It was like compelling the student leaders not to act”. He stressed that the

\(^{2}\)Gorgi Mboob.

\(^{2}\)Pa Nderry Mbaï is a journalist who founded the online US-based Freedom Newspaper and Freedom Radio Gambia.

\(^{2}\)Isatou Njie-Saidy.
student leaders had tried many times to engage with the authorities but their doors were closed and added that once things felt apart, they wanted to control the students. He explained that the student leadership felt very annoyed and disappointed by the statement. He further wondered “how could they compel them to stop what they planned, it was too late. And they could not have informed all the students countrywide”. He said that the information about the demonstration had spread like a rumour and added “things went like that. Things went out of hand”.

Speaking about the morning of 10th April, Alhagie Nyabally stated that it was darkest day in the Gambian history.

He explained that Omar Joof went to the Gambia Technical Training Institute, GTTI very early in the morning with some other student leaders, to inform the students that the demonstration had been cancelled and try to control them to make sure everything went well. However, at around 7:30 am the Police Intervention Unit, PIU, came around with shot guns, the witness believed that they are called AK47. He remembered that there was a particular commander who was talking with some of the student leaders like Omar Joof and Alhagie S. Darboe. When asked, Alhagie Nyabally confirmed that Lamin Kaba Bajo briefly came by, and tried to liaise between the executive of GAMSU and the Vice-President, saying that she finally agreed to talk to them.

The witness also remembered that Baboucarr Jatta, the then Chief of Defence Staff, CDS was present as well as Minister of Interior, Ousman Badjie but they arrived after Lamin Kaba Bajo. He explained that when Baboucarr Jatta moved towards Jimpex area, “that was where the whole thing started” and stated that the PIU started misbehaving, insulting in the local language.

When asked at what time Lamin Kaba Bajo met up with the student leaders, Alhagie Nyabally said that it should have been around 7 am and confirmed that he was present when Lamin Kaba Bajo arrived. He explained that in addition to the GAMSU executive members, there were also some students present because they were about to attend classes at GTTI. After a short while, the witness left with his bicycle toward Iceman or Ice institute to meet with Molo Jallow.

Focusing on the role of Baboucarr Jatta, the witness recalled seeing him walking towards the students who then surrounded him and the crowd started moving towards the Jimpex area. Ousman Badjie, he said, was more like a spectator who came to see what was happening or he came to mediate and see how best they could remedy the situation. According to the witness, he did not play any positive role, because as the Minister of Interior he should have received the students when they had knocked on his door before things felt apart. In his opinion, Ousman Badjie should have been the first person to speak to the students and should have addressed things professionally, which he did not. So, Ousman Badjie’s presence at the GTTI was like salt on an injury and was perceived by the student union as a provocation.

When asked about the presence of the PIU, the witness said that they were the first security personnel on the ground and added that he believed that they came from the PIU station in Kanifing. He recalled that initially, they just went one side and stood and then it was like they were preparing for some materials, which they later believed to be gas or so. Alhagie S. Darboe said that as they were preparing those things, he went towards one of them and explained that the students considered their presence as a confrontation and if they would leave that would allow for the discussions to continue and this would maybe make it possible for some student leaders to go to Banjul to meet with the Vice-President.

Alhagie Nyabally noted that the PIU did not react to Alhagie S. Darboe’s suggestion and instead provoked the situation. At one point one of the commanding officer made a phone call and then the PIU officers walked towards the students and in turn the students moved towards the GTTI barbwire fence. He added...
that at the time that was one neem tree at the entrance and that students gathered under that tree leaving the highway. As the PIU moved closer, some of the students went into the GTTI premises and picked stones. The witness said that he believed that Alhagie S. Darboe was the first to be beaten on his cheeks and that he was butt struked. The witness noted that when things got out of hand, some students took stones and threw them at the security personnel because they were beating the students with black pipe. He concluded “things went out of hand that way”.

The witness explained that when the confrontation started, Baboucarr Jatta had left towards Jimpex. He added that the GAMSU executives who had been in meeting with the authorities such as Omar Joof, Alagie S. Darboe, Alieu Darboe, Baboucarr Janha, Baboucarr Ann had been arrested by then. He explained that therefore he was not arrested. He compared the students left without their leaders with “animals in the bush” and said that there was no-one left to control and talk to them. So, everybody was doing what they wanted. In fact, the witness said he later understood that when Baboucarr Jatta trekked with the students towards PIU office, it was to seek for the release of some of the students who has been arrested.

When asked whether he knew which security officers had arrested the student leaders, Alhagie Nyabally responded that he could not identify them personally but knew that they were PIU officials. He explained that they were detained in different places but that most of them were taken to Banjul by pickup.

Describing what happened after the student leaders were arrested, he compared the situation to a war field, where the commanders are no more to be seen and therefore the juniors kill each other. He added that without leaders, the students could not know what to do and therefore wanted to “free themselves” and tried to go home but security officers confronted the students at different angles, coming from different directions including from Westfield, Iceman, GTTI, Sankung Sillah area. In fact, they were chasing the students, who did not know what to do. He explained that they were not used to the sound of guns and when they heard some noise, they went back to see what happened only to discover that “somebody died, somebody was shot”. They saw people being shot and lying on the ground. He said that others went to the Kanifing area and attacked the GAMTEL building as well as the GAMTEL office at Westfield. He later added that those who attacked GAMTEL were not only students and that some “Rastafari” joined in, but he did not know their motives. He mentioned that soldiers also came from Fajara Barracks and that’s when tear gases were used causing thick smoke.

The witness said that the PIU officers were carrying AK47 and bullet proof outfits. When asked how he knew that the guns were AK47, he explained that he had joined the army briefly and could therefore recognize the different types of guns.

When asked if the firing started before or after the student leaders were arrested, Alhagie Nyabally said that when the live fire was used the leaders were not there anymore. He stated that he personally helped two victims: Lamin A. Bojang (a student from Nusrat High School) and Omar Barrow (Red Cross volunteer). He said he also tried to help another Red Cross worker, Musa Colley, but he did not survive. The witness estimated the time when the tear gas was first used to disperse the students at around 7-7:30 am. He explained that the tear gas made the students run helter-skelter because the smoke and the scent, which were bad. The witness said that they started running from the security officers and it was that time students started converging, and many were coming from the different schools, converging at Westfield and Jimpex. According to the witness, this is how things got out of hand, “so to make the students disperse the only option was to use life bullets because tear gas could not stop the students”. He remembered that the first shot was fired around the Iceman area and reckoned that PIU must have been the ones shooting as they were the ones present in that area. He explained that he knew the difference between live and blank ammunition.

The witness was then asked where Lamin A. Bojang got shot but failed to respond to the question. He
before they reached the place, students had already gone out, so they could not stop them. He explained that he continued to the mosque in Pipeline and came down to the American Embassy, from where he took the road towards Latrikunda Yiringanya.

When asked whether he saw any other injured student that day in addition to Lamin A. Bojang and Omar Barrow, Alhagie Nyabally responded that he heard some people shouting “they shot me, they shot me” but that he could not stop because a lot of gunshots were made and he had to run away. He also remembered seeing some students lying around on the ground but he did not go and see what had happened to them.

Responding to the question whether Lamin A. Bojang and Omar Barrow survived, the witness explained that both of them died: Lamin A. Bojang died instantly and Omar Barrow later. He said that most of the people who died were students. He said they later inquired together with a journalist from Foroyaa newspaper called Pateh Jallow and went to the hospital and found out that some students were at the mortuary (he did not go there himself). He said he remembered one Lamin F. Touray whose leg was amputated and said that he saw Yusupha Mbye at the hospital but he did not talk to him. He said he in fact realised later that it was Yusupha Mbye who he had seen, when they made a courtesy call at his house, when he (the witness) became the President of GAMSU in 2002.

When asked to briefly tell the Commission what happened to him after the incident, Alhagie Nyabally said that it was very sad because he was sacked from his teaching profession, his salary was stopped and his scholarship at the university was terminated. He added that the government also seized his compound and when he later applied to be allocated a plot of land in Jabang, he was told that there was an executive order not to give him that land. In short, he lost all his socio-politics and economic rights in the country. He had no employment until 2005, when he was offered a job at Gamstar Insurance Company instead explained that the shooting was not done in the air but that they were targeting people and as a result of which many students died and others sustained serious injuries.

Regarding the type of security personnel present, Alhagie Nyabally mentioned that officials from the PIU Kanifing were there as well as soldiers and individuals from the July 22nd youth movement. He was asked to explain what the movement was, the witness said well it would be difficult to say but he assumed that they were there to protect President Yahya Jammeh’s interests. That was how he saw it. He mentioned that he recognised a man called Buba Senghore, who was not wearing a uniform but had an AK47 and added that he was certain that he was not a soldier as he knew that he was working at Kanifing Municipal Council, KMC, at the time. He also remembered one Alieu Jarju being present and described him as a short guy, black in complexion, who was between 40 and 50 years old at the time. He was also carrying an AK47 even if he was no soldier either but a member of the July 22nd movement. He noted that he had met him twice before that, once in Kanilai and another time in Kanifing with Baba Jobe. He said that he did not see them aim at anyone but only standing there with their weapons.

When asked what he did afterwards, the witness explained that as the situation was very tense, he left the area and went towards Serrekunda Police Station. On the way, he met a KMC commander called Dembo Sanneh who told him to follow him and got to Westfield again. There the situation was very tense too he said, shots were being fired, tear gases were used, smoke was everywhere and tires were burning in the streets. He therefore could not continue towards the KMC area and entered a hospital – he believed it was called the Doctor Peters hospital - at Westfield.

After a while he came out and went to the Latrikunda school where he met Molo Jallow, who suggested that they go to the Iceman area, where their former school was to see if the students were out. He said there they told the principal not to open the gate. The witness said that they then rushed to the Banjul Secondary Technical School, BSTS area to tell the principal the same thing, but before they reached the place, students had already gone out, so they could not stop them. He explained that he continued to the mosque in Pipeline and came down to the American Embassy, from where he took the road towards Latrikunda Yiringanya.

When asked whether he saw any other injured student that day in addition to Lamin A. Bojang and Omar Barrow, Alhagie Nyabally responded that he heard some people shouting “they shot me, they shot me” but that he could not stop because a lot of gunshots were made and he had to run away. He also remembered seeing some students lying around on the ground but he did not go and see what had happened to them.

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He started by praising the work of the TRRC qualifying it as “one of the most credible and noble commissions ever in the history of the world”. He stated that its work is not a witch-hunt and that it will serve to restore moral order and respect for the rule of law for a better Gambia. He called on the President of The Gambia, stating that good governance is accompanied by responsibility and highlighting that “the country does not belong to the executive, it belongs to the Gambians”. He said that at the time people thought Yahya Jammeh was a small God who could appear and disappear just like that. He admitted that when he was still in Gambia, every time he turned the lights on in his house, he expected to see Yahya Jammeh in his house as he was completely afraid of him.

He stated that dictators are made by the people who surround them and make them wicked.

He recalled that that the salaries and utilities used by the security forces come from the taxpayers and that the different services should stick to their mandates – meaning that neither soldiers nor the NIA are supposed to arrest people, which is only the prerogative of the police. He said that while the army was supposed to protect the citizens, under Jammeh’s regime it used its arms against the people in an “unpalatable, unjust, undemocratic, irreligious” way.

He appealed to the Gambians to exercise maximum restraint and patience stating that today most people are blaming the perpetrators. He questioned what those who are blaming them would have done in their position.

Alhagie Nyabally also asked Gambians and international donors to help this TRRC “to make sure the TRRC does work correctly”. He said that the TRRC’s recommendations “will be like the gospel truth with our Quran, with our Bible, we trust it and we will take it to be the truth”. He warned that the
recommendation should not be treated like those of the Janneh Commission\textsuperscript{25}, saying that “\textit{millions of millions of taxpayers’ monies}” were invested for the work of that Commission but that in the end, the State put its report “under the carpet”.

He went on to say that while Gambia has ratified several international human rights conventions, it should be careful not to fall in the hands of another dictator. He advised that when the necessity arises, the State should engage in dialogue. According to him, when people come to power they are acting in an egocentric way and are only interested in feeding their own family. He added that poor people are always suffering “\textit{we are born poor, educated poor, we grow poor, we are dying poor}” while those who are at the helm of the administration are abusing their offices and the resources given to them.

Alhagie Nyabally stated that he would prefer coming back to The Gambia instead of being in Europe, to be with his family and his loved ones, and to contribute to national development but he wondered how he could do that when the current government was not being responsible. He said that “\textit{we sacrificed our lives, we sacrificed jobs, our studies to make what Gambian is today. We were arrested several times, we were tortured, we were beaten, we were beaten with guns, pistols. We were chased, our families were deprived, our friends are banned from working in the government because of their rapport with us. Our compounds were seized, our assets were frozen}” and concluded that despite all of this

\textit{“we have no fundamental rights in The Gambia”}.

He ended his concluding remarks by advising the media to be very responsible, highlighting that its role is crucial for the nation. He added that Gambian used social media to make allegations against people and were wasting their time fabricating stories against each other. He called again on President Barrow to reflect on the current issues and on “\textit{where he was yesterday and where he is today}”. The Lead Counsel interrupted the witness and said that because of time constraints, he could send his remaining remarks in writing.

\textsuperscript{25}The Commission of Inquiry into the Financial Activities of Public Bodies, Enterprises and Offices, known as the “Janneh Commission”. The Commission released a series of recommendations in September 2019, but the Government of The Gambia only accepted to implement some of them.
A march organised in commemoration of the victims of the 10th/11th April 2000 Student Protests.
WITNESS NAME: Omar JOOF  
TRRC HEARING DATE (S): 24th September 2019  
EVENT (S) DISCUSSED: The structure of the Gambia Students’ Union; the investigation of the rape of Binta Mannneh; the negotiations with government officials prior to 10th/11th April 2000 Student Protests; the 10th/11th April 2000 Student Protests; kidnapping attempts of the witness in Dakar and the witness’ own victimisation  
POSITION BEFORE THE EVENT (S): President of GAMSU  
ROLE DURING EVENT (S): Tried to negotiate with security officials to avoid excessive use of force  
POSITION AT TIME OF TESTIMONY: Not mentioned  
SUMMARY OF TESTIMONY:  
[The witness testified via skype and the connection was very bad making it difficult to understand everything the witness was saying. Part of the testimony is also missing due to technical difficulties.]  
Omar Joof told the Commission that he became the President of Gambia College Students’ main union as well as Vice-President of Gambia Students’ Union, GAMSU. He explained that GAMSU was not functional at this point in time and that he worked to improve it work. Omar Joof was then asked to explain what GAMSU’s mandate was. He responded that since colonial days, it was mandated to overlook the welfare and the interests of Gambian students at the national level. It was composed of two organs: the General Executive and the Central Executive. Besides those two organs, it also had a social committee, which main task was to fundraise and an advisory committee, which is called upon in conflict scenarios because an advisory committee’s membership expanded beyond the student population. GAMSU also organised celebrations such as on 7th November every year, which is the International Students’ Day as well as symposia and debates on student issues. He said GAMSU also produced a biannual magazine to reach out to students and publicize matters of interest to Gambian students.

The Deputy Lead Counsel said that she wanted to focus on the Central Executive, which is the highest organ of GAMSU. Omar Joof explained that its membership was elected at congress and it was made of a president, a vice-president, secretary general, an assistant secretary general, a treasurer, an assistant treasurer, an information secretary, a public relations officer and an external relations officer. He added that in the year 2000, they also had members who were not elected by congress but by the sub-unions, that is the President of Gambia Technical Training Institute, GTTI, student union, the President of Gambia College’s Students main union and the President of Management Development Institute (MDI) student union. So in total the Central Executive consisted of 15 members.

Asking who was holding these positions in 2000, Omar Joof said that he was the President, Alhagie S. Darboe was Vice-President, Sainabou Jaye was Secretary General, Daniel Davis was assistant Secretary General, and Alasan Ceesay was Treasurer (he could not remember the name of the assistant Treasurer), Sanusie Drammeh was the Auditor, Alagie Camara was the Information Secretary, Ousman Bah was the Public Relations Officer and Babucarr Jonga was the External Relations Officer. The Chairman of the advisory committee was Babucarr Ann (now deceased) and his assistant was Mamut Njie.

Responding to the question regarding how GAMSU was disseminating information in addition to the biannual magazine, he explained that information
was shared when they had meetings and related to the regional organisers, who were very active. He said that by that time, there was a cell phone for the President and they had started using that modern technology to make calls and spread information as quickly as possible. He added that information was also shared in writing and that students were very good at spreading information by word of mouth. The witness explained that most of the time, the Information Secretary had the primary task of disseminating information but that the regions were under the portfolio of the Vice-President so, if they had anything that had to go to the regions, both the Vice-President and the Information Secretary had to be involved.

Regarding GAMSU’s relation with the media, Omar Joof said that it was good, especially with the FM radios. They were regularly invited to programs in the FM radio stations and whenever they sought the opportunity to be on their programs, they had always responded positively. He also remembered that the Vice-President went on TV with a delegation to disseminate information about GAMSU’s Trust Fund and other matters. He concluded that GAMSU had access to radio, television and the print media.

Omar Joof was then asked to present his perspective on the relation between GAMSU and state authorities and how that relationship evolved from 1993 to 2000. He said that during the Jawara regime, the politicians hardly ever interfered in anything GAMSU did. He said he could remember all the way back to his high school days when they organised student demonstrations, those were mostly peaceful and faced almost no interference. He highlighted that surprisingly, the problem mainly came from technocrats at the Ministry of Education, who tried to impose their own agendas on the student movement and to control the student union. This situation changed when Yahya Jammeh’s military regime put in place the July 22nd Youth Movement. Omar Joof described how students were encouraged to join that movement and to get involved in the Alliance for Patriotic Reorientation and Construction, APRC. The student leaders at the time, had tried to convince students about the advantages of staying non-partisan.

The witness said he remembered in 1996, students of the Gambia College were encouraged to join the July 22nd Youth Movement, but they refused to do so. He added that, by the time he became President of GAMSU (in 1999), the student union had a “full grown relationship with the APRC and the President Yahya Jammeh particularly through the July 22nd Youth Movement”, which was led by late Baba Jobe.

Ask to explain what he meant by that, Omar Joof said that the relationship was “too close” and mentioned that students had been complaining about the proximity.

He said the students still wanted the union to be non-partisan and did not want GAMSU to be that closely associated with the regime. He recalled that when the new leadership was elected at GAMSU, they instituted what they called a system of quarantine. They decided that no student in The Gambia should go to Kanilai without authorisation from them and nobody was to make contacts with the President Yahya Jammeh, Baba Jobe or the July 22nd Youth Movement. This he said especially targeted his predecessor Fa Kuru Sillah, Fatou Faye, who later became Minister of Information as well as another lady, who they thought was also trying to use GAMSU for other reasons. At one point some students went to Kanilai without their knowledge and they wrote strict warning letters to all of them.

Omar Joof stated that the new leadership of GAMSU had inherited a very good relationship, which they tried to maintain. They also tried to improve contacts with the Ministry of Education and started having monthly meetings with the Minister of Education and her team. He explained that while they were trying to scale down their contacts with the political class, they were simultaneously developing contacts with the technocrats because they felt that with those people, their non-partisan status would never be tampered with.

Focusing on the events of March and April 2000 that sparked the student demonstrations, Omar Joof said that during the weekend of 11th/12th March, as he came home from a tour in the provinces, he found a note from a co-opted member of the central executive,
Omar Joof said that the group then decided to go to Bakau Police Station, which had jurisdiction over the case. There they found Binta Manneh, accompanied by Ebrima Bah and Mariama Camara who were her sport teachers as well as by Merican Mendy who was the Principal of her school. The witness explained that the reason of their visit to the police station was twofold: first they wanted to open a case file but also asked that an identification parade be held, so that the girl could identify the rapist. They were however told that the person who was supposed to prepare the case file was not there, and were told to come back the next day. Omar Joof remembered that the Station Officer was called Fofana and that he (the witness) had emphasized the importance of handling this case as quickly as possible because it was traumatising for the girl.

After the visit at the police station, the witness invited Mariama Camara the sport teacher and Binta Manneh to stay in his compound in Bakoteh, because they had no other place to stay. He added that when they arrived at the compound, his mother who had experience in advising newly married couples about the physical aspect of marriage, realised immediately that Binta Manneh was in pain. He added that in fact, that everyone could tell clearly that she was in pain, just by observing her.

Omar Joof explained that on Monday 13th March, they went to the Ministry of Education to discuss what had happened. The then Chief Education Officer, Doctor Muhammed Jah (the witness was not quite sure that it was his correct first name) and the then Assistant Director of Education Hassan Joof27 told him that they were already aware of the rape incident and told the witness that she had been hospitalised at the Royal Victoria Teaching Hospital, RVTH and decided to go to visit Binta Manneh. The Deputy Lead Counsel asked the witness if the officials of the Ministry of Education had mentioned any steps they had taken in order to address the situation. He responded that they did not and added that unfortunately the Ministry was very passive and that the student body was the one initiating activities and actions all the time for instance, he was the one who told them that they should go to the hospital to check on Binta Manneh.

The witness explained that he went with two officials from the Ministry of Education to the hospital, one being Hassan Joof (he could not remember who the second person was) but when they arrived at the RVTH, they were told that the girl had been discharged. The senior nurse read them Binta Manneh’s file, giving them information on what had happened to her physically, which confirmed that she had been raped. When asked if he recalled what the medical file said, the witness said that it mentioned that the girl had been penetrated and that there were cuts and bruises on her genitals.

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The witness said that the next day, he, Binta Manneh, the two sports teachers and the Principal returned to the Bakau Police Station and met with Station Officer Fofana, who told them that he had already asked for the case file to be prepared. As they were in his office, the witness said, something very shocking happened. Mr. Fofana made a call to inform someone that the case file was ready, and because the witness was sitting beside him, he could hear what the man on the line told him.

The witness recalled that the man on the phone told Mr. Fofana “categorically and very clearly (...) to take it easy with this case”.

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26At the time Ann Therese Ndong Jatta.
27The witness sometimes referred to that person as Hassan Joof and sometimes as Jobe.
The witness explained that he kept the Ministry of Education abreast of the issues as events were unfolding. At the Ministry, he would always meet the Deputy Director of Education (transmission was cut and name was not audible) who was the Chief Education Officer at the time, Doctor Jah and Mr. Hassan Joof. He was asked what was the reaction of the officials at the Ministry of Education to his update.

The witness said that while they did not like what was happening and were even praising the student leadership for following-up daily on the case, they themselves were not doing anything.

The Deputy Lead Counsel thanked him for the information he provided about Binta Manneh. She said that since she was very young at the time of the incident, it was very helpful to have other people provided information on the case.

Regarding the identification parade, the witness recalled that it took place around the 20th at the Police Headquarters in Banjul. Binta Manneh, accompanied by one of her parents, had to come back all the way from the provinces. In the presence of the witness and one representative of the Ministry of Education, she was asked to go around several police officers, but could not identify the person who raped her.

The witness explained that he was then asked by the press what his reaction was and said he told them that an identification parade was not the only means for the police to investigate that case and urged the police to continue the investigations. At that point, the Deputy Lead Counsel asked if the press was present during the identification parade, and the witness responded that they were, because it was “a public thing”.

Regarding Ebrima Barry, the negotiations with the authorities and the meeting he held with them, the
witness said that Roja Bakuring (the head of the Fire Service) stood in front them, put his hand across his chest as if trying to bully them with his muscles. The witness said he literally had to get up from where he was sitting. He moved very close to him, an arm’s length to him and started to massage his ego. He said he told him, “You are one of the most important officers in this country. We are students, we are young people. So, you should not behave like this towards us. You should do better examples to us.” He added that he could see his body changing, his face muscles relaxing and eventually smiling. The witness said that Roja Bakuring told them that there was a plan to relocated the fire officers from Brikama to another place and that they would do their best to ensure that justice is done.

Omar Joof said they had five demands and remembered that he continued the negotiations. He added that their strategy was that if fifty percent of their demands were met, then they would go on with the negotiations to continue but when he asked Roja Bakuring if he was ready to sign the letter of agreement, he refused. The witness highlighted that this was very frustrating for them (the student leaders) and explained that he tried his best to convince him, that they all tried to convince him to change his mind.

The witness added that although 13 Badjie was present there, he did not say anything. This was just between himself and his two colleagues and Roja Bakuring. He said they if they had had a breakthrough at that point, there would not have been any demonstrations and the negotiations could have continued. He said Roja Bankuring flatly refused to commit himself to an agreement with them. When asked, the witness said that Commissioner Tamsir Jasseh was not present that day.

The witness explained that at that time students were starting to become impatient but that the GAMSU leadership still had matters under control. He referred to a press conference they had held and when asked to give more details about it, he said that after Ebrima Barry’s death, they had held a press conference at the Kanifing Estate Youth Centre informing the population about what was happening and about their efforts to get justice, including the fact that they had sent a letter of demands to the authorities and that the deadline to meet these demands was 7th April.

The Deputy Lead Counsel asked him if up until the 7th of April, there had been any discussions concerning a potential demonstration. The witness answered that according to him these were only rumours because at that point the GAMSU leadership had not envisaged a demonstration as they were still committed to resolving the issues through negotiations. The Deputy Lead Counsel informed the witness that the Commission had received evidence that a demonstration was being planned and asked the witness when, according to his perspective the possibility of holding a protest was discussed for the first time. Omar Joof responded that it was on 9th April, the day before they went out.

When asked to explain how that was decided, the witness said that it was during a meeting of the Central Executive Committee, which happened before the 7th. During that meeting, while they had not decided if they would organise a protest, the Secretary General was instructed to get a permit at the police so that they could potentially hold a demonstration.

Omar Joof said that when they went out on the 9th April, the students were well prepared. They had sent a letter of agreement to Roja Bakuring with the deadline set for the 7th April. They had also prepared a placard which they would use to attract the attention of the authorities and the public. He said that Roja Bakuring had tried to discourage them from going out but when they went to his office, he refused to sign the letter of agreement.

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When asked to explain how that was decided, the witness said that it was during a meeting of the Central Executive Committee, which happened before the 7th. During that meeting, while they had not decided if they would organise a protest, the Secretary General was instructed to get a permit at the police so that they could potentially hold a demonstration.

The Deputy Lead Counsel enquired which date they had indicated on the request for a permit since they had not yet decided to actually hold the demonstration. The witness said he did not remember but acknowledged that rumours about a demonstration were circulating. Omar Joof then asked if he could digress a little bit and explained that the July 22nd Youth Movement called him for a meeting, as it had been a usual practice before when they need to discuss things with him. He said he remembered exactly that they met on 7th April at night and that the representative of the July 22nd Youth Movement told him that they understood there was going to be a demonstration, to which he responded that there was no definitive plan in that regard. When asked, he confirmed that his testimony was that up until the 9th, no decision had been made to actually stage a demonstration. The Deputy Lead Counsel noted however that prior to the 7th, the possibility of
Omar Joof explained that they did not share that plan with the students because the surprise factor was part of their strategy and if their intention to hold a demonstration had been known beforehand, the student leaders could have been arrested. He said that their agenda was to go out on the street in the morning and tell the students arriving by bus that the day had come for a demonstration. Asked again about the rumours and the fact that the witness had said that no decision had been made regarding a possible demonstration before the 9th, the witness said that it was because of the rumours that the student leaders decided to hold the protest immediately, as they were fearing that they could be arrested if they waited for a few more days.

The Deputy Lead Counsel told the witness that the Commission had received testimony that this information of a demonstration itself had been broadcasted to the students to which he responded that this was not the case, that it would not have been strategic.

Asked to describe what happened on 10th April itself, Omar Joof said that he and the Secretary General of GAMSU Sainabou Jaye went to GTTI very early in the morning at around 5 am. Gradually the other members of the Central Executive Committee as well as other student leaders arrived in order to be there when the first buses from the Kombos would get it, adding that this was normally by 6:30 am. When the students came out of the buses, they informed the students about the plan. He added that not all the students were convinced and therefore some continued their way to Banjul.

The witness was asked if therefore the decision had been to hold the actual demonstration only following the outcome of the meeting with the Vice-President. The witness confirmed that it was the plan and that the stationing of the students at GTTI was to give them back up so that when they came from the Vice-President’s office, they could inform the students of what had been discussed and ensure that this would be rapidly disseminated amongst the student population. The Deputy Lead Counsel asked how this plan was communicated to the students, including the fact that they had not succeeded to obtain a permit.

Continuing his testimony, Omar Joof said that the next meeting of the Central Executive Committee was on 9th April and that this was when it was decided to hold a demonstration, because they did not see any actions from the side of the Inspector General of Police, IGP. During that meeting, it was also mentioned that the Secretary General, Sainabou Jaye, had not been able to obtain a permit, but the witness did not remember if an explanation had been given as to why. When asked, he said the first time Sainabou Jaye had told him about not having obtained a permit was when she came to his house and noted that unfortunately, she could not attend the meeting on the 9th, which is why they could not get more information from her. The Deputy Counsel told the witness that they had received evidence suggesting that she was present at the 9th April meeting, but he was adamant that she was not.

The witness explained that during this meeting, one of their members Alieu Khan of the Brikama sub union explained that contact had been made with Lamin Kaba Bajo30 for him to facilitate a meeting with the Vice-President of the Republic then, Isatou Njie-Saidy on the Monday 10th. He said that they therefore opted for what they called a limited peaceful demonstration, which meant organising the students outside the Gambia Technical Training Institute, GTTI, then taking them on to GTTI premises while some members of the Central Executive Committee would go to Banjul to meet with the Vice-President.

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while he (the witness) was to head the demonstrations. So, when the commanding officer of the PIU, a certain Momodou Ceesay, arrived and went straight to him the witness, he told him that he should talk to Alhagie S. Darboe instead, which Ceesay refuse to do.

The Deputy Lead Counsel then tried to find out how the witness knew that Momodou Ceesay was the commanding officer and asked the witness to describe what the difference was between his uniform and the uniforms of the other PIU men. The witness responded that his was light green and theirs was black.

The witness said that they were having black helmets and that they were carrying shields and sticks, and added that he believed that they also had guns, possibly rifles.

He explained that he did not know much about guns so he could not tell what kind of guns they were, but said that he later saw Momodou Ceesay with a pistol.

The witness explained that having refused to talk to Alhagie S. Darboe, Momodou Ceesay went back to his men and returned shortly afterwards, asking them to disperse. The witness confirmed that the PIU men were standing there and they did not do anything up to that point but as they refused to disperse, they arrested him, Alhagie S. Darboe the Vice-President, the Information Secretary and other members of the student leadership around them and started beating the students with their truncheons. The witness reckoned that this must have happened around 8 am or even before that time. When asked if there were any other senior officers present at the scene in addition to Momodou Ceesay, the witness responded that only the PIU was present with around 25 men.

When asked to give more details about the beatings, Omar Joof stated that Alhagie S. Darboe was beaten and injured while he was arrested, and that he was bleeding. He said that apart from him, he could not remember having seen anyone else being injured. The Deputy Lead Counsel referred to his statement that the PIU men were beating the students and was asked how the students reacted while that was going on. He said the students were running backwards and picking stones and throwing them at the PIU, adding that the students were many in number.

Talking about his arrest, Omar Joof testified that they were taken to the headquarters of the PIU, kept there and beaten continuously.

When asked about the names of those doing the beatings, he responded that he did not know their names and noted that they were mainly junior officers. The witness said they were using truncheons as well as the butts of their guns to hit them and that they were also kicking them. He said that a group of girls were also detained in the same room they were held. The PIU men made them sit down and then walked on their legs. He said that the PIU men insulted all of them while torturing them.

He recalled that the PIU officer searched them and found a hard a copy of the letter of demands in his pockets, which they took. When asked, the witness said that he did not see any senior official present at the PIU Headquarters while the beatings were going on. He explained that the beating went on continuously for more than one hour and only stopped when the then Minister of Interior Ousman Badjie arrived. When asked if he sustained injuries from the beating, he explained that he did not because he protected himself with his arms. Omar Joof explained that Ousman Badjie asked for them to be released and surprisingly to the witness, said that they should go and meet the Vice-President. However, there was not enough room in Ousman Badjie's vehicle for all of them. Omar Joof said he wanted Alhagie S. Darboe to go but because of his condition, he went in his place while he (the witness) walked to the gates of the PIU. He explained that since there was not enough space in the vehicle, Ousman Badjie was trying to get another one and that's why they walked towards the gates.
The Deputy Lead Counsel enquired whether Ousman Badjie had witnessed the beatings, to which the witness responded that he might have because he just appeared there in front of them. He confirmed that after he arrived the beating stopped.

The witness continued his testimony saying that when he and Ousman Badjie got to the gate, they realised that there was pandemonium outside. He said that it was actually at that point that he saw Momodou Ceesay again with a pistol firing in the air and that students were running all over the place with PIU officers chasing them. He added that PIU officers were also throwing stones at the students.

The Deputy Lead Counsel asked the witness what he meant when he said that he saw Momodou Ceesay firing a pistol again. The witness rectified his statement and said that in fact this was the first time that he heard live ammunition being discharged on 10th April. He explained that prior to that he had only heard and seen teargas being fired.

Omar Joof confirmed that he saw Momodou Ceesay shooting in the air and not directed at anyone. He added that Ousman Badjie told him to stop and he did. The Deputy Lead Counsel asked the witness to clarify that point because the testimony that the Commission had received was that Ousman Badjie did not ask Momodou Ceesay to stop shooting in the air. The witness responded that in fact he remembered that he was the one who told Ousman Badjie to order Momodou Ceesay to stop shooting in the air, and when Ousman Badjie did, Momodou Ceesay complied.

The witness described the scene, saying that the students were running all over the place, that they were not running away but in fact running backwards to find stones to throw at the PIU officers and that some of the PIU officers were also throwing stones. When asked about the timing, Omar Joof estimated that it would have been between 9 and 10 am and confirmed that there was no other senior official present apart from Ousman Badjie and Momodou Ceesay.

At this point, the witness said that he told Ousman Badjie that he was not going to Banjul as he could not leave the students in that situation and that he needed to make sure that they were okay. Other student leaders joined him and they started trying to organise the students so that they could get them backwards, move away from the PIU office and convince them to go home and what they actually did was stand between the students and the security officers and started moving the students towards Westfield junction. He said once they reached the junction, they addressed them and told them to go home so that they could go to Banjul and continue with the negotiations. He noted that all along, the PIU officers were following them.

When they got to Westfield junction, Baboucarr Jatta, the Army Chief of Staff arrived at the scene and came straight to him and asked him, “Omar what do you think we should do?”, to which he responded that they should withdraw the paramilitary officers. He said that when this was done, the students calmed down and they were finally able to address them. He added that from that point, some of the students started going home.

Omar Joof said that while they were standing there at Westfield, they saw a truckload of soldiers coming from Bakau and going to the PIU Headquarters. At the same time, he said he also heard that some students from Kotu and Bakoteh were coming towards the bridge. They discussed and decided that the President of the University Students’ Union Alieu Darboe should go with Baboucarr Jatta in his vehicle to meet those students so that he could speak with them and tell them not to come into Serrekunda and that they had everything under control. After their departure, he was told that students who had been at the GTTI were now moving towards the PIU Headquarters, not knowing that they had been released. So, it was decided that the remaining student leaders should go with Sankung Badjie, the then Deputy Inspector General of Police, Deputy IGP and drive towards the students and do what they had been doing the whole day, meaning stand between the students and the officers to prevent a conflict. He said that his happened around 12 pm.

Omar Joof explained that when they reached the GTTI area, the students did not recognise them as they were in the Deputy IGP’s vehicle and started
threwing stones at it. The witness described that they then diverted after the Kanifing Municipal Council fence and once they arrived at the compound, they got off the vehicle and started moving towards the entrance. He repeated that their plan was to go and stand between the students and the officers but said that while they were moving towards the gate, that were shot and Sankung Badjie said to them that it was live ammunition and left. The witness said that the firing continued for some time and while they were there, some armed PIU officers came and forced them to leave the premises at gunpoint, which they did.

Realising that the situation was out of control, the witness said that they decided to make contact with the other members of the student leadership and regrouped at Jeshwang, around Farokono end. When asked if at that point if he was aware of any persons or any students who were either injured or killed as a result of live ammunition, he responded that he was not.

He said that once they regrouped, they decided that they should spend the rest of that day in hiding while continuing to monitor the situation, in sending out scouts. He added that in the evening, they decided to disperse but agreed that none of them should go home. He, for instance stayed with a friend in Serrekunda.

He explained that during the day they had heard about the death of the Journalist Red Cross volunteer Omar Barrow and of several students.

He stated that some friends who had gone by his house told him that throughout the night, some people who were not in regular uniform had come there to look for him so in the morning of 11th April at around 7 am he left for Senegal, where he remained for a little over two years before he proceeded to Canada.

When asked if while he was in Senegal, he had been aware that a Commission of Inquiry had been established, he responded that he knew about it and even offered to testify remotely, because it was not safe for him to go back. He added but his offer was not accepted.

Responding to a question about his security, Omar Joof said that two incidents happened while he was in Senegal. The first one happened at the office of a Senegalese human rights organisation called RADDHO31, which was also his home because it had 24/7 security. He said that a man called Ousman Sowe, who was a former colleague of his came and claimed that he was in Dakar to seek spiritual assistance from a marabout. The witness said that the story did not convince him because Senegalese normally would go to The Gambia to seek spiritual assistance from marabouts and that it was not plausible that a Gambian would come to Senegal for that. When asked which Ousman Sowe he was referring to, the witness said that the person presently is the Director of the National Security Services, NSS of The Gambia, which is the new name for National Intelligence Agency, NIA. He explained that because he had been suspicious, he called a friend and without explaining why he was asking, enquired if he knew Ousman Sowe and he confirmed that he was working with the NIA.

Omar Joof testified that Ousman Sowe came every day and would ask him generally about the student demonstration. He said one day, he called the witness and told him that his marabout wanted to see him the following day. He referred the matter to his host who advised him to tell Ousman Sowe that he would not see him again, which he did.

The witness was asked what he believed Ousman Sowe’s intention was and he said at that point in time, everybody believed that he was trying to kidnap him.

The witness then gave a lengthy description of a second possible kidnapping attempt, by a woman called Kura Nbisan who used to be the wife of the legendary Kora player Lalo Kebba Drammeh. When asked why he believed that these two incidents had been kidnapping attempts, Omar Joof explained that he had told the Senegalese Ministry of Interior of

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the two cases and that they had advised him to be very careful because he could be kidnapped like that.

The Deputy Lead Counsel asked him if he had been aware that in The Gambia, Yahya Jammeh had requested that he be dismissed from his position as GAMSU President. The witness said he was not quite aware of it until later when student leaders from GAMSU came to Dakar to prepare for their congress with him. He said that was when they informed him. The Deputy Lead Counsel noted that as everybody knew, the witness remained President of GAMSU until the expiration of his term.

The Deputy lead Counsel then asked him the impact the 10th/11th April events had on his family. The witness said personally, he thinks it was devastating because at the student leadership level, they were not interested in having a demonstration. They just wanted to use dialogue to solve their problems with the authorities, but they made it so impossible for them to reach agreements and when there was a chance for an agreement between them, they flatly refused to commit themselves to an agreement. He said it had a great impact on him in the sense that they were not expecting the kind of carnage and the destruction, and loss of lives that came out of it because they had planned for a limited peaceful demonstration. He said that is why an important part of that demonstration was to station the students on GTTI premises. He said he got taken away from his family and that his wife was 8 months pregnant at the time. He said that the events had a similar impact on most of the student leaders, many of them were in the final year of their studies.

He added personally, there was nothing of importance in organising a demonstration like that for him. He was having the best position a student could have at the time; he was in his third year of university and had a government scholarship. He said that the 10th/11th April events disrupted every aspect of that.

He said he could not compare that with the loss of lives and normally he is at very great pain to explain these personal things that he had to go through.

He however noted that the guns that were used to shoot the students and kill them were initially meant for them, the student leadership, because the authorities knew that throughout that morning, they were standing between the students and the officers. Even after the carnage, after the deaths, some of them, their parents, their families were told to look for their bodies at mortuaries. This is something that they had never anticipated.

He further said personally he was very much part of his community. He was like the type of person you would find in any aspect of his community. He was a youth leader, he was in sports and in religion. So, there are no words to explain how devastating it was on him, his colleagues, his family and everybody. The Deputy Lead Counsel thanked him very much and passed the floor to the Chairman, who noted that this was an extraordinary story. The moving around, the suffering here, and how his family got affected. He said that he was sorry about the suffering and the difficulties that were imposed on his family.

As there were no questions from the Commissioners, the witness was invited to make his closing remarks. The witness thanked the Chairman for giving him this platform and opportunity. He said this is something that he and his colleagues have looked forward to for almost two decades. At some point, they thought that justice was never going to come their way.

He highlighted that first of all he would like to respond to those who had always said that they were motivated by political motives that the students that were leading GAMSU were only committed to their academic work. He described many of the improvements they worked on during their mandate, such as renovation works and building a Mosque at Gambia College. He mentioned that they were even able to convince the then Minister of Education Antoinette Therese Ndong-Jatta to have monthly meetings with them so that they could deal with student welfare and issues.
He went on to say that their GAMSU Trust Fund became a best practice and that they were invited to go to a conference in Paris, which was the first time that a student leader had ever been invited to such an event. He reiterated that those who were saying that they had ulterior motives to go on the demonstration, were totally wrong. He then said to the parents of the students that were massacred, they would like to convince them that they are here for them forever. He said whatever they could do for them, for their children and for they themselves, they were ready to do it and they would always make themselves available to them.

The witness further referred to the victims that were still in pain and said thanks to God there were other Gambians who are willing to assist them to make sure that their welfare is taken care of.

He called on the Government of The Gambia to turn their attention to the welfare of the victims of 10\textsuperscript{th}/11\textsuperscript{th} April and give them the assistance that they need.

The witness said that he wanted to tell the security officers in The Gambia, that students and civilians are not their enemies, unlike what the Yahya Jammeh dictatorship was teaching them during their trainings.

He then said to his fellow students and other young people, he would tell them the sky is the limit. They should dream as big as they wanted to dream, nobody could stop them and let them not think that the lack of resources is a handicap to them. He stated that demonstrations should not be used for wrong purposes, highlighting that demonstrations provide a platform to publicize your grievances. He warned that when demonstrations are not peaceful, it would be counterproductive. He called on the security forces to reach out to young people and build harmonious relationship with them and the rest of society.

He concluded by saying that The Gambia is all they had and that they therefore should not destroy it. On the contrary they should try to build The Gambia without leaving anyone behind. He thanked them all for their attention and opportunity that he had been waiting for, for almost two decades.

**Persons Mentioned By Witness During Testimony:**

**Obstruction of justice (in Binta Manneh’s case)**

Mr. Fofana

**Attempted kidnapping (of Omar Joof)**

Ousman Sowe, Kura Mbisan
Modou Njie. He added that he also completed the Jungler Warfare school in Ghana before moving back to Gambia that same year.

The Lead Counsel asked the witness if he had become a Jungler in The Gambia considering the fact that he had done a Jungler course in Ghana and the witness responded, “it depends on the way people see it. It is a different thing all together. The Junglers here and the Jungler training I did are different.”

Upon further probing, the witness said they learned how to operate in insurgency operations in jungle warfare school and how to operate in jungle terrain, unlike The Gambia where the Junglers were tasked to go and arrest, torture and kill people.

Wassa Camara recounted that in April 2000, he was a lieutenant posted at Kudang. Specifically discussing 10th/11th April 2000, he testified that on that day, he was at the Kudang Military Post as the officer commander and received calls from his then Commanding Officer, CO, Captain Babucarr Keita, from then Commissioner Cherno Bala Touray and also from the then Deputy Army Commander Sankary Badjie. In all three calls with them, they informed him that there was a student demonstration happening within the greater Banjul area and they should be on standby.

The witness explained that he later in the day received another call from Cherno Bala Touray who told him that he got credible information that the students were preparing to move out at that very night and told him again to be on standby. The witness stated that he briefed his soldiers that they were going to meet students but the most essential thing was that “these are disgruntled young chaps in the street: they are not having weapons; they do not have any other thing that can cause somebody’s life. In as much as we are going to the field, our purpose there is to quell down the situation.”

WITNESS NAME: Wassa CAMARA

TRRC HEARING DATE (S): 25th September 2019

EVENT (S) DISCUSSED: 10th/11th April 2000 Student Protests

POSITION BEFORE THE EVENT (S): Commanding Officer, Kudang Military Post

ROLE DURING THE EVENT (S): Soldier responsible for stopping the students’ demonstration in Janjanbureh

POSITION AT THE TIME OF TESTIMONY: Major

SUMMARY OF TESTIMONY:

After welcoming the witness at the TRRC, the Lead Counsel informed the witness that he had been called at the TRRC to testify on the issues surrounding the 10th/11th April students’ demonstration but as the witness also had certain personal experiences with the National Intelligence Agency, NIA in 2006, he would be called to testify again.

Major Wassa Camara told the Commission that he joined the Gambia Gendarmerie in 1992 and was posted at the Airport Gendarmerie Station in 1993 where he stayed until 22nd July 1994, when the former People’s Progressive Party, PPP regime was overthrown. Following the coup d’état, the witness said he found himself in the Gambia Armed Forces, GAF when the gendarmerie was amalgamated into the police and GAF.

Explaining his career progression in the army, the witness disclosed that at some point, he took the Young Officers’ Infantry course in Ghana in 1996 with his counterparts Lalo Jaiteh, Omar Darboe, Yahya Darboe and Serigne Modou Njie. He added that he also completed the Jungler Warfare school in Ghana before moving back to Gambia that same year.
At this point, the Lead Counsel asked the witness if he had talked to the soldiers about the students being unarmed and he said yes. The witness was then asked to read paragraph four of his statement: “by 18:30, I came from my quarters to have a general briefing with the men pertaining to the subject matter. I categorically made it clear to the soldiers that the students were disgruntled and wanted to express their grievances by way of demonstrating, and therefore, our duty was to quell down the situation instead of aggravating it. I briefed them on the rules of engagement”.

The Lead Counsel told the witness that his statement did not include anything on students carrying or not carrying weapons, to which the witness responded that he did not include in the statement everything he told the soldiers, adding that it may have taken 10-15 pages if he were to include everything in the statement. The Lead Counsel reminded him that he was told to tell them the entire truth of what had happened and not the summarised version. The witness claimed that it was because of time when he was making the statement but when he was briefing the men, he told them that the students were not armed.

On how he knew the students were not armed, the witness stated that this was the information they had received, that students only had stones and sticks.

Continuing on with his testimony, Wassa Camara explained that he told the soldiers that he would be moving out with them and then nobody should cock their weapon or beat the students they encountered. He stressed that he told them that if anybody shot at the students, he would shoot at them.

The witness told the Commission that he was informed in the evening that students were out in the streets at Janjanbureh and that they should move, which they did carrying their AK47s and live ammunitions. The witness said that each soldier carried magazine capacity of 30 rounds with first line armour, which itself included four magazines and one of the magazines was attached to the rifle, meaning one had three other rounds of magazines, so essentially 120 rounds altogether.

The Lead Counsel took the witness back to his testimony and asked him to explain the rule of engagement he told his soldiers before they left for Janjanbureh. Wassa Camara asserted that he advised the soldiers that if the students were to throw stones or sticks at them, they should protect themselves per the training they were given in terms of self-defence. When asked whether that was taught in the GNA the witness said yes. The Lead Counsel asked the witness whether they were given written rules of engagement on that occasion and any written orders and he responded in the negative. When asked whether there was any order of operation prepared at that time, the witness responded, “not to my knowledge”.

The witness also pointed out that he did not know whether Captain Keita carried any order of operation but he certainly did not mention any order of operation when they spoke on phone.

The Lead Counsel wanted to know what the witness was told when he was ordered to go to Janjanbureh and he explained that students who had taken to the streets were also going to vandalise public properties, which needed to be protected. He reiterated that he was not given any rule of engagement.

The Lead Counsel therefore asked the witness what he would say to the suggestion that on that particular occasion rules of operations or order of operations were prepared and disseminated to soldiers and the witness said this was not true.

The Lead Counsel showed the witness some documents to read and asked him if he would say these were operational orders. After going through the document, the witness confirmed they were but
he did not receive them, adding that he did not conduct his operation pursuant to the document.

The witness continued that when they arrived in Janjanbureh, they asked people to go inside their homes and avoid being on the streets because they were attempting to take all the students back to the school. The witness told the Commission that they used the highway to the Commissioner’s residence area and they found some students about to burn the market place. He added that they chased them away from the market and they went up to the police station and found it was already burnt.

He said they could hear rounds being exploded so they went around to the highway that connected the riverside, GAMTEL and the police and told the few soldiers he was with that they should conduct double patrol at that area. The personnel were tasked to cover streets and anybody found on the streets would be asked to go back to their compounds. He told the Commission that they wanted to secure the public areas because they had found that the GAMTEL area had already been vandalised by, they assumed, the students.

The witness narrated that they continued the double patrol and students who were found on the streets ran away, went back to the school and spent the night there. His CO, Captain Babucarr Keita with some soldiers joined him at Janjanbureh at around 1 to 2 am and the witness briefed him.

Wassa Camara testified that together with Babucarr Keita and some prison officers, they decided to bring all the students to the basketball area so that they could talk to them. At around 5 am, they all jumped in from the highway into the school and combed inwardly. He said students who were found there were combed towards the basketball pitch lawn. He added that those who were escaping were stopped by soldiers who were posted at the other ends of the school. He explained that they instructed those soldiers to get the students who tried to run away and bring them back to the basketball pitch. He stated that the operation continued until 7:00 or 7:30 am.

The witness claimed that Babucarr Keita addressed the students and he did too. He (the witness) told them “you the students would be future leaders of this country. Also, you would be minding key positions in this country. If you vandalise these properties, tomorrow you will be in position in those domains and then complains will be coming to you to fix them”.

When asked whether any of the students were arrested, the witness stated they realised that if the students were to be left like that, anything could have happened. He explained that the police station was burnt and the target was at the market, so leaving the students like that would have been risky. The best case scenario was therefore to see how they could assemble at one point, contain them there for a period and then calm down the situation. Once there was “peace and stability”, they could be released.

When asked whether any of the students were taken to Janjanbureh Prison, the witness claimed he did not know. The Lead Counsel asked him if any of his men took any student to Janjanbureh Prison and the witness responded in the negative.

The Lead Counsel asked the witness whether he had gone to the primary school with his men and he again responded in the negative. The witness denied seeing any student being beaten during that operation. When asked whether he had seen any students being arrested, the witness said he had seen students being caught trying to escape and were brought to the basketball lawn.

The Lead Counsel rephrased and the witness confirmed that he had seen students whose “liberty was seized” because they were being placed at the basketball pitch. The Lead Counsel then asked the witness whether any of the students were taken to Janjanbureh Prison from the basketball pitch and the witness denied it. He claimed that they had addressed the students, went to have their breakfast and after that, he was tasked again by Babucarr Keita to proceed to Bansang so he would not know what happened in Janjanbureh. The Lead Counsel asked if he was trying to avoid being associated with what happened in Janjanbureh and the witness replied no.

A statement from one Alhagie Saidy (who now lives in the United Kingdom) was then read out: “on the 11th
April, in the early hours of the morning, soldiers entered into the campus and [...]. When the camp was quiet, they started to enter the dormitory buildings, capturing and beating us to go to the old basketball pitch." The Lead Counsel asked the witness whether that statement was a lie and he responded that it could be correct but it could be a lie too. He added that he probably was not at the same place as the person who gave the statement but he made it clear to the soldiers not to beat or slap any student.

The Lead Counsel interrupted the witness and asked him if it would not be obvious to him if the students were beaten from their dormitory to the basketball pitch and the witness responded that he might not know because the distance from one place to another in the campus was too long you might not see what is happening in the other end.

The Lead Counsel interrupted the witness again and said he was not suggesting that he might have seen what was happening, instead, he was saying that it might be obvious to him that the students were beaten just by their looks and their comportment. The witness responded, "it could be."

The Lead Counsel continued reading the statement: "upon understanding the presence of the soldiers, I tried to escape. Jumping the fence into the girls hostel, I was made to escape arrest at that point and went to my guardian in town. He was in a worry mood but happy to see and gave me food and drinks. Later when I decided to go back to campus, I decided to go via the back fence as before, but before I could get close to the fence, I saw soldiers coming towards me from behind the gate."

The Lead Counsel asked the witness whether that statement was probably correct in view of how they were organised and the witness said it was correct. The statement also read that Alhagie Saidy was stopped and asked where he was going, after he responded, “One of the prison officers who was with the soldiers called out my nickname and said, ‘you are lying, you are among the ringleaders’ and before I could say or do anything, I received the heaviest slap to my face before they started to badly torture me.”

The Lead Counsel remarked that the beating of students was in fact a routine during the process and the witness responded that it could be correct.

When the Lead Counsel told the witness that those soldiers were under his authority, the witness denied it. The Lead Counsel then asked him where then did the soldiers come from and he countered that he had explained that.

The Lead Counsel reminded the witness that he had said Captain Keita had arrived at 2 am and he was talking about what happened before 2 am but the witness insisted that the statement was talking about the early hours of the morning. The Lead Counsel told the witness that he was there nonetheless and even though Captain Keita was his superior officer, he was still the commanding officer of the men on the ground. The witness said he would not take that.

The Lead Counsel told the witness that he should accept the fact that students were beaten and tortured at that time, and the witness said he would not call it that way. He insisted that the students were only taken to the basketball pitch.

The Lead Counsel went on to read the statement of a victim.

“I could hear one of the soldiers saying ‘we are going to kill you here, some of your fellow students died in the Kombos.’”

While they were beating me, they noticed some juju on my waist and accused me of putting juju on them, which made them continued beating me even harder until I was begging them to stop and allow me to pray two rakats. I was shouting the name of God, “Allah is great”, in case they kill me [...]. He handed me over to some of the soldiers and I received another fresh beating from those soldiers as though I have not been beaten.”
Going back to the issue of Brikama, the Lead Counsel read another statement from one Sulayman Mendy: “Minutes later, I saw a group of students led by a classmate of ours, Musa Baldeh. I was able to see them through the window and none of them was armed. As they approached the station, my brother PJ Mendy started firing at them with rubber bullets. At one instant, I wailed and told him in the Manjago language please do not shoot them and he replied, “it was fake bullets” and I heard the students clearly shouting “fake bullets” and I saw some of them picking stones at a nearby compound. They started throwing stones at the police station. The premises became very noisy and I could hear gunshots [...]. Lieutenant Wassa Camara, the Kudang camp commander came to the police station. As he was approaching the police station, I heard the soldiers wailing “sir, they want to kill us”. I wondered how they would be killed by unarmed pupils. When Wassa Camara saw me, he told me “I learned that you are the leader. If you are brave, come out and fight me”.

The Lead Counsel asked the witness if this was true or false.

He continued. “I ignored him and did not utter a word. And again, I saw some students forced to lie on the road and the witness’ men were trampling on them.”

The Lead Counsel argued that his story did not match with the one they received, that is that the students were made to lie on the road and the witness’ men were trampling on them.

The witness refuted that allegation.

When asked whether his men had gone to the town, arrested students and brought them to Armitage, the witness responded that he could not remember. The Lead Counsel told the witness that the only difference between the statement he read out and the witness’ testimony was the issue of the beating and that was because the witness was trying to run away from responsibility.

The Lead Counsel added that it would be very unlikely to be present at all the places and not see even a single student being beaten. The witness responded, “to you. If I had seen one, I would have stopped it on the spot’.”

Wassa Camara once again reiterated that in his absence at the basketball pitch, he could not tell whether people were beaten or not. The Lead Counsel asked the witness whether he was saying that he had no knowledge of any student being beaten and the witness said he came to know about it during the Commission of Inquiry that people were tortured at Armitage.
The witness testified before the Commission that he had explained to the soldiers that command and control was vested in the leaders that were overseeing everything on the ground. If there was any problem, it was not the subordinate officers that were going to be called upon for questioning, it was going to be the officials who were responsible for those operations and this was exactly what had happened during the Commission of Inquiry and the coroner’s inquest. He added that he visited areas, collected information and passed the information to his superiors but admitted that he did not actually submit any reports.

According to the witness, when he left Janjanbureh, he first went to Bansang Police Station where he found Lieutenant Baldeh from Basse military post with some troops who told him he was looking for a way to reinforce him. The witness said he told him that it was his area of responsibility, but Lieutenant Baldeh said it was okay.

“Told him in as much as you are here, then I can go to Janjanbureh”.

The witness explained that after talking to Lieutenant Baldeh, he decided to go on patrolling around Bansang where he met Officer Darboe from the Crime Investigation Division, CID, who told him there was causality at Brikamaba Police Station and a student had been killed. Officer Darboe did not know how it had happened. Upon failing to reach the officer commanding in Janjanbureh, the witness decided to go, along with his personnel, and see how to quell down the situation. Before leaving Brikamaba, he saw people being arrested and brought to the police station but attested that his soldiers had not beaten or arrested anybody.

The witness went on to say that when they arrived at Brikamaba, he first stopped at the police station and the place was full of stones with burned tyres and barriers across the streets. He explained that he spoke to the officer commanding who informed him that armed “elders” were among those students who were demonstrating and they went to the police station throwing stones. Wass Camara added
that he went to the Alkalo’s\textsuperscript{32} compound to ask him to convince the elders and the people in the streets to go back to their compounds. After speaking with the Alkali, he left with his soldiers and went back to the highway where he continued his patrolling. He stated that people were arrested because they might cause destructions. The Lead Counsel interrupted the witness and asked him why he did not say “I arrested people” instead of saying “people were arrested”. The witness said he did not arrest anyone personally. The witness also stated that he did not order the arrest of anyone.

The Lead Counsel asked him to explain how people were arrested and the witness claimed that Lieutenant Baldeh and his team were there and those who were dropped before the night of the 11\textsuperscript{th} were also there. Under further questioning, the witness revealed that his soldiers had arrested people. The Lead Counsel asked whether the soldiers had done it on their own validation and Wassa Camara responded “no, we said anybody who was on that highway should be brought to the police station”. The witness clarified that “we” included Lieutenant Baldeh and himself.

The Lead Counsel then read out the witness’s statement: “I went back to the streets and arrested those who were found demonstrating on the streets and took them to the station”. The witness agreed that they had ordered for the arrest of people and when they were taken to the police station, he had seen torture being inflicted on civilians but claimed he had stopped that.

The witness added that he had called upon Lieutenant Bah who was in charge of Basse and asked him to leave with the people from Brikamaba because if anything happened there, it would be said that soldiers from Kudang did it. The Lead Counsel asked the witness to explain how it stopped the torture and he responded that they were no longer subjected to torture. He confirmed that he was suggesting Lieutenant Samba Bah’s men were the ones torturing and not his men.

Despite admitting that the soldiers who were torturing civilians at Brikamaba were not cited for the offences nor prosecuted, the witness stated that he did not see that as a failure. Upon further questioning, the witness disclosed that he was the most senior military officer present at Brikamaba apart from Samba Bah. The Lead Counsel told the witness that he had responsibility over the soldiers who were there and the witness agreed to this.

The Lead Counsel told the witness that he knew three people were killed at Brikamaba. The witness stated that he did not know about the three people that were killed, he only knew about one. He added that he did not know about those injured by gunshots. On the person killed at Brikamaba, the witness stated that he had informed the Commanding Officer that there was a casualty. He said he also asked the corporal in charge, one Camara\textsuperscript{33} and “Giri” Abdou Njie\textsuperscript{34} and they told him they did not know who had fired.

The Lead Counsel reminded the witness of the test the military personnel do to know if guns have been fired or not and the witness said he did not do that test at that time. He accepted it was a failure on his part.

The Lead Counsel told the witness that he had a report from the military with regard to casualties and it did not show any casualty at all. The witness was then given a report from Captain Keita to read. The conclusion part was as follows: “after the withdrawal, one week later, a check on the first line armour of soldiers from the battalion headquarters who participated in the operations was conducted and all confirmed to be intact. Blank ammunitions were used to disperse demonstrators in Farafenni and Brikamaba. Alpha Company, that is Kudang, set in their ammunition returns and everything was intact. However, Charlie Company, Basse reported 12 by rounds of 7.62 millimetres as warning shoots when angry demonstrators tried to over round the GRTS radio station in Basse. At the end of the operations, arms and ammunition returns was sent to my parent unit.”

The Lead Counsel asked the witness whether that report was false and the witness confirmed it was. He added that he (the witness) did not submit a report about his operations to headquarters when he returned to Kudang because they gave daily

\textsuperscript{32}Traditional community leader.
\textsuperscript{33}Most probably Lamin Camara who testified at the TRRC the same day as the witness, on 25\textsuperscript{th} September 2019.
\textsuperscript{34}“Giri” Abdou Njie – he testified at the TRRC on 26\textsuperscript{th} September 2019.
situational reports to headquarters through signal messages. He, however, could not remember if he had sent a signal messages from Brikamaba when there was casualty to the CO telling him that there was casualty at Brikamaba. He explained that his hand held radio could not reach the CO at Janjanbureh so he could not report to him directly.

The Lead Counsel told the witness that three important things had emerged out of his testimony: 1) No operational orders were submitted to the witness. 2) Students and other civilians were arrested and tortured during the operation. 3) The report that was submitted by the army contained some important falsehoods. The witness agreed to all three facts.

The Lead Counsel then suggested that the witness should not give concluding remarks at this stage as he would be called again to testify on other issues.

Commissioner Jones asked the witness whether he had done an inventory at the end of the operation to know if any of his 15 men had released any bullets from their weapons and the witness said that when they went back to Kudang, all his men cleared their weapons and they confirmed that all the live bullets issued to them were intact.

**Persons Mentioned By Witness During Testimony:**

None
The Lead Counsel told the witness that three important things had emerged out of his testimony: 1) **No operational orders were submitted to the witness.** 2) **Students** and other **civilians** were **arrested** and **tortured** during the operation. 3) The **report** that was submitted by the **army** contained some **important falsehoods**. The witness agreed to all three facts.
The witness explained that he was deployed at Yundum Barracks and Farafenni Barracks, depending on need. With the assistance of the Deputy Lead Counsel, Lamin Camara recalled that in April 2000 he had the rank of a Corporal and had since been promoted to the rank of Warrant Officer Class 1.

Focusing on the 10th April 2000, Lamin Camara explained he was with the Quick Reaction Force, QRF at Farafenni Barracks when he was instructed by his commander, Captain Babucarr Keita, to fall in and go to Brikamaba.

The witness recalled that Captain Babucarr Keita told them that a demonstration was happening in McCarthy/Janjanbureh, that some students were vandalising things in the school without giving them more information and just told them to board the vehicle. When asked, Lamin Camara said that they were told that the students were throwing stones and that nobody should shoot real bullets. Captain Babucarr Keita gave all the soldiers 16 blank bullets. The witness explained that they also had live rounds - four magazines of 30 bullets, which was usual when they went on duties.

The Deputy Lead Counsel asked the witness to confirm that each soldier had 120 live rounds and 16 blank bullets, which he did.

Lamin Camara repeated that they received specific instructions that nobody should use live rounds but acknowledged that the ammunition was not taken away from them adding that soldiers always had live rounds in their possession. He also explained that because many soldiers were deployed, 16 blank bullets per person were enough. When asked about the number of soldiers deployed, the witness said that he did not know the exact number but that two trucks were filled and when further probed, he estimated the number to be around 20 people.

He explained that they left Farafenni and arrived at Brikamaba at night around 8 or 9 pm. Upon arrival, Captain Babucarr Keita spoke to the policemen...
on the ground and then ordered five soldiers to alight from the vehicle and told them that students were there preparing to stage a demonstration. The witness gave the names of the four other soldiers who alighted from the vehicle: Lance Corporal “Giri” Abdou Njie, Private Soldier Alieu Kambi, Lamin Camara (not the witness) who was a private soldier, he could not recall the name of the fourth person but remembered that he was a Manjago\(^{35}\) and that he was a private soldier. The Deputy Lead Counsel referred the witness to his statement in which he had indicated that the man was called Paul J. Mendy, which he confirmed. He also confirmed that he later died in Darfur. Lamin Camara acknowledged that he (the witness) was the leader of the group as he was the most senior soldier. He also confirmed that they all came from the engineering branch and that they were infantry soldiers.

The witness said that the vehicle dropped them at the police station whose station officer was a man called either Babanding or Mamanding Fatty. The Deputy Lead Counsel inquired if upon arrival at Brikamaba, he had noticed any kind of demonstrations or destructions, and the witness responded that he did not. Lamin Camara mentioned that after a while he told his colleagues that they should all go and see the Alkalo.

The witness told the Commission that the station officer informed the soldiers that students wanted to stage a demonstration and had said that they wanted to kill the principal of the secondary school. He added that there were two schools at Brikamaba at the time: a primary and a secondary school. After receiving that information from the station officer, the soldiers also spoke to a man called Fa Kebba Darboe who was from the Criminal Investigations Department, CID stationed at Brikamaba. He was the one who showed them where the Alkalo lived and the five soldiers went there.

Lamin Camara explained that the Alkalo whose last name was Fatty (the witness did not recall his first name), told him (the witness) to talk to the group leader of the youth in the village. The group of five soldiers went to see the youth leader, whose name the witness could not remember, and advised him to talk to the students. The witness reckoned that the two visits took around 30 minutes in total and that the group was back to the police station at around 11 pm. When asked, the witness said that he did not see any other soldiers apart from his group in Brikamaba that evening.

When asked if he saw anyone who was arrested in connection with the demonstration, the witness replied that he did not see anyone there. The Deputy Lead Counsel informed him that the Commission had received testimonies from different witnesses indicating that at the very least two people were arrested and detained that evening; a head boy and assistant head boy of Brikamaba School. Lamin Camara answered that they might have been arrested and released before his arrival, but that in his presence, nobody was arrested. He was asked if his testimony was that from around 8 to 11 pm no detained persons were at the police station, the witness specified that he did not know because he did not enter the police station or the cells. He said that he was not aware of any arrest.

Lamin Camara said that he did not impose any curfew after his arrival at Brikamaba and indicated that his team did not disperse any gatherings in Brikamaba. The Deputy Lead Counsel then told him that the Commission had received testimony from the Principal of the Brikamaba School Mr. Merican Mendy, saying that soldiers had come into his compound and dispersed the students that were there. Lamin Camara answered that they had not gone to the principal’s compound. The Deputy Lead Counsel said they would move on and asked if anything else happened that night, to which he responded no.

Lamin Camara said that at 8 am the next morning, the CID officer Fa Kebba Darboe told the witness and his group to bring the school principal the students had said they would kill to the police station. When asked if any arrests happened that morning, he responded in the negative. In a lengthy exchange with the Deputy Lead Counsel, the witness explained that all the soldiers had AK47s but that he had removed his case webbing where the bullets were and therefore carried no live bullets with him. He added that he made the mistake not to order the others to remove their webbings and that as such they had live ammunitions when going to the school.

\(^{35}\)An ethnic group in The Gambia.
The witness explained that they went to the school with Fa Kebba Darboe and found students standing outside and inside the building. He said that some soldiers remained at the school gate, while he and Fa Kebba Darboe went inside. There, Fa Kebba Darboe went into a room to talk to the teacher. When asked, he said that he was not sure if it was the principal, and believed that it was a teacher and that they had gotten information that the students had said that they were going to kill him.

The witness said when Fa Kebba Darboe came out, he told him the teacher refused to leave. Fa Kebba Darboe also mentioned that the students had said they were going to burn the police station. So, the group of soldiers ran back to the police station at the same time as the students. When asked, he said that none of them was firing a gun at that time. As he was requested to explain further, the witness repeated that they were “just running so that the students would not burn down the police station”.

He remembered that when they arrived at the station, there were a lot of students already there and the police officers were inside the station and did not come out to help the soldiers. According to him, that was the time thestoning started. Lamin Camara explained that the soldiers surrounded the building; “Giri” Abdou Njie and Paul J. Mendy were standing behind the compound. Alieu Kambi was standing on the southern side of the police station while the other Lamin Camara was standing on the eastern side of the compound.

He mentioned that it was at this point that he ordered the soldiers to put away their live rounds, but that they did not comply.

The witness said that when the stoning became intense, Alieu Kambi was wounded on the head and Paul J. Mendy on his leg. Lamin Camara said that he therefore asked Fa Kebba Darboe to contact the soldiers who had gone to McCarthy/Janjanbureh and ask for reinforcement. When asked if there was any shooting at that point, he replied that the soldiers were using blank bullets to keep the students at a distance.

When asked if he was sure that his colleagues were not firing live bullets, Lamin Camara responded that if they did so, it meant that they would have disobeyed him.

The Deputy Lead Counsel inquired if as a trained soldier he could not differentiate between blank bullets and live ammunition, the witness responded that he was an electrician and that his training had been too basic to tell what the sound of a gunshot was like.

He assured the Commission that he himself did not use live bullets.

Lamin Camara explained that the shooting did not last for long because two pick-ups came in for reinforcement. The Deputy Lead Counsel said they were going to try to get a clear testimony of the duration. She recalled that the witness had said that the soldiers had left the police station sometime after 8 am and that they did not stay at the school for a long time. She then asked how far the school was from the police station and the witness responded that it was “a little bit lengthy”. He reckoned that the shooting might have started around 9 am and estimated that the reinforcement must have arrived between 10 and 11 am. He later added that they did not arrive at the same time exactly but that the interval between their arrival was less than 30 minutes.

He explained that when the reinforcement arrived, the students and the people who were throwing stones ran away. He mentioned that two of his men were wounded. The Deputy Lead Counsel asked if he knew whether anyone was injured as a result of gunshots and he replied that he did not know because the people ran away and left. Lamin Camara said that the reinforcement was composed of two pick-ups led by Lieutenant Wassa Camara and a man called.
When probed further as to why he did not check for the live ammunitions, Lamin Camara stated that his responsibility was to inform the commander about what had happened and after that it was the commander’s “responsibility to take up things from there and go ahead with what he should do”.

The Deputy Lead Counsel told him they wanted to establish where his responsibility stopped and where that of the commander began. She told him he had already told the Commission that he had failed to tell the soldiers to put away their live rounds initially and he said the second time he told them to actually put it away but they disobeyed and on this third occasion he failed to check the live rounds and only checked the blanks.

When asked what he and his team did after the reinforcement arrived, the witness said that at that time they were not doing anything because they were all tired. He explained that he and Alieu Kambi went to the Gambia Telecommunications Company, GAMCEL because somebody informed him that the GAMCEL property had been vandalised. Continuing his testimony, he said that between 12 and 2 pm, Captain Babucarr Keita arrived and asked the witness what had happened. Lamin Camara said that he responded that they had suffered because the protesters were more than them.

Captain Babucarr Keita then informed him that two persons had died there, to which the witness responded that he did not see that but if it was true, then their mission had failed because that should not have happened. The witness said that he then went to see his colleagues. He asked them who fired live bullets but they responded that nobody fired a live bullet. He said he told them that was impossible because rubber bullets do not kill people. He added that he told them to tell him who fired live bullets so that he could tell the Captain before he left but his men repeated that they did not fire live bullets.

The witness said then he checked their blank rounds and realised that “Giri” Abdou Njie and Alieu Kambi had used them all. When asked if he checked their live rounds, he responded that he did not. Asked to explain why he did not check that, he said that with regards to live rounds, soldiers had the obligation to return them to the armoury, where the guns were all kept, and that this would be the time that the numbers would be checked.
The Deputy Lead Counsel asked the witness if he had then taken any action in relation to that. Lamin Camara responded that he reported this information to his commander Captain Babucarr Keita and then explained (after some clarification was sought by the Counsel) that the commander said that “Giri” Abdou Njie would be charged. The witness added that he did not know what happened later.

When asked about clarifications about the number of bullets missing from “Giri” Abdou Njie’s live rounds, the witness explained that when they checked, they found out that one bullet was missing, but when they checked the armoury, they discovered that in addition an entire magazine was missing, which meant that (in total) 31 bullets were missing. He reiterated that he did not know if any actions were taken against “Giri” Abdou Njie.

The Deputy Lead Counsel then asked the witness about his testimony to the Commission of Inquiry, which took place in 2000. The witness needed time to understand what commission she was referring to and at one point confused it with the TRRC. After a lengthy exchange, the witness explained that he only gave “some testimony” at the time and was then told to come to speak at a stage. He explained that they asked him to say what he knew, but before he could complete, they told him to stop and step down from the stage. He said that he was not aware that this was the 10th and 11th April 2000 Commission of Inquiry and said that he was only called by Baboucarr Jatta and by his two ICs Badjie and Sankareh (he did not give their first names). He added that he went with an officer whose name he could not remember, but he was tall and fair in complexion, he later referred to him as “Gano”.

He explained that he was questioned by many people, including four students but did not hear anything about the Commission again. The Deputy Lead Counsel inquired if at the time he had told that Commission, meaning Baboucarr Jatta and others exactly what he had told the TRRC, to which Lamin Camara responded no.

The Deputy Lead Counsel informed the Commission that she wanted to read an excerpt of the 2000 Commission’s report, which summarised the evidence the witness had provided to that commission. Before doing so, she asked Lamin Camara, if he would agree that in 2000 his memory would have been fresher than it is 19 years later in 2019 and the witness agreed. Reading page 36 of the report, the Deputy Lead Counsel quoted: “Corporal Camara said he could not speak English, but understood it. His orders were given in English. He said he did not see any student with guns and the soldiers and police were armed with guns. He said the soldiers he went with all had their ammunition intact and identified exhibit 38 the magazine of live bullets as live. He said it might be that the deaths and injuries occurred before the soldiers from Kudang and Basse arrived. He said he returned four blank shots out of 16. He confirmed seeing the people arrested, but could not say who ordered that. He said he regretted what happened at Brikamaba and what happened there should not have happened. The witness said he left Brikamaba on 12th April 2000 and learnt of the deaths at Brikama at Kudang. Kudang and Basse soldiers, he said came to Brikamaba around 1 pm. He said he was under the command of the SO. He denied that it was his group which did the shooting which caused the deaths and the injuries.” Then she asked the witness what he had to say to that paragraph.

The witness responded “what I can remember, what is the truth is what I should say because I know that no one will end up in this world”. He added among other things that as “a soldier, if you kill a person, God will judge you on the Day of Judgment”. Taking the witness back to the paragraph she had read out earlier, the Deputy Lead Counsel asked the witness to comment on it, in particular the sentence where it said: “He said the soldiers he went with all had their ammunition intact.” The Deputy Lead Counsel reminded the witness that he had just testified before the TRRC that 31 bullets from “Giri” Abdou Njie’s ammunition were missing but his statement to the 2000 Commission of Inquiry had been that all his soldiers had their ammunition intact. The Deputy Lead Counsel asked him to explain that difference, to which the witness replied that since he was human, he might have made a mistake. The Deputy Lead Counsel asked him why he provided them with
that false information and the witness highlighted that it might be that he forgot and he added that he did not want to tell lies.

The Deputy Lead Counsel asked him if he agreed that the information that he provided to that commission was false and the witness agreed.

The witness affirmed that he was not aware of those killings and did not see them. The Deputy Lead Counsel proceeded to read another paragraph from the Commission of Inquiry’s report which read: “Witness denied that his men used live bullets and said he only learnt that people had died over the radio. He said he could not confirm what killed the students. He said he merely carried his gun and did not do anything with it. He said his men were armed with blank bullets and they fired blank shots to disperse the students”. When asked if that information was accurate, the witness replied that if that was what they said, then it was true. The witness added that he was not aware of the time they were writing this report. The Deputy Lead Counsel told him this was a summary of the testimony he provided before the Commission of Inquiry. The witness said that he testified but that he did not sit with any individual to write that report for him.

The Deputy Lead Counsel pointed out to him that in the report of the Commission of Inquiry, he denied that his men carried live ammunition and asked him why he had said so, since he just told the TRRC that his men had in fact been provided with live bullets.

Lamin Camara explained that he did not tell the Commission of Inquiry in 2000 that his men did not go with live rounds. The witness said all the soldiers had live rounds when they were going.

The Deputy Lead Counsel told the witness that the TRRC would draw its own conclusions from his answer and summarised that the 2000 Commission of Inquiry’s report stated that he had said that his men did not carry live ammunition whereas his testimony before this Commission was that his men carried live rounds. The witness affirmed that he gave the 2000 Commission the same information: that his men had live rounds. The Deputy Lead Counsel told him that was not the information that was in the 2000 Commission’s report. She told him that another discrepancy was that in the 2000 Commission’s report it said that he only discovered the killing of students when he was in Kudang, whereas before the TRRC, he had said that his commander Captain Babucarr Keita had informed him about it in Brikamaba. Lamin Camara highlighted that he gave that other commission the same information, that it was Captain Babucarr Keita who told him in Brikamaba that students had died.

The Deputy Lead Counsel then read another paragraph from the Commission of Inquiry’s report: “At Brikamaba, the five soldiers who arrived in the town in the night of April 10th, 2000 led by Corporal Lamin Camara and his men should be held responsible for the deaths of the two students: Sainey Nyabally and Ousman Sabally as the evidence shows that deaths occurred before the soldiers from Kudang and Basse arrived at Brikamaba.”

The witness was asked what he would say to that finding and if he accepted responsibility for the deaths that occurred in Brikamaba. The witness said as far as they were the ones who went there, he took the responsibility and added that while he was not personally there when it happened, as the leader of the team, he was taking responsibility.

The Deputy Lead Counsel said that she would read parts of a witness’ statement regarding the activities of his men in Brikamaba: “At around 5 am in the morning, I heard a knock on my door, when I opened the door, I saw Fa Kebba Darboe and “Giri” Abdou Njie, a soldier. “Giri” Abdou Njie was armed with a rifle, they arrested and escorted me to the police station. I met Hamadi Sowe and Malick Jallow, our head boy and deputy head boy respectively. When I reached the police station, they started to interrogate me. They asked what have I discussed with the head
boy of Bansang Upper Basic School. I replied that I had not discussed anything with him. Actually, I was lying to them. I met Abdoulie Dampha at the Bansang car park. He asked whether we were planning to conduct a peaceful demonstration the following day and I replied in the affirmative. He also affirmed to me that they would do the same.”

She said the statement continues in the same paragraph to talk about the events at the police station when the witness was arrested, quoting: “One Kambi alias “Turkish soldier”, he is well known in the army and he lives in Brikama; was the first guy to throw a nasty slap on me. All of them present tortured me. Lamin Sambou hit on my face injured my right eye. The ones I could remember present at this horrible scene were “Giri” Abdou Njie (then Lance corporal, RP, now staff sergeant). Kambi alias Turkish soldier, Lamin Sambou, Lamin Camara a sergeant (he was now an electrician now under the construction unit) and my sibling brother Private Paul J. Mendy, he passed in the first contingent to Darfur 2003. I am not trying to back him in any way, but he never participated in the torture. I think he was surprised seeing me arrested”.

The witness was asked what he had to say to this incident regarding him and his soldiers involved in torture and the witness responded that all the soldiers being named were not members of his group and when he was going to Brikamaba, he said he was a corporal. He added that puzzled him and that Lamin Sambou was not part of his group. The Deputy Lead Counsel highlighted that “Giri” Abdou Njie, Alieu Kambi, Paul J. Mendy were part of his group and mentioned that the reference to him was clear, even if the rank may have been inaccurate. The witness admitted that it could be him because they said it was him. He repeatedly said he did not arrest anybody. He was asked if he agreed that these were four out of five members of his team and she further told him these allegations concerned the events in Brikamaba on 11th April 2000.

The witness asked who wrote that report and the Deputy Lead Counsel told him it was a witness’ statement. Lamin Camara said what he was saying was, he never went to arrest anybody. The Deputy Lead Counsel told him to be fair to him, she would provide him with the name of the witness but told him not mention it out loud as the witness had not yet testified. When Lamin Camara read the name of the person he indicated that he did not know him.

He was asked if his testimony was that neither him nor his men arrested or tortured any of the students or any individuals at Brikamaba in April 2000, and the witness confirmed that. The Deputy Lead Counsel thanked the witness for answering her questions and she said she had no further questions.

The Chairman of the Commission asked the witness about the anonymous witness (without disclosing the name) if the witness (Lamin Camara) was or was not present when the witness said he was slapped and tortured. Lamin Camara replied that he was not there.

Commissioner Kinteh asked the witness if he had said “Giri” Abdou Njie had 31 bullets missing and the witness said yes. He then told the witness he had said that one magazine contained 30 bullets and that, that whole magazine got lost, but that in the other magazine only one bullet was missing. He was told that a bullet could not just escape from that magazine and fall out on its own. Commissioner Kinteh highlighted that just a single bullet can kill a human being if the shot was fired. The Commissioner asked if the witness agreed that a bullet could not be missing from a magazine on its own and that clearly meant it was fired. The witness agreed it was true. Commissioner Kinteh told the witness that 19 years ago he told the 2000 Commission that not even one single person among his men fired a bullet that could kill a person. He was asked which one was true between those two statements.

The Lead Counsel then interrupted the Commissioner and told the Chairman that that question had been asked and that the witness’ answer was on the record and suggested that maybe Commissioner Kinteh could make his own deductions out of what the witness had said.

Commissioner Kinteh responded that the Lead Counsel should allow him to ask questions because the witness only accepted (his responsibility) because the names of his colleagues were mentioned and the
The witness appealed to the Commission to establish what a soldier should do and what a soldier should not do, especially when the orders should not be followed. He further said soldiers did not have books of rules and if they did otherwise, they tell them they swore by that; either good or bad, “whatever they ordered you to do, you have to obey”. He thanked the Commission for the good knowledge they had instilled in them, especially him. He said he had observed a lot of things (there) and from now on by the grace of Allah, this kind of things will never happen again. He also said whatever he had done, may Allah forgive him.

**Persons Mentioned By Witness During Testimony:**
None

Lead Counsel gave him the go ahead. Commissioner Kinteh asked the witness if he was wrongly accused and the witness replied yes. Commissioner Kinteh said what puzzled him was he said that he (the witness) only checked the blank bullets. Lamin Camara told him if you were given bullets, when you come back, it is being checked at the armoury. He was then asked if the missing magazine had later been retrieved. The witness said he never heard of it.

The Deputy Lead Counsel mentioned that she could assist Commissioner Kinteh on that point. She said that information was within the Commission of Inquiry’s report. She added that they would provide the report to the commissioners so that they could take a look at the report and assess it. Commissioner Kinteh however said it was important to scrutinize and establish. The Deputy Lead Counsel agreed, adding that it was in the report.

Commissioner Imam Sey asked the witness what Captain Bubacarr Keita did after he had dropped the group of five men. Lamin Camara replied that he came and went, for instance he took other soldiers to McCarthy/Janjanbureh. When asked at what time the students died, he responded that he did not know and added that he had been surprised to hear about their death from Captain Bubacarr Keita because he had not seen anyone dying. He remembered that the Captain had then told him that the students has been taken to the hospital and that he, the witness, had said to his commander that he should have informed him.

Lamin Camara then contradicted his entire testimony by saying that what he could say was that he did not get up by himself and do it. He said they were given orders and that soldiers had to obey orders.

He however added that it was also good to remind that tomorrow, whatever happened, you would know what to do. He said he spent 36 years in the army but things like this had never happened in The Gambia but now if things like this were happening, not only him, but many soldiers would know what to do.
Sainey Senghore was shot at during the 10th/11th April 2000 Student Protests.
procedure when they were on duty. When asked how those bullets differed from the blanks, the witness said those bullets kill. The witness explained that there were four magazines and each of them carried 30 bullets, which makes 120 bullets all together.

Answering a question about the issuance of ammunitions, Abdou Njie explained that soldiers had to sign for their guns and ammunition and had to return it to the armoury after the operation. The Lead Counsel wanted to know how the bullets are accounted for and the witness explained that it depends on the armourer. He mentioned that some people would check every magazine to see if there are any missing bullets but others would only look through a certain hole in the magazine indicating if bullets are missing or not, and then the soldier signs and goes. The witness added that should there be missing bullets, the soldier would be in trouble.

The Lead Counsel asked if this procedure also applied for insurgency operations where soldiers may have fired their weapons and “Giri” Abdou Njie responded that the procedure was always followed and that it was the responsibility of the commander.

Going back to 10th April 2000, the Lead Counsel asked the witness how many of the soldiers possessed live ammunitions, to which he responded that each of them had live rounds and blanks, and those of them that were part of the QRF had already signed out their live rounds.

He explained that those who were not at the QRF were on standby and were also issued with live rounds and blanks.

Regarding the operational orders, “Giri” Abdou Njie said that 30 individuals were selected, boarded the truck and went to McCarthy/Janjanbureh. He recalled that they were told that their job was to prevent the students from doing what was already happening in Serrekunda. When asked if anyone read out the rules of engagement to the soldiers, the witness responded they were taught that at the training school but not on that day, because “time was already against them”.

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**WITNESS NAME:** Abdou Njie nickname “Giri” (also called “Grey”)

**TRRC HEARING DATE (S):** 26th September 2019

**EVENT (S) DISCUSSED:** 10th/11th April 2000 Student Protests in Brikamaba

**POSITION BEFORE THE EVENT (S):** Lance Corporal

**ROLE DURING THE EVENT (S):** Second in command during the student protests in Brikamaba

**POSITION AT THE TIME OF TESTIMONY:** Soldier (Lance Corporal)

**SUMMARY OF TESTIMONY:**

Abdou Njie told the Commission that he completed Senior Secondary School as well as the army training school in 1992. He said that on 10th April 2000, he was on duty at the Farafenni camp, with the Quick Reaction Force, QRF, when all soldiers were asked to fall in. When asked how many soldiers were gathered there at the time, the witness said they were many. He explained that the Commander Captain Keita gave them a briefing saying that students at McCarthy/Janjanbureh were planning a strike and that demonstrations were already happening in Serrekunda. He added that Captain Keita also informed the soldiers that he was going to send a platoon to McCarthy/Janjanbureh immediately.

“Giri” Abdou Njie stated that every soldier at the parade was issued with almost two magazines of blank ammunition, meaning around 60 bullets. He explained that in addition to the blank bullets, the soldiers also had four magazines of live ammunition, which was the normal procedure when they were on duty. When asked how those bullets differed from the blanks, the witness said those bullets kill. The witness explained that there were four magazines and each of them carried 30 bullets, which makes 120 bullets all together.

Answering a question about the issuance of ammunitions, Abdou Njie explained that soldiers had to sign for their guns and ammunition and had to return it to the armoury after the operation. The Lead Counsel wanted to know how the bullets are accounted for and the witness explained that it depends on the armourer. He mentioned that some people would check every magazine to see if there are any missing bullets but others would only look through a certain hole in the magazine indicating if bullets are missing or not, and then the soldier signs and goes. The witness added that should there be missing bullets, the soldier would be in trouble.

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**Captain Babucarr Keita.**
He said that they were nonetheless told to protect the students and prevent them from destroying anything.

The Lead Counsel reminded the witness that it is a crime to lie under oath. He asked him to say what they were told before they left for McCarthy/Janjanbureh. The witness said they were told that a demonstration was about to take place in McCarthy/Janjanbureh. He explained that when they got to Brikamaba at around 7 pm, they were stopped by the police station officer, and some men alighted the vehicle: Corporal Lamin Camara, another Lamin Camara,37, Alieu Kambi, Paul J. Mendy and himself.

“Giri” Abdou Njie said that the station officer and the corporal went into the police station and when they came out, Corporal Lamin Camara, informed the rest of the group that some students had said they were going to kill a school principal and set the police station and the Gambia Telecommunications Company, GAMTEL ablaze. He further told them that they should go to the Alkalo to inform him of what the students were planning. The witness explained that Corporal Lamin Camara was the group leader, that he (the witness) was the second in command and the other three soldiers had no rank. The witness said that the rest of the soldiers continued to McCarthy/Janjanbureh.

The witness mentioned that the group then went to see the Alkali and that following that discussion, the Alkali told them that they could go around the village and talk to the people. He said that while they did not manage to go around the entire village, they covered a majority part, explaining that whenever they met with people, they told them not be afraid of anything because they were there for them.

When asked what they did for the rest of the night, the witness said after going around the village, they went back to the police station and carried out their normal duties. Upon being asked what normal duties entailed, “Giri” Abdou Njie explained that during a normal night duty, when one is up, another withdraws.

“Giri” Abdou Njie said that in the morning, Corporal Lamin Camara told them to go to the school, as their presence might scare the students from doing whatever they were planning to do. So, all five of them went to the school. When asked the witness said that no-one else went with them. There, the witness went inside the building with Corporal Lamin Camara, while the three private soldiers stood at the gate. Some students ran away when they saw them, but Corporal Lamin Camara told them in Mandinka “stand, what are you running from?”

The witness recalled that at this point, they saw three tractors filled with students coming towards the school. He narrated that when the students saw them, they started shouting “what are you doing in our school?” and then they began to insult them. The witness said the students claimed their head boy and head girl were detained at the police station and demanded that they be released. The witness noted that when the students started insulting and throwing stones at them, Corporal Lamin Camara ordered the soldiers to go back to the police station.

“Giri” Abdou Njie told the Commission that they tried to leave the perimeter of the school, but they were overcome by the students and therefore to separate from one another. He recalled that they later came together and went back around the fence of the school and at that point, Corporal Lamin Camara gave the order to fire. The witness said that as they were firing, they were trying to get to the police station because the crowd was “too much there”. He recounted that when they reached the station, the students arrived as well, assembled at the GAMTEL and began to set tires ablaze and broke inside the building.

The witness explained that when he realised that his blanks bullets were exhausted, he used his live rounds and shot in the air, and after 10 minutes, he heard someone saying that a person had died. He said after some time, he heard that a second also person had died.

The witness said he “internally calculated”, that when he shot the blank rounds, no one died, but the moment he fired live rounds and someone died, he knew he had killed someone.

The witness admitted to the Commission that he could not extricate himself from responsibility.

37 Private soldier, different from Corporal Lamin Camara.
The Lead Counsel interrupted the witness and asked him whether he expected the Commission to believe that he just fired in the air and as a result someone died. The witness retorted that if he had shot directly, then more people would have died. The Lead Counsel made it clear to the witness that it would be difficult for the Commission to believe that story. “Giri” Abdou Njie repeated that he would not deny the fact that he had killed because he had fired live bullets, but that he was narrating the events as they happened.

The Lead Counsel insisted that it was impossible to fire at the sky and people die on the ground. The witness explained that people were many and once you fire a single bullet, you cannot hold it back and more bullets get shot. The Lead Counsel asked the witness to break his story down bit by bit and reminded him that two people were killed on the spot and before he could complete his sentence, the witness interrupted him and said “then I killed them. I accept. I accept that I killed them.”

The Lead Counsel named those who were killed: Ousman Sabally and Sainey Nyabally which the witness confirmed as true. The Lead Counsel said that there were lots of other people who were shot with a gun: Ebrima Saidy, who was shot in the stomach. He told the witness that it is not possible to shoot in the sky and the bullet ends up in a person’s stomach.

The Lead Counsel accused the witness of having aimed at the crowd and shot at the protesters, killing two and leaving seven others injured. “Giri” Abdou Njie admitted that is was true.

When asked how many live rounds the witness fired, the witness told the Commission that he had heard people say he shot 31 bullets, but he said, in fact he fired more than 31. He said that he had heard that his commander (Corporal Lamin Camara) had said (at the TRRC) that he had hidden his magazine, which was a lie. The witness then added, that “when you are the commander, despite the situation, do not try to implicate your juniors”. The witness said he was the second in commander and when that happened, he told the commander personally that someone had died and others were injured, but that he did not see them. He concluded that it was wrong to try to extricate oneself from one’s responsibility.

The Lead Counsel told the witness that he knew it was wrong to fire live rounds and kill those children. The witness admitted that he knew that was not right, but tried to justify his actions by stating that since two of his colleagues had been hit while another one had been hit with a stone on his head and the students were setting car tyres ablaze, he had no other option. He claimed that he was cornered and that they attempted to kill him, so he fired to scare the students.

The Lead Counsel told the witness to speak the truth and asserted that the witness was not cornered and when asked, “Giri” Abdou Njie confirmed that he was not personally hit a stone. The Lead Counsel concluded that if stones were being rained on him to the extent of him firing a gun, then he should have at least been hit by a stone. The witness said if the stones had hit him then that would have been bad for him because people were “too much”. He claimed that five thousand people were fighting against five individuals, which the Lead Counsel refuted.

When asked whether all five of them were pelted with stones, the witness responded in the affirmative and added that all five of them fired. He confirmed that some soldiers were hit by stones and injured. So, the Lead Counsel said that while their situation was more critical, they did not fire bullets on the students. “Giri” Abdou Njie assured that they did fire, but when probed the witness admitted that he was referring to the blank bullets and that he did not know whether the rest of the soldiers had fired live bullets.

The Lead Counsel put it to the witness that he just decided to take it upon himself to shoot the students without being in any difficult situation, to which the witness responded that he was already tired when the corporal said to him ‘your blanks are exhausted, shoot’.

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38 Ebrima Saidy testified before the TRRC on 16th September 2019.
39 The witness is referring to the testimony of Lamin Camara at the TRRC on 25th September 2019, who claimed that when he, Lamin Camara checked the ammunitions at the armoury, he discovered that one bullet as well as an entire magazine were missing which meant that (in total) 31 bullets were missing from “Giri” Abdou Njie’s ammunition.
On whether he was suggesting that Corporal Lamin Camara knew that his blanks were exhausted and told him to use live rounds to fire at the student, the witness agreed. At this point, the Lead Counsel told the witness that lying before the Commission is an offence and asked him if the statement he had just made was a lie.

The witness said he made a mistake and admitted that he had fired live rounds on the students on his own discretion.

“Giri” Abdou Njie continued his testimony, explaining that after he had killed two students and injured seven others, reinforcement from Basse came and they (the team from Basse) started conducting arrests, while his own team was scattered. He said that he saw the men from Basse jumping from their pickup, trying to arrest the students who were running away and putting those who they had apprehended in their vehicle. The witness explained that some arrested individuals were taken to the police station in Brikamaba while others were taken to McCarthy/Janjanbureh.

Responding to the question whether he had participated in the arrest, “Giri” Abdou Njie said that he did not, because he was tired and he maintained that version despite the Lead Counsel’s probing and even when he read him an excerpt of a witness’ statement who had been arrested at his house, taken to Brikamaba Police Station where he was beaten, which said: “at around 5 am in the morning, I heard a knock on my door. When I opened the door, I saw Fa Kebba and “Giri” Njie, a soldier; “Giri” was armed with a rifle. They arrested and escorted me to the police station. I met Hamadi Sowe and Malick Jallow, our head boy and deputy head boy respectively.”

When asked whether he participated in the beating of the students who were arrested, “Giri” Abdou Njie confessed that he did.

Regarding the number of students, teachers or even civilians that were taken to the police station on that day, the witness said they were many and admitted that every person that was taken to the police station was beaten. The witness acknowledged that it is unlawful to beat anybody under the laws of the country and that while being aware of this, he nonetheless participated in the beating.

When asked what he had to say to the families of those killed in Brikamaba, Abdou Njie apologised and claimed that “it was against his will that it happened”. He stated that they were not supposed to kill even an ant, but it was the work of the devil. The witness said he is also a family man like the people affected and if this had happened to his family, he would not have liked it.

The witness went further to say that when you are a commander and something happens, it is better to come clean and admit it so that when your juniors become commanders too, they can follow your footsteps. He added that he had made a mistake and recognised it. He said that after the shooting took place, everyone had extricated themselves from the issue and no-one talked to him to give him any advice.

The Lead Counsel told the witness that they were now going to talk about other abuse of people in Brikamaba. He told the witness that the Commission had received testimony that a number of people were made to lie on hot tar road and the soldiers were walking on them, trampling on them with their boots. The witness confirmed that this was true and admitted that he had participated, together with Paul J. Mendy (who later passed away in Darfur), Lamin Camara (the private soldier, not the corporal, he was not part of it) and Alieu Kambi. He said the others were part of the reinforcement team from Basse but he did not know their names.

The witness testified that the leader, Lieutenant gave the orders to beat the arrested persons while they were taken to the police station. When asked what Baldeh had done when he arrived (in Brikamaba), “Giri” Abdou Njie said he fired his pistol upwards and told his guys “to get them” and then his men started arresting people while others escaped.

Asked to describe the role Lieutenant Baldeh played during those events, the witness explained that those arrested were taken to the police station but when the station could not accommodate anymore
detainees, the others were made to lie on the road and wait for the vehicle to transport them to McCarthy/Janjanbureh. He testified that Lieutenant Baldeh was supervising this operation. When asked whether anybody had intervened to stop the process, the witness said he was not aware of it.

The Lead Counsel asked the witness what he would say to the suggestion that Lieutenant Wassa Camara asked Lieutenant Baldeh to stop the torturing, “Giri” Abdou Njie replied that if that had happened, he did not witness it, explaining that the place was tense and he was not aware when exactly Wassa Camara came in.

The Lead Counsel asked the witness whether there was anybody advising them or guiding them to comply with the law. The witness told the Commission that no-one went to him to say anything and confirmed that all of them were doing what they liked.

Regarding the number of people who were made to lie on the hot road, the witness said it was up to 10 people. When told that a witness had told the Commission that 75 people had to lie on the road, “Giri” Abdou Njie explained that he only saw 10 and explained that this could be due to the fact that he was moving around and also went to GAMTEL. When asked, he said that he did not participate in arresting people who were transported to Janjanbureh and explained that he was deployed at Brikamaba and stayed there.

Narrating the events after 11th April, the witness said that the Alkali came to the police station and asked their commander if they could not stay for some more days, even offering to provide food for the soldiers. “Giri” Abdou Njie explained that they stayed for one month and were accommodated at the GAMTEL house.

When asked whether they discussed the issue of casualties, the witness said they did not. The Lead Counsel reminded the witness that he had told the Commission earlier that he informed the corporal that some people had died and others were wounded. The witness explained that he informed the corporal immediately after it happened, but that after that he did not speak of it again.

The Lead Counsel asked the witness whether the army had any interest to assess the situation and determine who was killed and who was injured as a result of their own actions. The witness stated that he was not sure, but after the incident while they were at the GAMTEL in Brikamaba performing their normal duties, they were catered for by the community but the army did not give them anything during the entire month.

The Lead Counsel interrupted the witness and asked him whether it was true that everything was normal again after the operation, which the witness confirmed.

The Lead Counsel asked if the deaths and the injured were not the concern of the army. The witness responded in the affirmative.

“Giri” Abdou Njie acknowledged that the normal procedure was to have a debriefing after an operation, but that it did not happen at Brikamaba and confirmed that no-one had ever called him for questioning regarding the killing and injuries until he was called at the TRRC.

The Lead Counsel mentioned that it was known by the witness’ commander that he had killed people and the witness agreed and confirmed that he was never called by the Commission of Inquiry that was set up in 2000.

The witness explained that when the returned to Farafenni Barracks, they went to the armoury to return their rounds because there were people who had missing rounds, especially him. He asserted that he had fired more than 31 bullets, contrary to what the Corporal Lamin Camara had said. He said when he went there, he declared to the armourer that he had fired 90 bullets because he went with five empty marks and the fifth one had 16 bullets remaining in it. He added that others too went and accounted for the bullets they fired but he did not know much because he was not there. The Lead Counsel asked the witness if anybody had called him later to ask him anything about his spent bullets and the witness said nobody did.
The Lead Counsel asked the witness what he had to say to the suggestion from another witness that it was only one magazine that was missing and one live bullet. The witness said it is not true, that what was fired there was more than one bullet. He explained that he had four magazines meaning a total of 120 bullets and that he fired 90 bullets. The Lead Counsel reminded the witness that he had told the Commission earlier that he went back with only 16 live bullets and that would mean that he had fired 104 rounds. The witness agreed with the Lead Counsel and said he had made a mistake.

The Lead Counsel asked the witness whether his commander was lying when he said only one live bullet was fired in Brikamaba. The witness said yes and repeated it when asked another time.

The Lead Counsel told the witness that he had a report submitted by his Commanding Officer Keita and read the concluding part: “After the withdrawal, one week later, a check on the force line army soldiers from the battalion headquarters who participated in the operation was conducted. When that was done, we saw that nothing was missing.” The witness confirmed that this statement was untrue.

The Lead Counsel continued to read the report: “Blank ammunition was used to disperse demonstrators in Farafenni and Brikamaba. Alpha Company, Kudang sent in armoury returns and everything was intact. However, Charlie Company from Basse reported firing 12 rounds as warning shots when angry demonstrators tried to overrun the GRTS radio station in Basse. At the end of the operation, arms and armoury returns was sent to parent unit, GNA headquarters.” The witness confirmed that this statement was incorrect and agreed that it intended to cover up the army for the killing and injuring of the students in Brikamaba.

The Lead Counsel asserted that the witness was not present at the Commission of Inquiry because his acts were being hidden from the public and from the Commission. The witness said that could be the case because no one called him.

The Lead Counsel asked the witness what he had to say to those he injured and those he participated in their torturing. The witness, in response, apologised to all the victims and stated that it was not his intention that such things would happen.

The Commissioners then began asking the witness questions. The Deputy Chairperson asked the witness how he felt after having killed two people, injuring and torturing others while the community still decided to provide him with three meals a day for an entire month. The witness said he felt ashamed and embarrassed. He added that if the corporal should say the truth, he knows that he was eating breakfast from the shop, and his friend shared his lunch with him sometimes. He said he only went out during the night because of shame.

Commissioner Jallow told the witness that he had observed that the army was angry because throughout the incident they were either beating or killing. He wanted to know what the army was angry about. The witness explained that the army was operating on orders and when you are given an order, you are expected to act accordingly otherwise you would be in trouble and that one would even arrest his mother if told to. He stated that the army is there for the people and does not despise the people. When asked, he confirmed that he was still serving in the army.

Commissioner Sey thanked the witness for taking responsibility for his actions. He asked the witness whether he was married when this incident was taking place. The witness said he was married with children. Commissioner Sey said he hated the fact that the witness was not injured and nonetheless decided to take his gun and kill the students. The witness excused his actions by saying that he heard that two of his colleagues were hit by stones and he was also facing difficulties because stones were everywhere, that was why he fired but it was not his intention.

In his concluding remarks, “Giri” Abdou Njie noted that even if he should be fired or jailed, he wanted to say the truth because “when you are a commander, you should say the truth so that your juniors can follow your footsteps in the future”. The witness said he never prayed to kill even an ant in the army, so he apologised for his actions.
Persons Mentioned By Witness During Testimony:

**Extrajudicial killing and excessive use of force**

“Giri” Abdou Njie (the witness)

**Torture**

Lieutenant Baldeh, Paul J. Mendy, Private Soldier Lamin Camara, Alieu Kambi, “Giri” Abdou Njie (the witness)

**Concealment of evidence**

Corporal Lamin Camara

The witness confirmed that this statement was *incorrect* and agreed that it intended to *cover up* the *army* for the *killing* and *injuring* of the *students* in Brikamaba.
When asked how long he remained ADC to Yahya Jammeh, the witness said he was ADC until his arrest in June 2000. Describing his role as ADC, the witness stated that his role was diverse and that he was the personal military assistant to the then President and sometimes, this included being his bodyguard but also doing his errands and some protocol jobs. He confirmed that he was the only ADC to Yahya Jammeh at the time that he travelled with him and was always with him.

Speaking about the arrest of Landing Sanneh and Almamo Manneh, Lalo Jaiteh said that they took place in January 2000. He narrated that one day, as they were in Kanilai, Yahya Jammeh called him at around 8 to 9 pm and asked him to bring a tape recorder as he wanted him to listen to a cassette, adding that it contained a conversation recorded by Ousman Sonko, who at the time was the second senior man of Landing Sanneh, the then State Guard Commander. The witness told the Commission that when Yahya Jammeh asked him if he could identify the voices, he responded that he thought that they were those of Almamo Manneh and Landing Sanneh. The witness informed the Commission that the speakers in the tape were discussing how to plan and carry out a coup d'état. He said after listening to that recording, Yahya Jammeh told him to call all the ministers and tell them to come to Kanilai. When asked whether anyone else was listening to the tape apart from the two of them, the witness said at that very moment, he was the only one present listening to the tape but other people had listened to it subsequently.

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Lalo Jaiteh told the Commission that he enlisted in the army in 1995 and gave an overview of his progression: from Cadet Officer to Company Commander and then Lieutenant. He was later invited to take part in a course that was conducted by the Taiwanese Military called the Burn Disposal course, at the State House. The graduation ceremony of the course was attended by the then President Yahya Jammeh, and immediately after the graduation ceremony – in 1998 or 1999, Yahya Jammeh contacted the army commander and told him that he wanted Lalo Jaiteh to be transferred to the State House. He added that was quickly appointed Aide de Camp, ADC to Yahya Jammeh.

When asked about which cabinet ministers went to Kanilai, Lalo Jaiteh explained that some came but that he could not remember which ones exactly because the event happened a long time ago and in addition after listening to the tape a lot of things unfolded, so he did not pay much attention to that. When asked if other authorities apart from cabinet ministers were informed, Lalo Jaiteh responded that this was possible since the tape was in Yahya Jammeh’s room.

The witness explained that he did not attend the meeting when the cabinet ministers arrived, as
he had been asked by Yahya Jammeh to go with some soldiers to arrest Almamo Manneh and Landing Sanneh, and take them to Yundum Barracks. He added that Yahya Jammeh asked him to make sure that he (the witness) and Ousman Sonko work together in carrying out the arrest. He mentioned that this request (to work with Ousman Sonko) was probably made because Ousman Sonko had recorded Almamo Manneh and Landing Sanneh, so it was obvious that he had been present when they were having the discussion. According to the witness, Yahya Jammeh probably wanted to make sure that Ousman Sonko was not part of the planned coup.

Lalo Jaiteh mentioned that because of the renovations at State House in Banjul, Yahya Jammeh was residing in Kanilai at the time and that therefore soldiers from State House were there as well. The witness explained that he put together two sections of State House soldiers, which consisted of himself, Musa Jammeh, Buba Jammeh, Seedy Baldeh, Ismaila Jammeh, Omar Sonko, Barra Mboob, John Mendy, Karim Bah, and two drivers called Alieu Sowe and Lamin Sillah. The witness noted that it was difficult for him to remember all these names when he was giving his statement but that he made some phone calls to soldiers who were working at the State House. He mentioned that he is supposed to give a deposition in Switzerland in the case of Ousman Sonko. The Deputy Lead Counsel wanted to know which names the witness remembered before asking about soldiers that were working at the State House and the witness responded that he remembered himself, Seedy Baldeh, Ismaila Jammeh and Musa Jammeh, also known as Maliamoogoo. When asked about Ismaila Jammeh, the witness responded that he was a Jungler and that he is under custody.

The Deputy Lead Counsel asked the witness whether he knew that Ismaila Jammeh had appeared before the TRRC, to which the witness responded that he did and that it was in August. He added that in his testimony, Ismaila Jammeh had mentioned Buba Jammeh, so he (the witness) contacted Buba Jammeh and asked him to help him recall the names of certain people.

Going back to the mission, the witness recounted that they left Kanilai with two vehicles and headed to the Kombos. He said that they met with Ousman Sonko on the road to Jeshwang, heading towards Sting Corner. Once there, Ousman Sonko told them that he had spoken with Yahya Jammeh and he had told him that he (the witness) and some soldiers should wait at Sting Corner and he (Ousman Sonko) would go to Banjul with some soldiers and arrest Almamo Manneh.

The witness said that he asked Ousman Sonko to explain the plan, to which he responded that Almamo Manneh and Landing Sanneh were thinking that he (Ousman Sonko) was part of the planned coup and would therefore agree to meet with him as they were still things to discuss. Lalo Jaiteh noted that since Ousman Sonko was his senior and that Yahya Jammeh had asked him to coordinate with him, he accepted to stay behind with some soldiers.

He said Ousman Sonko, Musa Jammeh, Buba Jammeh, Ismaila Jammeh, Seedy Baldeh, and Omar Sonko therefore boarded the vehicle and went to arrest Almamo Manneh. While he did not calculate the time, the witness estimated that around one and a half hour later Ousman Sonko returned with the soldiers and said to him ‘Jaiteh, we have returned, but you will stay here with these soldiers while we go and arrest Landing Sanneh too’. The witness asked where Almamo Manneh was, to which Ousman Sonko responded that he was inside the car boot. The witness stated that he was terrified when Ousman Sonko told him this and inquired why he had put him in the boot and not in the car. Ousman Sonko said to him “he is dead”, called God’s name and said “shit happens”.

The witness testified that he opened the boot of the car and saw Almamo Manneh’s dead body lying there covered with blood. “I asked Sonko what caused this? He said they went to arrest Almamo in his office and he refused and took out a gun and shot at them, so they also shot him.”

The Deputy Lead Counsel asked the witness whether he believed that story. Lalo Jaiteh responded that he did not and that he asked Ousman Sonko how it was

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At time of publication of this report, Ousman Sonko is awaiting trial in Switzerland for accusations of crimes against humanity and torture, including rape.
possible that Almamo Manneh shot at five people without hurting anyone and that they managed to kill him. He added that he knew that Almamo Manneh was a good soldier and if he had shot at four to five people, he would have hit them. The witness concluded that he could not believe that Almamo Manneh shot at them.

When asked what was going in his mind at that time since he did not believe Ousman Sonko’s story, Lalo Jaiteh responded that first of all he realised that he was a part of that betrayal. Secondly, he wondered if Ousman Sonko would not also try to kill Landing Sanneh as there was a rumour going on that Ousman Sonko had impregnated a female soldier, who was a relative of Landing Sanneh. The witness said that he thought that Ousman Sonko was maybe afraid that Landing Sanneh would inform Yahya Jammeh and hence try to silence him.

Responding to the question why in his opinion Ousman Sonko killed Almamo Manneh, the witness responded that it was probably to take his and Landing Sanneh’s place. When asked whether he believed that Ousman Sonko killed Almamo Manneh intentionally, the witness said that was what he was thinking, but only God knows what his intentions were.

The witness further stated that he told Ousman Sonko that he was not going to wait for him there, that the order he got from Yahya Jammeh was only to arrest these individuals and take them to Yundum, and that although he did not know what he (Ousman Sonko) had discussed with Yahya Jammeh on the phone, he was going with him to witness the arrest of Landing Sanneh. The witness explained that Ousman Sonko was a bit hesitant but eventually agreed that they go together.

The witness narrated that when they arrived at Landing Sanneh’s compound, he made sure that Ousman Sonko and some other soldiers did not enter Landing’s house. He went instead with a few soldiers. The witness narrated that when they got into the compound, he realised that one of Landing’s relative, a man called Sanna who was residing there, had already informed Landing Sanneh of their presence. The witness said that since no-one opened the door when they knocked, they went to the back and looked through the window. There he saw Landing Sanneh and his wife, who was pregnant at the time, as well as two other people standing beside Landing. Landing Sanneh was making phone calls and he heard him asking a person on the line “where is Almamo?” but he did not know what the other person said.

Lalo Jaiteh said that at this point, as he was still staying by the window, he asked Landing Sanneh to open the door and told him that he was under arrest and they were going to take him away. The witness explained that he believed that Landing Sanneh knew that the soldiers were there even before they knocked at the door. He refused to open and continued talking on the phone. The witness said that he could not continue to wait outside, especially since he was suspecting that Landing Sanneh was calling soldiers telling them to rescue him. The witness explained that he did not want a fight to take place in a residential area, even more so because his own family was living just 50 metres away from Landing’s compound.

Lalo Jaiteh continued to explain the arrest of Landing Sanneh: he went away from the window and lay on the ground with the rest of the soldiers and decided to shoot at the door because they did not have the right tools to break it. The witness testified that he connected a grenade launcher on the door and shouted “grenade” then they all fell on the ground and took cover. He explained that the door was distant enough from where Landing and his family were standing. At the moment, Landing Sanneh shouted “stop, stop, I am here!” and was arrested.

The Deputy Lead Counsel asked the witness whether anything had happened to Landing Sanneh when he was being arrested and the witness stated that Landing was made to come out of his house through the broken glass door and noted that he might have been injured in that process. He admitted that after he was taken out of the house, soldiers started beating him up but said that he (the witness) shouted “stop it, we did not come here to beat him, we are here to arrest him so if we have him then let’s take him to the right place”. When asked which soldiers participated in the beating, the witness said he could

41It is to note that in the October session of the TRRC, an unidentified witness testified on the 28th October 2019, that she had been sexually harassed by Ousman Sonko and that on 30th October 2019, Binta Jamba the wife of Almamo Manneh testified that after the killing of her husband, Ousman Sonko raped her more than 60 times.
while the President had ordered him to go and arrest these people, he also called Ousman Sonko and told him another thing. So, he suspected that Yahya Jammeh knew what had happened. He also recalled that the morning after the incident, he had told Yahya Jammeh “I know you know what happened. Almamo lost his life in the process and Landing Sanneh is at the Yundum Barracks”. He added that he did not tell Yahya Jammeh anything about what Ousman Sonko had told him.

When asked what his reaction was when the witness gave him that update, the witness stated that Yahya Jammeh told him that “if you involve yourself in a coup, whatever harm you get there you asked for it”. Lalo Jaiteh said that he thought that this meant that if any soldier is ready for a coup then he is putting his life at stake. He added that, to him, it seemed Yahya Jammeh did not care.

The Deputy Lead Counsel asked the witness whether he had talked to any member of the team about the circumstances that led to Almamo’s death and he responded that he could not remember discussing it with anyone.

Moving on to the April 2000 student demonstrations, the witness told the Commission that he was with Yahya Jammeh in Cuba at the time. On 10th April, early in the morning, a soldier told him that Baboucarr Puye Jobarteh, the protocol officer of the then Vice-President Isatou Saidy-Njie was on the phone. When asked about the exact time of that call, the witness stated that it would be difficult to say because of the time difference, but he knew they were still in bed in Cuba. He added that the call was made from Gambia when things started to get out of hand between the students and the security forces.

Trying to recall what Baboucarr Puye Jobarteh had told him over the phone, Lalo Jaiteh mentioned that he said that it was very urgent, that there was a students’ demonstration, that the situation was getting out of hand and the Vice-President needed to talk to Yahya Jammeh immediately. The witness added that Baboucarr Puye Jobarteh was a little bit tense and nervous. The witness explained that he then
went to Yahya Jammeh’s room, gave him the telephone and told him that there was a student strike and that the Vice-President needed to talk to him. The witness said he understood from Yahya Jammeh’s reaction that he was panicked.

The witness testified that he stood behind the door while Yahya Jammeh was talking on the phone, and remembered he said “take care of these bastards in whatever way and form” in an aggressive tone.

When asked, Lalo Jaiteh said that he assumed that he was talking to the Vice-President at that moment. When probed again later and asked if Yahya Jammeh might have talked to the Protocol Officer Jobarteh instead, the witness responded that he did not think so. Regarding the meaning of the words used, Lalo Jaiteh explained that in his opinion this could have meant that they should be killed or beaten in whatever way and form.

Lalo Jaiteh said he was shocked when he heard this and ran to his room to call his wife in The Gambia. When he reached her, he asked about a student called Matida who lived with them and was told Matida had gone out and he thought she was going to be part of the people they were going to deal with. The Deputy Lead Counsel asked the witness why he reacted that way to which he responded that when someone speaks with such an aggressive tone, especially considering the fact that Yahya Jammeh was a dictator and his orders were going to security officials who were not well trained, then that could mean they could kill the students. He explained that he feared that he would never see Matida alive again.

The Deputy Lead Counsel wanted to know whether there is a particular reason why the witness interpreted Yahya Jammeh’s statement to include killing and the witness explained that Yahya Jammeh was angry, his tone was aggressive and as a dictator, he had never been tested like that. He said Yahya Jammeh had no respect for anybody when it came to challenging his authority or challenging him as head of state, “so he would be ready to tell people even if it worth killing them”.

Responding to the question of what happened in Cuba while the witness was with Yahya Jammeh, he stated that there were continuous consultations between Yahya Jammeh and the delegates, including with Abdoulie Kujabi, a one-time Director of the National Intelligent Agency, NIA. The witness testified that Abdoulie Kujabi and a nervous Yahya Jammeh were talking and strategising. He added that they were making continuous telephone calls, but he did not know to whom. They later changed the departure time from Cuba. Later in his testimony, the witness rectified his statement and said that in fact Abdoulie Kujabi was not present in Cuba but that other men with the same last name were there, hence the confusion. He clarified that Yahya Jammeh spoke with Abdoulie Kujabi on the phone but that he was not physically there.

The witness described the trip as chaotic because nobody knew what was going on and what was going to happen in the future. So, they left early. Instead of arriving in the morning, they arrived at night. He said on their way to Banjul, Yahya Jammeh was not sitting in his official car and they did not use the main road from Yundum to Banjul. He explained that they went up to Coastal Road and then used the road linking to Serrekunda in order not to raise attention. When asked about the date of their arrival, the witness said he believed it was in the night of 11th or 12th, but he was not sure.

The Deputy Lead Counsel asked the witness whether Yahya Jammeh had received any information through public sources about the demonstration and the witness replied that Yahya Jammeh would receive that, but he was not a “good reader of newspapers” and that one could not bring certain newspapers to his office. He said apart from the telephone calls, he saw on the Observer newspaper that a man called Sheik Luis from Bakau gave an interview blaming the government for the atrocities of 10th /11th April.
Lalo Jaiteh said he later saw Yahya Jammeh read that newspaper at the State House, in the presence of Ousman Sonko and Musa Jammeh aka Maliamoogoo.

He added that Yahya Jammeh called out Ousman Sonko’s name and said to him “if you have people who can keep secrets, let them go and eliminate this man.”

The witness said he understood the statement to mean they should kill Sheik Luis because he was offended by the interview he gave to the newspaper. The witness specified that he thought Sheik Luis was working at Amnesty International at the time.

The witness further told the Commission that immediately Yahya Jammeh said that, no-one said anything. The witness said he and Ousman Sonko moved to the other side and then he turned to Ousman Sonko and said to him in Mandinka “Sir, I am not part of it. You are the Commander of the State House but I am not part of this”. The witness admitted that it was a very risky move because if his words had been reported to Yahya Jammeh, he could have been eliminated. The witness said he thought that he had actually saved Sheik Luis’s life because Ousman Sonko knew he heard this information and he openly told him that he was not part of it. He therefore thought that could be the reason why they did not go ahead with it.

Moving on to his own victimisation, Lalo Jaiteh recalled that in June 2000 while he was in Kanilai, he was told by Ousman Sonko that he had been transferred to the Army Headquarters to take up a new job. He explained that he had mixed feelings over this news because he always felt he did not belong at the State House, so the transfer was a good thing. The witness recounted that he had even prepared to leave the country as he had applied for a bachelor’s degree in information technology at the University of Kentucky, and had even paid half of the school fees.

The witness explained that he was very happy when he got transferred because this meant that he could see his family more.

Lalo Jaiteh recalled that on 2nd June, he got a knock on his door and when he opened the door, he saw four to five soldiers standing at his door dressed in mask. He said an AK47 was pointed to his head as he opened the door and was informed that he was arrested. The witness testified that he was tempted to fire at them because he was armed, but when he tried to get his pistol from his hip pocket, his hand touched the head of his three-year old son who had followed him without his knowledge. The witness said his instinct did not allow him to fire because if he did, they would kill the whole family. He stated that he decided to raise his hands up and subdue for the safety of his family.

He thanked everybody who helped him during his problem, but he described the ladies as the heroes.

The Deputy Lead Counsel asked the witness whether he was told the reason of his arrest at the time and the witness stated that they did not tell him anything
Casso was trying to get closer to the President. The witness said he was trying to be closer to Yahya Jammeh and he was trying to know everything about the President. He added that since he had not received any official message concerning Francisco Casio/Casso’s role, he did not want to have anything to do with him. The witness recounted telling the soldiers not to allow him to enter the compound of the President, because he always used to attempt to join the convoy. He testified that the first day he saw Francisco Casio/Casso, he saw that he had a tape recorder and therefore started being suspicious towards him.

But one day, Yahya Jammeh called the witness to his office and told him “Jaiteh, Francisco and his team are under me directly. You have nothing to do with them. They are under me and they take their others from me”.

On the names of the individuals Francisco Casio/Casso was training in 2000, the witness said he forgot most of them, except for Lieutenant Wally Nyang, who is now living in America but specified that he was not part of the Junglers, he was only part of the first group Francisco Casio/Casso trained, which was not involved in killings.

Going back to his arrest and detention, the witness explained that he was taken to the NIA Headquarters and was dumped in a very dark cell that smelt of urine, had no lights or window. He added that there was no bed, mattress or blanket and had to put some cartons together to lie on them even though he was not sleepy. The witness told the Commission that he was taken to another room the following day and could not say whether it was up or down, but it was in a room where some men were waiting for him to interrogate him.
Upon arrival, they asked the witness why he was there and he told them that he did not know. He said he thought Yahya Jammeh was angry with him days before he left Kanilai concerning the things he bought. He explained that he had told a supplier of air conditioners and other materials that his goods were too expensive and Yahya Jammeh was really angry about this interference. He said he told this to the NIA, but they later informed him that he was arrested because there was a coup plot, which was about to be organised by his relative, former Captain Alagie Kanteh. The witness said he told them that he knew nothing about that, and they later allowed him to write his statement.

On those who interrogated him, the witness said they were many but he could remember one Sukuta Jammeh. The witness stated that Sukuta Jammeh was however very respectful, adding that, he did not insult nor harm him.

When asked how long he stayed at the NIA, the witness said he spent almost five to six days there. He said they were picked up on 30th June by the military police and taken to the Kanifing Magistrate Court, where he was charged for treason and remanded in Mile 2 Prison, at the maximum-security wing, cell number one. The witness stated that his cell was near that of Sanna Sabally, which he noted was also another horrible cell. He said he spent the night there and the following morning the cell was white from salted water, which was coming from underground and made the cell wet. He stated that he spent one year in that cell and that in total he was detained at Mile 2 Prison for three years, one month and eight days.

Lalo Jaiteh explained that together with Omar M. Darboe, Momodou Marenah, Momodou Dumo Saho, Ebrima Yarboe and Ebrima Barrow, they were charged with treason. He added that State wanted to use Ablie Sanyang as a state witness, but that he left the country. He added that Alagie Kanteh, who was also accused, managed to flee abroad. The witness said that their case was being heard by the High Court because they were accused of treason.

The witness recounted appearing before Justice Grant at the court who once told the Director of Public Prosecution that if they are not serious with the court case, he was going to throw it out. The witness said the case was then taken away from him and after seven months of delays, it was given to the then Justice Ahmed Belguri. The witness explained that Justice Ahmed Belguri told the prosecution that he would not keep them hanging if they did not bring him evidence, but if he was given evidence, he would convict them. The witness said no evidence was provided so in July 2003 Justice Ahmed Belguri decided to discharge then. The witness said he was surprised because he never thought anybody would be brave enough like Justice Grant and Justice Ahmed Belguri.

On the impact on his family, the witness told the Commission that it was a difficult moment. He said until now he could not imagine how his wife was able to manage because she was very young and inexperienced. He said his wife had promised him after five months that she was going to do everything possible to stand behind him. The witness cried and said it was tough, but his wife made him strong through all those horrible conditions at Mile 2 Prison. He also thanked his family members and his good friends.

The Deputy Lead Counsel wanted to know how soon the witness left the country after he was released and the witness said they were expected to go home when they got released but they went back to Mile 2 Prison instead. They realised that they had to spend the night there because of one “wicked” prison senior officer, Yahya Jammeh who never wanted them to go home. They were then taken to the Army Headquarters the following day thinking that the army would take them to court martial. The witness said when they arrived at Baboucarr Jatta’s office, the then Chief of Defence Staff, he asked Yahya Jammeh why he was bringing them there, to which he responded “I thought you were going to bring them to court martial”. Baboucarr Jatta then told him, “the court released these people. Go back to the prison and release them, we have nothing to do with their case”.


The witness told the Commission that he was confident that the TRRC would issue recommendations that would be accepted and respected. He said he hoped the government would not come out with a white paper as the case of the Janneh Commission and apply selective justice. He said if this happened, the country would not heal and would continue hating one another. He directed his last point to the army. He advised the Gambia National Army to be wise and not allow any politician to use them against the people.

In his concluding remarks, Lalo Jaiteh stated that if people want to have what they deserve then they have to be determined for a change. He said he believed one of the roots for a better society for Gambians is through the TRRC. The witness said he was not naïve that a life lost is not reparative, but he believes that if they are able to tell the truth, if Yahya Jammeh was taken to justice, his properties confiscated, then at least “a life lost will feel that there is a reparation”.

He added that he always said there was no civil war in the country, there was no tribalism in the country, there was just a foolish propaganda that Yahya Jammeh was using to divide the nation. He said it was not between the Jolas and the Mandinkas, it was not between the Fulas and the Wolof, it was Yahya Jammeh alone and few of his bad soldiers who strangulated the country to the point of suffocation.

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Persons Mentioned By Witness During Testimony:

Arbitrary arrest (of Landing Sanneh)
Lalo Jaiteh (the witness), Ousman Sonko, Ismaila Jammeh

Extrajudicial killing (of Almamo Manneh)
Yahya Jammeh, Ousman Sonko, Musa Jammeh, Buba Jammeh, Seedy Baldeh, Ismaila Jammeh and Omar Sonko

Arbitrary detention (of Omar M. Darboe, Momodou Marenah, Momodou Dumo Saho, Ebrima Yarboe, Ebrima Barrow and Lalo Jaiteh)
Yahya Jabbie
Whilst on the trip, the witness said he received information that there were students’ demonstrations and students had died.

Asked if he had received any further information, the witness said no, however, he said a day after he heard of the killing of the students, Yahya Jammeh asked him to contact the pilot and make a flight plan to return immediately to The Gambia unannounced and arrive between 3 and 4 am. Asked if Yahya Jammeh was informed of the demonstrations on the actual day, the witness said he should have been as head of state and this was a serious matter.

Demba Njie then explained that he called the pilot and gave him Yahya Jammeh’s instructions. They were meant to stay in Cuba for another two days but they departed early probably because of the information Yahya Jammeh must have received and he could not stay in Cuba whilst Gambia was “bombing”.

The witness said that usually when they would travel, they would announce including time of arrival but in this particular case, they asked him to keep it secret.

At the airport, they took the convoy without sirens and had to take Bundung Highway, up to Serrekunda market junction, then branched right straight to Westfield and Banjul, which had never happened in all the years the witness had served.

On the secrecy surrounding Yahya Jammeh’s arrival, the witness said that it had to do with the killings of the students as people may not have been happy, which he assumed could have led to something else. Further testifying, he stated that Yahya Jammeh might have been briefed by the authorities responsible regarding the circumstances of the demonstrations.

According to the witness, a day or two after their arrival, he went out and saw the damages done at Westfield, GAMTEL, a police station and some phone booths. He explained that he heard that the students, after some killings, were angry and had no
other arms but destroyed State property. He added that he was not informed who had carried the killings of the students.

Demba Njie told the Commission that he did not recall Yahya Jammeh making any public announcements but he heard that the then Vice-President Dr. Isatou Njie-Saidy had made one, which blamed the students for the killing of their fellow students.

He said that one weekend, Yahya Jammeh went to the Royal Victoria Teaching Hospital, RVTH, at the emergency wing to visit the injured students. The witness described the visit as very private with a few bodyguards and a few people from the hospital around.

The witness stated that when Yahya Jammeh was going to the hospital, he saw armed guards in camouflage uniforms, holding their AK47s entering the hospital and he did not think this was right. He said he raised a point of objection, as he did not expect soldiers in military fatigues with AK47 moving inside the wards of the hospital. It would have been better for bodyguards in mufti or suits with their pistols concealed to go around. He also said he did not expect any threats within the wards and added that this would traumatised the patients again after weapons were used against them.

Asked how they reacted to these objections he raised, the witness said they stood of the ward and Yahya Jammeh went in with a few bodyguards to interact with the patients. Asked why he thought the soldiers were dressed in this manner, he said that after the 1994 coup d’état, The Gambia was not prepared for a military government and soldiers who had never served in the State House before or never received any VIP protection training found themselves at the State House. He believed some of them behaved in that manner because they wanted to be seen on TV. He added that there was no professionalism in the way things were going on at the State House in the first years of the coup d’état and he felt Yahya Jammeh wanted to be seen surrounded with soldiers armed to show power and might.

Continuing on with his testimony, the witness disclosed that a few months after the 10th/11th April incidents, one night, when he was with Yahya Jammeh at the State House, at around 9-10 pm, the late Baba Jobe came in and said that the college students were about to go for another demonstration, this time to block the highway and the situation was getting serious.

It was then that Yahya Jammeh said in Wolof: “They want me to do worse than I did in 10th and 11th April”.

The witness said he understood that to mean that Yahya Jammeh was responsible for the killings on 10th and 11th April. Baba Jobe objected and said: “No Sir” and Yahya Jammeh instructed him to go talk to them then or else he will do worse than what he had done on 10th and 11th April.

The witness said that Baba Jobe went back and spoke to them as instructed. He did not know if Baba Jobe went back to speak to Yahya Jammeh but he knew that after that issue, the Gambian Student’s Union, GAMSU changed to National Patriotic Students’ Union, NAPSA and that was when the students’ union became more political than unionist. He added that Yahya Jammeh used to boast about, saying that any good patriot was behind him, which the witness explained meant saying “yes Sir”, doing whatever he wanted and never objecting to anything he did.

Asked what influence Yahya Jammeh had on the organisation, the witness said that NAPSA benefitted a lot from Yahya Jammeh and they did anything he wanted.

The witness was allowed to give closing remarks which he did not have the opportunity to give when he last testified but before that, Imam Jallow asked what advice he had to give young Gambians who are often manipulated by politicians, getting into “areas they have no idea and should not be participating in”. Demba Njie responded that children should focus more on their books and parents should advise them to desist from political activities as politicians are selfish and self-interested. He added that the youth of today is the future of the country and “if we have bad youth today, tomorrow we are going to have very bad administration, very bad authorities”.

*Baba Jobe was a senior member of the Alliance for Patriotic Reorientation and Construction, APRC. He was murdered in 2011 by the Junglers under orders of Yahya Jammeh.*
In his closing remarks, the witness said that security officers should reform themselves and desist from being “somebody’s officer”. He called on his fellow officers not to be used by politicians for their own gains. For 22 years, Gambians were living in a state of emergency and he explained that he said “state of emergency” because of allegiance to one individual, that is Yahya Jammeh.

He also called on those serving for the government to do their job, not mislead the head of state.

Demba Njie then stated that he read in the media that people said he claimed Yahya Jammeh was bad but yet he recommended his best friend Ousman Koro Ceesay to work for him. The witness clarified that Ousman Koro Ceesay had not been his best friend but rather somebody he respected for his values. He added that he was not working for Yahya Jammeh but for The Gambia and if he could see someone who could assist with the development of the country, he would recommend the person.

The witness mentioned recommending one Babani Sissoko who he said invested in The Gambia, at the time when the country did not have many friends. Demba Njie claimed that he made Babani Sissoko open businesses and convinced him to buy Amies Beach Hotel from AMRC, renovate it and open it for business thus allowing thousands of Gambians to survive. He also remembered asking Babani Sissoko to buy new motorcycles for the convoy in 1996. He proudly said he did this for his nation.

He alluded that as he was close to Yahya Jammeh, he would sometimes act as a fire extinguisher when decisions would arise. He recalled when Lie Conteh, the then Kanifing Municipal Council, KMC Chairman was fired and said that through his interventions, he was reinstated.

Lastly, he appealed to the Commission for justice. In a series of incoherent sentences, he said that in 2006, there was a coup d’état and people who had testified before the Commission had said they had participated in the coup d’état without showing any remorse. In 2014, some died, some ran away, some were arrested. He declared: “If we want justice, let justice be done”. He said those people who committed those offences, coup d’états, which are one of the gravest offences against the Constitution, are going about their business whilst others who have done nothing are struggling.

**Persons Mentioned By Witness During Testimony:**

**Extrajudicial Killing**

Yahya Jammeh

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43According to reports online, Babani Sissoko is a Malian businessman accused of fraud, of stealing 242 Million USD and wanted for prosecution. For more, please see https://www.bbc.com/news/stories-42878021
Discussing the April 2000 events, the witness said that as Commissioner of Operations in the Gambia Police Force, he was third in command. He was responsible for coordinating all operational activities (general duty to operational duties) of the police throughout the country, which would involve events that would need crowd control such as demonstrations.

As part of his coordination role, the witness explained that he reported to the Deputy Inspector General of Police, Deputy IGP who would report to the Inspector General of Police, IGP. He also disclosed that the men would report to the unit heads who would report to the divisional commanders who reported directly to him.

When asked if they usually had briefings before operations were conducted, the witness responded in the affirmative. He said he would coordinate the operational activities through his operational orders, especially for all major operations. Asked how he knew information had filtered down to the men, Baboucarr Sowe explained said that his part was to draft the order and the registry would distribute them.

The witness confirmed that there were operational orders during the 10th/11th April events and though he did not have a copy of them on him, he stated they should have been in the system. The Counsel asked if he had attended the Commission of Inquiry, which the witness confirmed and said a copy of those orders were submitted there. He stated that he should be able to identify them as his signature should be on there.

After he was provided a copy of the orders by the usher, the witness confirmed that it was his signature. Baboucarr Sowe read the heading: “Gambia Police Force, General and Administrative Instructions for Student Watch Commencing Friday April 7th”. He briefly explained that operation orders were generally given when a situation arose and briefings were received to say “this is the situation and this is what is required”. On 7th April, when the leadership of the police called for a meeting, they were apprised of an imminent student demonstration and the IGP instructed that “let all the mechanisms be put in place for an imminent demonstration”.

WITNESS NAME: Baboucarr SOWE
TRRC HEARING DATE (S): 30th September 2019
EVENT (S) DISCUSSED: 10th/11th April 2000 Student Protests
POSITION BEFORE THE EVENT (S): Police Commissioner of Operations
ROLE DURING THE EVENT (S): Commissioner of Operations
POSITION AT THE TIME OF TESTIMONY: Security sector reform specialist at UNDP Gambia
SUMMARY OF TESTIMONY:
[There were technical issues during the hearing]

After giving a brief history of his education, Baboucarr Sowe told the Commission that he started his career at the gendarmerie in 1985 and after the gendarmerie was disbanded, he moved to the army then later moved to the police as Commissioner of Police. Asked where he was during the 1994 coup d’état, the witness responded that he was in Turkey doing his officer’s basic course for the gendarmerie.

The witness explained that as Commissioner of Police, he was in charge of operations and then later on moved to admin and then back to the operations again when he left in 2005. He stated that he was selected to serve as police advisor in the UN in Sudan, then moved to New York, which led to his current career in The Gambia working for the United Nations.
He added that the orders in general defined how the police officers should conduct themselves, what tools to use and ensuring they all fell within the confines of the laws but sometimes they would be context based. He read the operational orders drafted, which asked for one platoon of 20 men with riot equipment to be headed by Assistant Superintendent of Police, ASP Lamin Jamang for the Banjul division, 3 platoons by 20 men each to be headed by ASP Momodou Ceesay and ASP Modou Gaye based at the Police Intervention Unit, PIU Headquarters and the divisional headquarters, and from the Brikama division, one platoon of 20 men to be headed by ASP Famara Jallow and be based at Brikama station. The orders also asked that provincial divisional commanders were to form their own platoons and take full charge of their respective divisions.

The orders further read: “During the execution of our lawful duties, commanders are required to be as discreet as possible and use only the necessary force required for handling any situation. All members of the force are reminded that they should be cautious, open, neutral, tact and approachable. Duties are to be carried out in accordance with the law and stand to protect life and property in the best possible and discreet manner. We should avoid provoking disturbances and bear the required level of tolerance to avert any situation. Subunit heads are required to depict from this general instruction for their own conscientious and take account of the men under their command including equipment.”

On the tools to be used, he said these included riot helmets, batons, shields, gas masks, gas canisters and sometimes rocket launchers to launch the gas canisters.

The witness added that he only anticipated for riot tools and nothing beyond that because his decision was based on the information he had, which was a normative riot situation. No guns were allowed.

Regarding the conduct of the men, he said they were not allowed to beat the students and they were supposed to protect life and property. Baboucarr Sowe further explained that after he would draft the operational orders, they were normally sent for typing and then distributed. They went to the registry and the registry would them to all the places they were mentioned in the orders.

On how the orders would get to the men, the witness explained that this would depend on the commanders, either in writing or in the form of briefing during a parade, essentially the orders would be translated verbally. He said 20 years ago, the literacy rate in the police was low and so many orders were given verbally. As Commissioner of Operations, he counted on divisional commissioners to ensure they transmitted the message. He admitted that he did not go into the “nitty gritty” of the details and therefore did not have a process of verifying what they were supposed to do. At the time, it was not in existence. He stated that he would have done things differently today after having gone through more training and lessons learnt, including putting a monitoring and verification mechanisms in place.

Asked if anyone could change the written orders, he said it was possible but if they were changed, the changes may not be in writing as people could give verbal orders and defy what was written without reference to the witness. On whether this would be lawful, the witness responded that it may not be lawful if it contravened the confines of the law. He then clarified that sometimes the orders may come from above him and therefore override his orders. Asked to give examples, he said he did not have examples but pointed out that he had only stated that it was possible.

The witness was asked if anyone subordinate to him could change those orders and he answered they could not and should not. He stated that they must implement the orders to the letter as he had instructed. He added that that he was not aware of his operational orders from 10th/11th April being changed by his superiors.

The Counsel asked Baboucarr Sowe if he would be surprised to know that his divisional heads said they
did not receive these operational orders and he confirmed he would. He added that if they checked the police records, they should find a distribution of operational orders and that if anyone said otherwise, that is they did not receive the orders, it would be a lie. Nevertheless, he again reiterated that did not have any effective system to know that the orders were sent. Once they were written, they are taken to the registry and it is then the registry’s responsibility to convey the messages.

Asked if he had an effective system for implementation, he responded in the negative. He said when orders were given, you counted on the trust of your divisional officers in charge to implement these orders. He admitted that they also did not have a monitoring mechanism to ensure the orders were implemented.

Further testifying, Baboucarr Sowe asserted that orders could not be corrected in the middle of operations as that would be impractical.

The witness explained that if orders needed to be corrected, the solution would be perhaps to ask for reinforcement or find other ways to handle it but he reiterated that they could not change the orders. He added that it may be possible to correct orders verbally because you could say “withdrawal, for example or don’t do this, or you can say “do it another way round”, which is not defined”. Asked if that was the situation on 10th April, the witness said he did not change the orders in the middle of the operation nor did he authorise anyone else to do so. He claimed that as far as he knew, the operational orders he wrote were not changed. But inevitably, he admitted the police conducted themselves away from what the orders said.

On what happened after the orders were disseminated to the men, the witness explained that they waited for the day of the demonstration to come and they looked for further information from the other parts of the police as to new developments but they did not hear anything.

Baboucarr Sowe then disclosed that the normal procedure after an operation concluded would be to call for a debrief to know what went wrong and the outcome of the operation. In terms of guns and ammunitions, if they were mentioned in the orders, he said they would review how they were used. If they were not mentioned in the orders, it meant they were not part of the debriefing.

On April 10th/11th massacre, the witness said he did not check what weapons were used and by whom but he should have and he took responsibility for that. He said he also took responsibility for failing to investigate and claimed he was scared to initiate anything.

Asked how many weapons were issued, he said he had no idea. He again reiterated he should have done a thorough check in the aftermath given that the operations involved casualties. He said he tried informally to find out but “the regime at the time was interested in this event” and they had already taken control of it.

He added that he did not have the audacity to say “let’s mount an investigation, who did what, who carried the weapons, who died, who fired, which under normal circumstances his office should have be able to do that”.

Asked how the State took control, he explained that when the negotiations were happening, the meetings went up to the office of the then Vice-President and there was an interest by the State to work with the situations and when it got out of hand, the State dictated the IGP what to do. He said after 10th April, there should have been an enquiry right away.

Going back to the events on the day, the witness told the Commission that on 10th April 2000, he was first at the Gambia Technical Training Institute, GTTI and observed that unarmed students were generally peacefully gathering and trying to convince other unarmed students in vehicles to join them. Traffic was beginning to get blocked and he called the PIU to find a way to negotiate and disperse people to allow traffic to flow.

*Isatou Njie-Saidy at the time.*
The PIU, headed by ASP Ceesay came and the witness went to the Headquarters in Banjul. By the time he returned at around 10-11am, the crowd had changed characteristics, it was a dissent crowd venting anger and arguing with the police, who were pushing the students, trying to disperse the crowd. Asked why he went back, he explained that he was curious to see how the operation would be handled.

Baboucarr Sowe explained that at Westfield, he saw that there were attempts to burn down the GAMTEL and people were poised to get an opportunity to loot or vandalise. At this particular time, he claimed it was difficult to differentiate who was a student and who was not. He said people even changed their outfits. He saw soldiers from the armed forces around Westfield but he had no idea what they were doing and did not speak to them to find out. He added that it might have been possible that reinforcement was sent from the armed forces but he did not enquire and again admitted it was a major failure on his part. He stated that in Serrekunda, there was fire at the station and he understood it was an attack. The general duty officers were just standing by looking at the fire raging, not doing anything. He did not see them with weapons but they had their appropriate riot gear.

Asked if at 1 pm he saw the PIU carrying guns, he said his answer was a straight no. He did not hear gunshots, but admitted that he heard the police officers had shot at the demonstrators.

He accepted it was a major failure on his part and he took responsibility.

The Counsel asked if he would not consider that the police chasing and beating the students was provoking them and the witness said he did not know how it all started. Asked again if in that instance this was provocation on the part of the police and the witness agreed.

Continuing on with his testimony, the witness recounted he proceeded to go to the other places, at the PIU, at Westfield, at Serrekunda and also Kairaba Avenue. At the PIU, he said he just checked what the general situation was and asked for Ceesay Njie, the commander but he was not there nor could he be reached. The witness admitted that he did not take any mitigating actions at the time, he did not look for another commander nor for the most senior person on the ground.

At this point, the Counsel told the witness it seemed like he had just given up on the situation and he did not fully agree. He said it was chaotic and uncontrollable and therefore he did not have an idea who to talk to.

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The witness said he was very surprised as they were not supposed to but he still did not do anything. He said he could not have done anything because this was information he had just heard and he would have needed to verify it. The Counsel pointed out that
he could have verified the information and the witness retorted that as he had previously said, he was scared and once again that it was a failure on his part.

Asked if he had made any attempts to go see where the shootings came from, he replied that he did not. He was not there and could not stop it. The Counsel pointed out that he could have gone to PIU to find out and he responded that at that point in time, he did not know if it was exactly at the PIU that it was happening. The Counsel came back and said he (the witness) was told it was the police, which the witness agreed. The witness said he told the DIG the next day but at that point in time, he did not do anything.

Asked why he waited until the following day to report, he said it was chaotic and confused situation. He said it was not prudent to call the Deputy IGP and it did not occur to him to call him.

Asked how he felt, he said he felt uncomfortable. Upon probing, he told the victims and their families he wished he had done something to avert the situation and apologised for any mishap on his side.

[The witness was asked to come back the next day to further testify but it is unclear if the hearing was cancelled or postponed]

Persons Mentioned By Witness During Testimony:

None
also be demonstrating so they sent one Sergeant Manga (whose first name the witness did not know). Sergeant Manga came running and told them in Aku: “They are coming, they are coming”. When Kajali Jarjue asked who was coming, Sergeant Manga responded: “A policeman does not ask. When you see a person running, you should follow”, to which both the witness and the Lead Counsel burst out laughing.

Further testifying, the witness said that together with then Corporal Ousman Cham they reported to the Banjul Police Station, where they found the then Officer Commanding of Banjul Division, Superintendent J. Sowe. Asked if on that day, he was given operational orders, he responded in the negative. When also asked if he was briefed about what to do and how to do it, he said no.

The witness said that Superintendent J. Sowe only issued him, Ousman Cham and one Yoro Mbalo weapons and blank ammunitions and told them to go out and scare them.

The witness also confirmed that the three of them left without knowing who was in charge of their small group.

He said they left Banjul Police Station and on the main highway, they saw students coming, some in uniforms, others not and he said he believed they must have been civilians because some were of “old age”\(^46\). He said then as, they turned facing the Police Headquarters, the protestors were all shouting: “Today we will kill every one of the fire service.” They were coming in a large group, so they all (police) opened fire straight up and the students dispersed.

According to the witness, when the students dispersed, he reported back to the parade ground and was told they were going for patrols in teams and will be posted to different areas in Banjul. The witness highlighted that he and one Njie (known

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\(^45\)Police Commissioner of Finance at the time of mention.

\(^46\)We assume the witness meant they were older than school children, not necessarily old people.
Continuing with his testimony, the witness stated that he saw students coming in full force, some with stones and they started throwing the stones at him. He said some of the stones landed on him and he ran out of the school premises and sought refuge behind the PIU officers. He then decided to walk to the old police line where the Police Clinic was at the time and showed his injury on his back to them. He added that they gave him “little” medicine and he proceeded to the Police Headquarters and reported his story.

Upon being asked, the witness confirmed that he did not have his injury recorded by the police, though he should have. On why he did not ensure it was recorded, the witness told the Commission that at the time his role was only to report to RSM Kajali Jarjue because he was the one who had sent them on a patrol and that was exactly what he did. The RSM asked him to surrender his rifle and then report to his office, which he did. The witness added that they were then there on standby and spent the rest of the day up to the following morning, after which they went home.

The Lead Counsel then told the witness this issue of injury that he sustained was just an afterthought intended to shield himself from explaining the true story about what had happened at Saint Augustine’s, which Gorgi Mboob denied.

Going back to his story, the Lead Counsel pointed out that the witness had “no business” going through Saint Augustine’s High School from Lie Joof’s compound in Tobacco Road to get to the Police Headquarters, to which the witness agreed. The Lead Counsel added that contrary to the witness’ claim that it was a short cut, it was in “a very long cut”.

His whole story about going to Saint Augustine’s High School from Tobacco Road was just one concocted story to try to suggest that he was under attack, but it was false, absolutely false.

After a brief stare between the witness and the Lead Counsel, the latter again reiterated that it was obvious that it was false and asked him if that was not it. The witness refuted the allegation and the Lead Counsel
added that in fact, the truth was, he was in the company of the PIU personnel but the witness denied.

The Lead Counsel cautioned the witness and highlighted that he was not suggesting the witness was part of the PIU but that he was in the company of the PIU. When there was no response from the witness, the Lead Counsel added that the witness decided to attack Saint Augustine’s High School on his own. With the witness still silent, the Lead Counsel continued on that the story about being attacked by the students when he was going through the back or the so called shortcut, was all a concocted story just to show he was under attack when he was absolutely under no attack. The witness did not respond and the Lead Counsel asked him why he chose to lie. The witness replied he was under oath, so he saw no reason why he should be seated there and lie.

The Lead Counsel told him he still had no explanation for all those gaps in his story and the witness argued that he had told him the reason for going through Saint Augustine High School. He added that at that time, he did not know anybody at Saint Augustine’s High School and there was no reason for him to have cause to attack a school. The Lead Counsel pointed out the reason the witness had given was not good enough. The witness said he concurred with him and the Lead Counsel told him the reason he gave them that story was because he wanted to create a story suggesting that he was under attack when nobody attacked him.

The witness tried to insist on his version of events and the Lead Counsel confronted the witness with his claims, step by step. When he reached the point when the witness stated he was insulted, the Lead Counsel pointed out that after that he ran back to the danger he was trying to escape, and the witness said yes. The Lead Counsel incredulous asked him if he wanted them to believe that and the witness said that was exactly what he did.

The Lead Counsel told him he was chased away from Saint Augustine’s, he sensed danger, he ran away but somebody just insulted his mother so he forgot about all that danger and he ran back to Saint Augustine’s. The witness said that was true and the Lead Counsel again asked him if he wanted them to believe that. The witness replied that was exactly what happened, though it was hard to believe.

The Lead Counsel counter-argued that the fact of the matter was, there was no going into Saint Augustine’s High school as a shortcut from Tobacco Road. He urged the witness to tell the truth and the witness insisted his story was the truth.

The Lead Counsel reminded the witness he had given a statement before and the witness concurred but confirmed that he had just given the Commission a new statement. The Lead Counsel told him before he gave that statement, he was warned by the investigators that it was an offence to lie to the TRRC and he asked him if he was not; the witness concurred.

The Lead Counsel then told him in spite of that warning he still lied to the TRRC but the witness asserted that he was telling the truth.

The Lead Counsel put it to the witness that he gave the investigators a false statement and the witness responded that he omitted certain things that now wanted to rectify. The Lead Counsel pointed out that it was no omission, he gave a false statement to the TRRC but the witness disagreed. The Lead Counsel then read paragraph 5 of his previous statement: “I was assigned to Tobacco Road area with one officer called “333 Njie”, whose first name I cannot remember. The two of us were dropped at Tobacco Road talli Lie Joof around 11:30 am. I and officer Njie entered Saint Augustine’s High School through the back door with the intention to take a shortcut and arrived at Box Bar Road after patrolling our bit quietly and heading back to the Police Headquarters. As we entered Saint Augustine’s, from the football field up to the first classroom block, we saw a group of students throwing stones at PIU officers outside Box Bar Road. Officer “333 Njie” suggested to me that we should run back and take the other way round for fear of the students attacking us. The moment we turned back, we saw the students running after us with stones. I then opened fire to scare them but some of them started saying: ‘Let’s go, he is not having real bullets’.
I opened fire until my rounds were finished and I started to run to save my life. At this juncture, Officer Njie who was with me was nowhere to be seen. When I reached the middle gate linking the football field and the main school yard, I found some students blocking the way out to trap me in the middle. I ran straight behind one of the classes and tried to jump behind the fence opposite Gambia High School. As I hold the fence to jump, some stones started landing on my body. A man in mufti later identified as Mr. Sabally got to one of my legs right and starts pulling me down. I got down and hit him.”

The Lead Counsel asked him if that story was false and the witness confirmed it was. After being reminded yet again that it was an offence to lie to the TRRC, the witness insisted he did not lie. The Lead Counsel stated that the previous statement was false and the witness agreed it was.

The Lead Counsel insisted that the false statement was a lie and Gorgi Mboob told him if he said “it is a lie, then it is a lie”.

When the Lead Counsel maintained it was a lie, the witness finally accepted it was. When asked if he had lied twice about this matter, the witness responded that he could confirm lying once. After an extended exchange between Lead Counsel and the witness, the witness finally agreed he had lied twice but said the first one was not intentional.

The Lead Counsel asked him if he lied accidentally and the witness said it was not accidental. He excused the lie by saying “there are things we call mistakes”.

He stressed that of course he made a mistake and he had rectified himself. The Lead Counsel asked him if he regretted doing it or it was a mistake that he said it and the witness said he regretted doing it. The Lead Counsel proposed they remove all the lies from his evidence so that they would be left with only the truth and the witness agreed however, when the Lead Counsel then suggested to him that when he attacked Saint Augustine’s High School, he was under no attack at all, the witness insisted he was.

The Lead Counsel then told the witness they had a completely different take about what had happened. He asked the witness if in fact he knew that the PIU officers said that he was with them and the witness refuted that allegation.

The Lead Counsel then read from the report of the Commission of Inquiry (page 5): “Inspector Darboe mentioned names of the security officers with him at the time they entered Saint Augustine’s Senior Secondary School after initially asserting that he did not know their names”. The Lead counsel pointed out that he too (Inspector Darboe) had changed his false story. The report went on to say: “The names of the men who accompanied Inspector Darboe were Constable Modou Lamin Fatty, Constable Ebou Abdoulie Bah, First Class Constable Adama Saidy, First Class Constable Modou Cham, Constable Modou Gajaga and Corporal Gorgi Mboob”.

The witness declared that Inspector Darboe was lying. The Lead Counsel then read out what the witness told the Commission of Inquiry (page 5): “Police officer Gorgi Mboob also testified before the Commission and he said he had excuse duty on 10th but was on standby. He was on his way to the Policlinic in Banjul, he walked near the Saint Augustine’s Senior Secondary school and saw some PIU officers, among whom he could only recognise Inspector Darboe were Constable Modou Lamin Fatty, Constable Ebou Abdoulie Bah, First Class Constable Adama Saidy, First Class Constable Modou Cham, Constable Modou Gajaga and Corporal Gorgi Mboob”.

The witness declared that Inspector Darboe was lying. The Lead Counsel then read out what the witness told the Commission of Inquiry (page 5): “Police officer Gorgi Mboob also testified before the Commission and he said he had excuse duty on 10th but was on standby. He was on his way to the Policlinic in Banjul, he walked near the Saint Augustine’s Senior Secondary school and saw some PIU officers, among whom he could only recognise Inspector Darboe. As the students inside the school were stoning the security officers and booing at them, he asked them to withdraw from the area. Inspector Darboe was unable to talk to him because of the commotion. He then set off for the Policlinic and later spent the whole evening and night at the station in Banjul, still on standby. He denied entering Saint Augustine’s Senior Secondary School alone or with the PIU security officers and also denied assaulting Mr. Sabally or anyone else and

47 At the time of the event the school was called Saint Augustine’s Senior Secondary School however, the majority of Gambians still refer to it by its former name, Saint Augustine’s High School.
certainly denied holding a gun or firing one. The other officers also denied holding any gun or firing at anyone at Saint Augustine’s Senior Secondary School.”

The Lead Counsel asked the witness if this was what he told the Commission of Inquiry and he confirmed. The Lead Counsel pointed out that it was a lie and the witness agreed. The Lead Counsel pointed out that he was in fact there and the witness again agreed that he was and added that he had told the TRRC that he was there. The Lead Counsel noted that Inspector Darboe told the Commission of Inquiry, 19 years ago, that he was there with the witness and that they entered Saint Augustine’s High School together.

The witness again asserted that Inspector Darboe was lying and explained that in the beginning he told them that he was never a PIU officer, so he could not be part of them. The Lead Counsel quickly told him that Inspector Darboe never said he was a PIU officer but clarified that Inspector Darboe had said he went there with a police officer, Corporal Gorgi Mboob. Nevertheless, the witness denied going with Inspector Darboe. He added that it was true that Inspector Darboe had seen him but they were not together.

After a back and forth on whether the witness was with Inspector Darboe and the other PIU officers, the Lead Counsel asked if the witness was on his own operations and the witness again claimed that he entered Saint Augustine’s as a result of chasing the person called Brikama, but he did not go with Inspector Darboe, adding that maybe he entered at a different time.

The Lead Counsel again read from the report of the Commission of Inquiry what those at the school had said: “According to Reverend David Jarjue, Vice Principal of Saint Augustine’s, he was standing near the gate of the school, not far from the road when one of the PIU officers, Inspector Darboe approached the fence and he started telling students who were up in the corridor of one of the buildings to go away and into their classes. Father Jarjue told him that if he wanted to talk to the students, he should do so through him; the students did not leave the area. After a short while, one of the officers who was with Inspector Jarjue jumped the fence of King Fahad Mosque, which is just opposite the school and launched a gas canister. The launch was abortive according to Reverend Jarjue and the students up in the corridor of the school building started jeering at and taunting the officer, whereupon PIU officers and one police officer, who was with them and later identified as Gorgi Mboob, got angry and told Father Jarjue that since the students have refused to go in to their classes, they would get them out. The group of security officers forced their way through the gates of the school and into the school ground where the students started running helter-skelter”.

The Lead Counsel asked the witness if he was telling them that the then Vice-Principal had lied and he replied again that one thing he knew was that he was not part of the PIU riot platoon. The Lead Counsel told the witness that Reverend Jarjue never said that but merely mentioned the PIU and one police officer Gorgi Mboob. The witness said maybe that was how he would mention it but one thing he wanted them to know is that he was not there with the PIU inside the school. The Lead Counsel insisted that was not what the Father had said. He added that in fact, he, the witness, told Father Jarjue that since the students had refused to go into their classes that they were going to get them out and they went into the school and chased them.

Despite further questioning and counter arguments from the Lead Counsel, the witness held on to his version of events, that is he was not with the PIU.

The Lead Counsel added that the evidence before the other Commission was that Ousman Sabally was not only hit or beaten by the witness alone.

The witness said no, that one, he could attest that this was a false statement. He added that Ousman Sabally was the only one he had an encounter
with. The Lead Counsel told him he may have only had an encounter with Ousman Sabally but he was not the only person who beat him. The witness said it could be possible that other people may have beaten him but not in his presence and that they were not with him.

Asked if he thought Mr. Ousman Sabally would not know that he was beaten by one or more people, the witness replied of course not. The Lead Counsel then read: “According to Mr. Ousman Sabally, P.E master in the school, he was in the office at the time when he saw students running. He went out of the office went towards the security officers and spoke to them. He told them that they did not have the right to enter the school, whereupon the security officers assaulted him with their batons and shields, causing him to sustain injuries on the side of his forehead and elsewhere.”

Gorgi Mboob still insisted that he was not together with the PIU. He alone had assaulted Ousman Sabally to which the Lead Counsel replied that he was trying to dissociate from the PIU otherwise his story looked false. The witness argued that he had now accepted responsibility that he went to the school alone and could have easily told them that he was with the PIU but was not with them.

Finally moving on, the Lead Counsel asked him what else he did at the school and the witness said nothing else apart from assaulting Ousman Sabally. Asked if after assaulting Ousman Sabally, he fired his weapon at the school, the witness responded in the negative. The Lead Counsel then read out what else was said about him which revealed that two officers, including Gorgi Mboob had aimed their guns at the hall and Father Moses’ house, and had fired shots, one of which had broken the glass of the door and injured three students namely Babucarr Jagana, Omar Sosseh and Ebrima Darboe who were later taken to Royal Victoria Hospital, RVH by Father Jarjue.

When the witness refuted the allegation, he was asked if all the police officers and students of Saint Augustine’s High School had chosen to lie against him only and the witness responded he did not know what was in their minds. The Lead Counsel told him the truth of the matter was that he was lying about this because he wanted to minimise his responsibility.

The Lead Counsel read more findings from the Commission of Inquiry, which reported that the “security officers led by Inspector Darboe including Corporal Gorgi Mboob unlawfully entered the school premises and trespassed there criminally”. The witness agreed that he had trespassed but again detached himself from Inspector Darboe and the other security officers.

The Lead Counsel asked if he now wanted to tell them that his activity was completely separate from that of Inspector Darboe and the witness said yes, they were not together and that he was not posted there from the headquarters like the Lead Counsel was stating.

The Lead Counsel then revealed that the evidence they had was that Ousman Sabally was hit with shields, batons and gun butts.

The witness said he neither hit him with a shield nor a baton, just a gun. When he was asked who was with a shield and who was with a baton, the witness responded the PIU. At this point, the Lead Counsel told the witness that he wanted them to believe that the PIU did not join in the beating but the witness again maintained that he was alone when he assaulted Ousman Sabally.

The Lead Counsel insisted that this was a collaborative effort and further told the witness: “The Commission [of Inquiry] also found that security officers including Gorgi Mboob shot and damaged the door of the school hall, breaking the glass which injured three students”. The witness again denied the allegations. Continuing, the Lead Counsel said: “Although Inspector Darboe and Gorgi Mboob both denied carrying guns and Gorgi Mboob denied being present at the scene, from the totality of the evidence, including the spent bullet that was found at the school, they have no doubt that the group as a whole should be punished for their actions”.
Despite being read the findings from the Commission of Inquiry, the witness did not change his position and suggested that what was reported by Inspector Darboe was a cover-up. The Lead Counsel asked him if it was not the case that the entire police force that testified before the Commission of Inquiry had actually given a false story. The witness highlighted that he would only tell him about his cases.

Gorgi Mboob remembered that one Cadet Manneh (who absconded), who was attached to the Commission of Inquiry, handed him a subpoena to attend the Commission. The witness stated that upon receiving the subpoena, he went to his officer commanding, one Mamanding Kalleh (now in the United States) and told him that he did not have a gun at home but was rather given one by Superintendent J. Sowe and then assigned to patrol. Then RSM Kajali Jarjue was called and told him in Mandinka: “You are going to the Commission, they will gave you a paper. When you go, do not mention anybody’s name there. Remove yourself and remove us”. When the witness argued, Kajali Jarjue hit the table with his fist and shouted at him: “What I said, just do “.

The witness recalled that he was again later pressured by then Deputy Inspector General of Police, DIGP Sankung Badjie and J. Sowe into not mentioning anybody’s name at the Commission of Inquiry but instead told to fabricate a story, which the witness ended up doing. He said that should he have done otherwise, it would have been detrimental to him.

At the Commission of Inquiry, he stated that he could remember Ousman Sabally and Father Jarjue because they were asked if they could identify Gorgi Mboob and they said yes. They were asked to go and touch him and they did. He then said he went to the Commission of Inquiry only twice and that was the whole fact. The Lead Counsel asked him to confirm that the police force intended to mislead the Commission of Inquiry into error about the responsibilities of the police in the event of 10th/11th April and he did.

The witness recounted when sometime in 2010, he saw Ousman Sabally at the gym. The witness went up to him, introduced himself as Gorgi Mboob (as Ousman Sabally did not recognise him), and apologised for his actions. The witness said he told him he was sorry about a lot of things and according to the witness, Ousman Sabally just nodded and said it was OK before continuing with his training.

The witness said notwithstanding, he would definitely be seated here and say to Ousman Sabally, he was sorry for what had happened, he did it because of anger and he wished to also extend his apologies to his entire family for what he had done to him and the entire staff and pupils of Saint Augustine’s High School.

Before handing over to the Commissioners, Chairman Sise asked the witness to clarify what he meant by it would have been detrimental if he had not lied to the Commission of Inquiry and the witness explained that he would have been fired.

The Deputy Chair Sosseh Gaye highlighted that his testimony really raised critical questions about safety in schools as they are supposed to be safe havens for students. She added that he ran in to the school and by his own testimony, Ousman Sabally did not approach him in a menacing manner. On the contrary, by his demonstration, his action was simply preventive or even protective. She asked him if his vicious attack on him was warranted. The witness reiterated that he regretted all his actions and if yesterday was today, he would not have done that.

On being asked how it sat with his conscience knowing that he denied several students as well as their families the justice that they deserved when he lied at the Commission of Inquiry 19 years ago, the witness the country was not democratic before. He added again that he was sorry for what he did to Ousman Sabally and would personally apologise to him.

When asked about the false statements he made to the first Commission and whether he swore at that time, the witness said as he knew that he would not be telling the truth, he did not hold the Qur’an, he only affirmed. He was asked if on this occasion he swore and he said yes, he swore. At this point, the
Lead Counsel pointed out that the affirmation and the oath (holding the Quran) were all the same under the law. He said it was failure to give a truthful account when you had taken to give a truthful account that was the actual issue. He added that if there was a difference, it is perhaps between him and God, but for between him and them, an affirmation and an oath were both the same.

The witness said the reason he said so was that it is more serious when you held the word of God and started lying. The Lead Counsel told him that was between him and God, but between him and them, between him and the state it was the same.

He told him he had **undertaken to speak the truth and he lied**.

The witness then thanked the Lead Counsel.

In his closing remarks, the witness apologised to Ousman Sabally and his entire family for what happened on 10th April 2000. He said it should not have been done. Gorgi Mboob also apologised to all the students of Saint Augustine’s at that time, he said if he could change back the hands of time, he would be a different person today.

He added that he knows that saying he was sorry was not enough, but if he could say anything more than “I’m sorry” or do anything more, he would do it.

He added that he was grateful today to tell the truth of what had happened without fear, favour or interference from any of the senior officers. He added that though there was a need for security reform, there was also a need for the civil society to know their rights and for security officers to know their limits.

Gorgi Mboob also revealed that things had also happened to him in the recent past because of the media and people had been to his home and burnt his house to ashes, though they knew the information given to them was not the “whole truth” but he had forgiven anybody who had taken part.

**Persons Mentioned By Witness During Testimony:**

**Assault**

Gorgi Mboob (the witness)

**Perjury**

Gorgi Mboob (the witness)

**Obstruction of justice**

Sankung Badjie, Mamanding Kalleh, Kajali Jarjue, J. Sowe

His whole story about going to **Saint Augustine’s High School from Tobacco Road** was just one **concocted story** to try to suggest that he was under attack, but it was **false**, **absolutely false**.
to be moved from the army to the police in January 1996 to train officers in that regard. Describing the training, the witness specified that it entailed VIP close protection, border patrols, crowd controlling, sentry duties, intelligence and counterintelligence, police leadership, communication, map reading and response to public disturbances.

The witness stated that after training two batches of officers, he was sent to the PIU in Kanifing as the Officer Commanding, where he oversaw three platoons with each had about 30 men, so 90 men under his command.

Discussing his responsibilities, the witness said he was responsible for the day to day administration of the office and logistics. He added that the major duty of the PIU was to maintain law and order, to protect the integrity of the Gambia and of citizens and non-citizens in the country.

On the tools available to carry out their duties, the witness said that the Gambia Police Force had given them helmets, teargases, batons, shields and Public Address, PA systems. He added that later on, when they were given some supplementary assignments including escorts and border patrol, they were supplied with AK47s from the Army Headquarters in 1996/1997.

Momodou Ceesay told the Commission that the weapons, which each had a unique serial number, were kept in an armoury in Kanifing under the supervision of one Latif Ceesay. He added that each time, the weapons were to be given out, it would have to be under his (the witness) authority. He explained that each officer taking a weapon from the armoury would have to sign for it, the number of ammunitions given would be recorded and when the officer returned from duties, the same weapon and number of ammunitions given to him/her would need to be returned. The witness said he would be given the record to verify the information every single time. The witness also asserted that the police officers were well trained to handle the equipment and weapons given to them and if they mishandled the weapons, they would be disciplined.
Momodou Ceesay stated that he reported directly to the then Commissioner of Operations, Baboucarr Sowe who responded to the Deputy Inspector General of Police, Deputy IGP who reported to the IGP. In receiving his orders, it would go the same way that is from the IGP to the Deputy IGP, to the Commissioner of Operations.

The witness highlighted that in all the instances that he was the Commanding Officer at the PIU, the orders came from the Commissioner of Operations, either verbally or written, dependent on the Commissioner of Operations. Asked what an order with respect to an operation would entail, the witness said it would include the nature of the operation, the number of men given for that operation, the equipment needed for the operation and if a vehicle will be supplied. He added that the order would specify what is expected of them and “maintaining law and order” as well as “protecting life and property” were always implied as these were basic duties. He added that if they were supposed to conduct any arrest, it would not be necessary placed in the order as this was a basic duty of the police.

Before discussing the April 2000 events, the witness told the Commission that he was selected to go for several UN missions from 1998 to 2019, including at the International Criminal Tribunal for Rwanda, Cote d’Ivoire, Mali and Chad.

Discussing the events of April 2000, the witness said he was an assistant superintendent of police and the Commanding Officer of the PIU at the time. He recalled that on 9th April, he was verbally informed by then Commissioner of Operations Baboucarr Sowe that there could be a demonstration staged by students on the following day and therefore asked the witness to prepare his standby unit for any deployment.

He said he also told him to prepare all equipment and riot gears.

The witness asserted that these were the only two instructions given to him and he did not have any further information as to why the students were going on a demonstration.

Asked if he thought the order was sufficient with respect to the operation he was about to embark on, the witness responded in the affirmative. He said as a police officer, he knew the nature of what was going to take place and where it was going to take place.

The witness stated that he did not see any written operation orders with regards to the duties he was to carry out the next day. When asked what he would say to the suggestion that Baboucarr Sowe had sent an operational order to all the divisional heads and the witness as one of the divisional heads would have received an operational order for the 10th April, the witness responded that he did not remember receiving any written operational order but he remembered receiving a verbal order.

Counsel Singhateh remarked they had in their possession an operational order that was tendered to the Commission of Inquiry regarding 10th April and that they would get back to it later. Meanwhile, she asked to go back to the verbal order the witness received from Baboucarr Sowe. The Counsel highlighted that the witness had said it was sufficient for him. She also enquired what an operational order should contain and asked if it clearly stated the nature of the operation and the witness responded yes again.

The Counsel asked if the order the witness received stated the number of men and the witness said no, adding that his order was to get his unit on standby, which would include about 30 men but sometimes some would be missing as they might be sick etc.

Counsel Singhateh asked if the verbal order clearly stated what was expected of the witness and his men and the witness said yes. He said he understood the expectation was to maintain order in the event of a demonstration. The Counsel asked if the operational order provided how this was to be achieved and the witness said no, reiterating what he had been told by Baboucarr Sowe that is, there could be a demonstration by students and the witness was to go on the ground and maintain law and order to
ensure nothing disrupts the normal activities of other people. The witness specified that he was not asked to use force.

The Counsel pointed out that this was odd on its own, not to be told how to carry out his operations and the witness said that if an order is given to you by your superior, he was not going to say you should do “A, B, C, D and so forth”. The Counsel also asked the witness if he was supposed to get instructions from his superior as to the use of force and the witness confirmed that was correct. The Counsel asked if the amount of force had to be defined by the superior and the witness responded that as a trained officer, he should know the amount of force that he should use depending on his situation analysis.

The Counsel then asked if it was not the responsibility of the superior to determine the gravity of force that needed to be used in a particular operation and the witness explained that the superior has the authority to determine the use of force but once on the ground, the commanding officer would need to use his own discretion. He added that the situation might deteriorate once on the ground and he would need to use his initiative to know what level of force to use for that particular event but it did not mean that instructions given out should be ignored.

To seek clarification, Counsel Singhateh asked the witness if he could use his own discretion to fire a gun without being authorised by his superior and the witness vehemently responded “never”.

He said the use of deadly force had to come as an order from the superior, whatever the case. If any of the police officers used force at his or her discretion without the order from his superior, that person needed to be held accountable.

The Counsel consulted the operational order provided to the Commission of Inquiry and read out loud: “Title: General and administrative instructions for operations student watch commencing Friday 7th April 2000.

Kanifing division, three platoons of 20 men each to be headed by ASP Momodou Ceesay and ASP Modou Gaye, they are to be based at the PIU Headquarters and the Divisional Headquarters”. The Counsel asked the witness if he was aware of this and the witness said he was not.

On how many men he used for the operations on 10th April, the witness estimated no more than 50. The witness explained that on 10th April, he had three platoons, including one that was off duty and another one manning the embassies and various other posts.

The witness then proceeded to explain that not all his men lived at the PIU, some lived in a camp at Babung Fatty, Jeshwang. He stated that after he received the verbal order from Baboucarr Sowe, he made the call immediately through his RSM and the clerk to alert his men. At this stage, the Counsel pointed out that in his statement, the witness did not indicate that he had called some of his men that were not on duty to join him and the witness agreed. The Counsel also pointed out that he also stated in his statement that “I asked Corporal Corr to ascertain and unveil the list of personnel on duty and those on standby to the RSM who in turn informed them (that is the personnel) of the possible mission on the following day April 10th”. The Counsel highlighted that this was an addition to his evidence and the witness disagreed, claiming it was a “supplement” to his statement and the Counsel decided to move on.

Going back to the operational order submitted before the Commission of Inquiry, the Counsel asked what discretions they were told to exercise with respect to this particular operation. The witness responded that this was to maintain law and order and go through all “these things”. The Counsel asked if he was suggesting that it was implied that they should exercise these discretions (maintain law and order and affect arrests when necessary) and were not actually told what discretions exactly to exercise.

The witness corrected the Counsel and stated that they were told to maintain law and order at Gambia Technical Training Institute, GTTI.
The Counsel argued that the witness was not really answering the question, to which the witness responded that he was not asked at any time to use any force or a deadly force.

The Counsel read out the operational orders from the Commission of Inquiry and pointed out that actually from these operational orders she read out, force was actually allowed and the witness agreed. The witness then changed his statement and said “yes, force was allowed”. The Counsel pointed out that the witness had just said they were not allowed to use any force. “Force has to be used”, he exclaimed, even if it is not in the operation orders because you might encounter resistance on the ground but the question is “what type of force, physical force or deadly force”, he further added. The Counsel pointed out that she was trying to establish if there was a disconnect between the operational orders, what he was asked to do and what the witness told them.

The Counsel asked again the witness what was his understanding of the discretion in the use of force and the witness reiterated that he could not remember receiving the written operational orders the Counsel was referring to. The Counsel told the witness this was a major operation he was supposed to embark on and asked if it was not a fundamental error to embark on this operation without receiving any written order that clearly provided a guideline as to how he should go about the operation and the witness agreed with the Counsel.

He also agreed it was a fundamental failure on his part not to enquire more as to what he was supposed to do on that day and it was a failure on the part of the police administration not to deliver an operational order that would guide the operation on the particular day.

The Counsel concluded that this showed that from the beginning, there was a clear disconnect between their unit and the orders they received from the top. The witness somewhat agreed and reiterated that he received a verbal instruction so he could not say there was a total disconnect. The Counsel pointed that he did not know the content of the written operational order and stated that the witness was misinformed, to which the witness agreed. She also added that the operational order did not provide for arrest and detention and clearly there were several arrests and detentions on 10th April 2000. The witness argued that an operational order did not detail all that you are to do on the ground and referred to the previous examples he had given.

The Counsel countered by asking the witness if he was operating on orders that were not even clear and the witness agreed saying since he did not have an operational order detailing what he was supposed to do.

The Counsel asked the witness to give a narrative from when he received the orders to the next morning in terms of what he did. Momodou Ceesay narrated that after receiving the verbal order from Baboucarr Sowe, he made a call to his RSM to ensure that he gathered the men and confirmed with the RSM and clerk the men were informed. The witness stated that when he arrived at the camp the following morning (10th April) at about 6:30 am, all the men were assembled with their equipment (batons, shields, helmets, gas masks, tear gases, a teargas gun and a PA system).

Momodou Ceesay recalled briefing his men as per the usual in such a case. He told them that they had a mission to carry out and that some students were probably going to stage a demonstration and their duties were to maintain law and order, and that all they were to do on the ground was supposed to be done through orders from the witness with the assistance of his RSM. The witness said that whilst he was giving the briefing, he received a call from Baboucarr Sowe asking him to deploy them to GTTI.
The Counsel then read an extract from the statement of Alhagie S. Darboe, the then Vice-President of GAMSU: “On Monday 10th April 2000, at about 7:30 am, I arrived at GTTI and found the GAMSU President and some executive members by the roadside. Other students started arriving. About two buses stopped and some students disembarked. We were waiting for the vehicle for the delegation to the Vice-President, Isatou Njie-Saidy. In less than 30 minutes, the PIU also arrived and started calling on students to disperse immediately”. The witness retorted that he did not tell them immediately to disperse. He said when they arrived, they disembarked, assembled on the side of the road and then the witness appealed to them to disperse.

The statement further read: “I tried to approach him to tell him the development that there was no demonstration but before I could reach them, the officers started advancing. I raised my hands up but they kept advancing until they past me and started beating and arresting the students, including Omar Joof. The rest of the students ran in different directions through the cemetery, inside GTTI and towards Westfield end, chased by the PIU officers. I was hit on the head once with a truncheon and about to fall down. I managed to get to a tree by the road side and I leaned on it for a while until I gained consciousness.”

The Counsel asked if Alhagie S. Darboe was lying and the witness responded that it was up to the Commission to determine but he asserted that no Officer Commanding would come and start dispersing. He added that he had never spoken to Alhagie S. Darboe and the Counsel highlighted that Alhagie S. Darboe had said he had tried to approach them, not that he had spoken to the witness.

The Counsel then read from the Momodou Ceesay’s statement: “After several failed attempts to convince them to disperse and while I was going back to where the PIU personnel stationed, the crowd became more agitated and prevented the flow of traffic. I then made the use of the PAS asking them to peacefully disperse and leave otherwise the PIU personnel would disperse.
gathered without causing a disturbance and the witness disagreed. He said the moment they came and blocked the highway, there was public disturbance and that is why his unit was trying to disperse them. Then he stated that they did not **attack** them just for the sake of attacking them.

The witness said when the Counsel read out the points earlier, he was told to say “yes or no” and that he could explain himself later so he wanted to now the opportunity to provide a justification for the actions. The witness was allowed and that he proceeded to say that he would not deny the students were chased, dispersed or **beaten**. The witness agreed that the students were peaceful and were not provoking his men.

The Counsel told the witness they did not want to dwell on justifications, adding “You have told us that a commander always has control of his men. You as the commander had control over your men. You were the one that was ordering your men and you were the one that gave the order for them to **shoot** into the crowd of students and you were the one who also gave the order for the **arrest** of students, correct? The witness agreed. “So, you would agree with me that after all these points we have established that you provoked the situation?” further asked the Counsel. After a long inhale, the witness responded “Yes, ma”. He added that he took responsibility for whatever happened at that point in time at GTTI, that is the beating, chasing and firing of tear gases.

The Counsel read out the written operational order presented to the Commission of Inquiry: “**We should avoid provoking disturbances and bear the required level of tolerance to avert any situation**”. She remarked that clearly that did not happen from the witness’ end. The witness first agreed with the Counsel but then after a few seconds stated he did not agree that they had provoked the attack. He did agree that some were **beaten** and explained why they dispersed them, that is because they were completely blocking the traffic.

The Counsel argued that she was not concerned as to why but how it was done. She added that students had gathered without causing a disturbance and the witness disagreed. He said the moment they came and blocked the highway, there was public disturbance and that is why his unit was trying to disperse them. Then he stated that they did not **attack** them just for the sake of attacking them.
Momodou Ceesay remarked that they had their opinion, but he asserted that the students did not try to speak to the PIU. The witness said he went to them and tried to talk to them and wanted the Commission to take that into consideration. The Counsel pointed out that the question of who approached who was irrelevant as the witness had pointed out that they were peaceful and yet they attacked them.

The witness responded that they “attacked them” because they were disturbing the public order and the instructions they had was to maintain public order. He again took responsibility for the chasing, beating and arrests. The witness said that he agreed with the Counsel that the manner he dispersed them brought the chaos. Momodou Ceesay then said that the students that were arrested were taken to Kanifing.

At this point, there were again technical difficulties and contact with the witness was lost.

The Lead Counsel then consulted with Chairman Sise and it was decided to adjourn the hearing for another day as an additional hour was needed to finish, which however did not happen during the session.

Persons Mentioned By Witness During Testimony:
Assault, arbitrary arrest and use of excessive force
Momodou Ceesay (the witness)

After a long inhale, the witness responded “Yes, ma”. He added that he took responsibility for whatever happened at that point in time at GTTI, that is the beating, chasing and firing of tear gases.
The witness said he had some “liberty” and was getting on smoothly with work in the first few months he took up the job. He added that before the events of March 2000, he did not encounter any political interference in the execution of his functions. Nevertheless, when asked about his relationship as IGP with State House up until then, the witness recalled when Yahya Jammeh called him over and told him he wanted him to dismiss 14 police officers.

According to the witness, he was surprised and when he asked for the reason, Yahya Jammeh said it was political. Yahya Jammeh added that he had asked the witness’ predecessor but he had not complied until he left. The witness stated that he refused to dismiss them as they had done nothing under his tenure despite Yahya Jammeh trying to convince him. Rex King then claimed that Yahya Jammeh asked him to write the names down and he would dismiss them himself. The witness said he refused and Yahya Jammeh said “so you will not do it?” When the witness said no, Yahya Jammeh responded “if this is the way you are going to behave, I will not give you instructions anymore”.

“You told Yahya Jammeh in his face that you were not going to implement his unlawful orders?” asked the Lead Counsel incredulous. The witness said that he was sure that his refusal did not go down well but he was ready to pay the price. He added that soon after that he went around and went into the offices and realised there was an officer, one Mr. Sambou who was missing. He asked where Mr. Sambou was and was told that he was always at State House instead of being at the office.

The witness stated that he asked Mr. Sambou to be informed that he was to report on Monday and when he did not, he instructed him to be charged, which he was and was found guilty. The witness then dismissed him, although he knew that State House would know.

Following this incident, the witness said he started hearing rumours, which he translated from Wolof “Eh
“Boss, you are sacking the Jolas from the job”. The witness said he understood that he needed to be careful and his life might be in danger.

He added that if Yahya Jammeh succeeded in doing one thing, it was putting fear in the people.

Nonetheless, the witness claimed he was not afraid as the line of action he was taking was for the good of the country and the good of the police, which was not the usual. The witness said he would also not go to State House like the other heads of security to go drink attaya.

Discussing the events of March 2000, Rex King recalled that when he got information about Ebrima Barry’s death following claims that fire service officers had given him cement to eat, he enquired and was told that Ebrima Barry had issues with his teacher and he was taken to the fire station. The witness said that he asked his then Deputy Inspector General of Police, Deputy IGP Sankung Badjie to launch an investigation into the matter and an inquiry was open. A post-mortem was carried out and the report they got revealed that there was no trace of cement in his system and Ebrima Barry had died of respiratory failure.

The witness said the case file had to be sent to the Attorney General’s chambers, as under normal circumstances they would handle these types of cases. He would follow up with the then Deputy Public Prosecutor, DPP, Gloria Atiba-Davies as he claimed he wanted to deal with this expeditiously. He said she told him one day that she did not think they had a good case to present based on the evidence. The witness said if there was a case to answer, the culprits needed to be taken to court but reminded that those that had been accused had their rights as well. Asked if he knew there was any political interference in the case, the witness said he would not know.

Rex King further testified that the case was eventually taken to court following instructions from the then Minister of Interior, Ousman Badjie. The witness noted this was not the normal procedure. However, for lack of proper evidence, the accused were acquitted and discharged, upon which Gloria Atiba-Davies called him and told him “I told you that we did not have enough evidence to secure conviction”.

Discussing the rape of Binta Manneh, the witness said it was alleged that some officer from the Police Intervention Unit, PIU had raped her at the stadium. The witness alleged that he tasked Deputy IGP Sankung Badjie to mount an investigation and he would check on the progress of the case everyday. The witness asked for the officer in charge of the PIU to be contacted to find out who was deployed at the stadium and who was on duty on that day. They were eventually able to get some of the officers who they said were around the stadium at the time and an ID parade was conducted in the compound of the Police Headquarters. Unfortunately, Binta Manneh was not able to identify the perpetrator. According to the witness, she failed three times to identify the perpetrator and all the persons she identified instead were people who were not in the vicinity on that day. In the absence of a positive ID made by the victim, they could not proceed with the case.

Rex King testified that before the demonstrations, he went to Gambia College with the then Crime Management Coordinator, CMC Landing Badjie also called 13 Badjie, another officer and the then Minister of Interior, Ousman Badjie. During that meeting, the witness said he told the students to apply for a permit and he gave them the guarantee that he will give them permission to demonstrate, the reason being that he will give them police escort so that if the demonstration got out of hand, they could assist them. He stated that when the students refused to apply for a permit, he told them if anything happened to them, they would bare responsibility and claimed he urged them to apply.

The Lead Counsel then read out the account of the student who participated in the meeting: “On Friday 24th March, in the morning, the SoS (Secretary of State) for Interior, IGP and Deputy IGP came to college and a meeting was called at the computer lab with students’ leaders chaired by the Vice Principal of the college, Dr.
said he was the one who was liaising between 13 Badjie and Sankung Badjie.

The witness confirmed holding another meeting with the students at the Police Headquarters as he wanted to talk over this matter and avert any possible problems. The students came, which was on the day Yahya Jammeh was supposed to travel. The witness said he pleaded with them not to demonstrate in the absence of an application but they were adamant they would demonstrate with or without a permit. There was a push and pull and time was running out as the witness had to go see off Yahya Jammeh at the airport, which was protocol. He explained that he therefore asked his deputy to take over the meeting and he left. He said the students were not threatened whilst he was there. He reiterated that he encouraged them to apply for a permit before he left for the airport.

The Lead Counsel then said that they had in the record of the Commission of Inquiry, a handwritten request addressed to the witness for a permit, which the students attempted to serve to the witness but the police in Banjul refused to accept it. Asked if they had an application form for this or a letter would do, the witness confirmed a letter would do and that would be a valid application permit if accepted. The witness said he was unaware of the letter not being accepted. He said the instruction definitely did not come from him. Asked what the environment was like in the police at the time, the witness said all eyes were on the police given the circumstances.

The Lead Counsel read out another account from another witness, which stated that during the meeting, the tone of the IGP and the then Minister/SoS Ousman Badjie was aggressive, harsh and very intimidating. The Lead Counsel noted that the person may have been referring to the witness or his deputy but in any case, it was a representative from the police. The witness said a lot of people did not know him in person and there had been instances when people had said that they had seen him somewhere where he was not so it was very possible that it was his deputy that the person was referring to.
The witness reiterated that he only went to the college once. Asked if he ever authorised the Deputy IGP to go to that meeting, the witness said he did not recall the Deputy IGP taking leave from him to go to that meeting. When asked if representatives from the National Intelligence Agency, NIA were at the first meeting, the witness responded vaguely, adding they may have come but it would not have been on his invitation. The Lead Counsel said the bottom line was that the students felt they were being intimidated and the witness responded that this was unfortunate. He was being branded by the government as being sympathetic to the students but he was not sympathetic, he was just doing what he thought was right.

The Lead Counsel stated that he could see in the file a letter from the IGP inviting the Students’ Union to a meeting at his office. The witness said that was the meeting that took place when he had to leave for the airport. The Lead Counsel highlighted that even at this meeting the students said they were rudely treated and threatened and the witness abruptly left to go to the airport. The witness refuted those allegations.

The Lead Counsel then handed over letters from students with the list of their demands addressed to the witness and asked the witness if he had ever seen those letters. The witness said he had never seen those letters. The Lead Counsel said the students alleged that they had sent several letters to the office of the witness with the Department of Education in copy demanding that “the fire services who tortured Ebrima Barry be brought to justice, those involved in the torture be redeployed and the culprit in the rape of Binta Manneh be identified or prosecuted and the officer in charge of the PIU on duty at that post on that day be held responsible”.

The witness said he never responded to any of those demands because he had never, up until this day, seen these letters before. The Lead Counsel asked if there was a fundamental problem in his office wherein communication does not reach the intended or designated officer and the witness agreed.

Rex King continued his testimony by saying that towards the end of March, it was quite obvious that something was brewing as students were clearly unhappy. He said that information that reached them at the time through intelligence reports was that this was not just a student matter but politicians were also involved (meaning opposition politicians) adding that they investigated but could not confirm these claims.

The witness said he held a few meetings at the Headquarters with then Deputy IGP Sankung Badjie, Police Advisor Tamsir Jasseh, and Commissioner of Operations Baboucarr Sowe to discuss this matter and he instructed that if they wanted to see the Vice-President, let them be escorted but they should not under any circumstances manhandle the children. He stressed that the question of beating and killing never arose in any meeting he attended.

He said that is what necessitated then Commissioner Baboucarr Sowe sending out instructions though he admitted not seeing the instructions. He said he did not have to see them but he expected instructions he gave to be carried out. The Lead Counsel shared the operational orders that were shown to Baboucarr Sowe the previous day and asked if they adequately captured the instructions that he had given and the witness said “yes, to a large extent”.

The witness was asked if it should not have been necessary for him to see the document and he responded that in retrospect and under the circumstances, yes. The witness said there were many occasions were letters went out in the name of the IGP and signed on his behalf and he did not see them. He said he did not expect the demonstrations to take such a turn. The Lead Counsel insisted that these were operational orders and it would have required, under normal circumstances, the oversight of the IGP to ensure what is contained in the document conveyed his orders to which the witness responded “that may be so” but this was internal to the police and so he did not think at the time it was necessary for him to check. Regarding dissemination of operational orders to the relevant units, the witness said this would have been the responsibility of Baboucarr Sowe.

The witness was asked what he would say to the suggestion that this was not in fact disseminated to
the forces below him and the witness said that may have been a break in communication. The Lead Counsel said that they received testimony from the then Commander of the PIU, Momodou Ceesay who told the Commission that he did not see the orders. The Lead Counsel asked the witness if as IGP he would accept that if there were break in communicating orders in the police, the ultimate responsibility would rest with him. The witness said there were certain things he could not take responsibility for as he did everything right. He said if there was a break in communication it was between the Commissioner and those below him. He was not a “one-man force”. The Lead Counsel highlighted this was a fundamental lapse within the institution and as head of the institution, he was ultimately responsible and the witness agreed.

Continuing with his testimony, the witness explained that the day before the demonstrations, he gave an order to his deputy Sankung Badjie and Baboucarr Sowe that would have seemingly modified the operational orders that were issued: “these students, if they want to go see the Vice-President, VP, they should be allowed to do so and escort will be provided” but the witness admitted that did not know if those orders were communicated to the forces on the ground.

Rex King said that on the day of the demonstrations itself, whilst in his office in the early morning, his then Permanent Secretary, Mrs. Therese Jammeh, called him to congratulate him on how everything was quiet on the streets. He said she thought the witness was responsible for that calm and the witness did not correct her. The witness said he called Tamsir Jasseh and asked him to go check and he called him back at around 9 am saying that everything was quiet and good. The Lead Counsel responded that in view of the evidence that they had heard so far, that conclusion that was conveyed to the witness would have been woefully wrong as by 9 am, Gambia Technical Training Institute, GTTI area was so chaotic, it was even difficult to find transport to Banjul.

Rex King said there were people who undoubtedly were not saying the truth. He added that Sankung Badjie came to his office and also told him that the information he was getting was that everything was calm around GTTI and he wanted to go out and see what was happening. The witness said he found it “distasteful” that people had lied before the Commission.

The witness said it was after his deputy had left to go to up the Kombos that he got a call from Ousainou Darboe, the then UDP leader, who told him “Rex, I know you are not aware but the security are opening fires on the students”. The witness said he was shocked. About 15 minutes later, Tamsir Jasseh came in and told him

“Rex, they have messed up all our arrangements […] there is fatality”.

The Lead Counsel noted that Baboucarr Sowe, although his testimony was not yet concluded had never mentioned receiving orders from Rex King to modify the operational orders. The witness said he was surprised. The Lead Counsel said the then head of the PIU, Momodou Ceesay who was entrusted to maintain law and order around GTTI area did not mention this fact either. In fact, his description of events suggested that he was completely ignorant of this new order the witness was talking about and the witness responded “Well, if he says so”. The Lead Counsel added that Momodou Ceesay said that they asked the students to disperse and when they refused, his group attacked the students. The witness said this should not have happened. They had no business being there.

The witness went on to tell the Commission that when he was told there was shooting, he was saddened and angry. Under further questioning, the witness said when Tamsir Jasseh informed him about the mess, he did not give the order to withdraw his men. Asked why, he said he did not want to get involved at that point in time. The Lead Counsel highlighted that he was the head of the police at the time and the police force he had deployed was doing what he had instructed them to do. The witness said he did not want to be associated with whatever wrong they had done and if he had gone, the blame may have very well gone on him.
The Lead Counsel explained that they had done wrong without the witness’ knowledge but when they continued to do so after the witness was aware, did he not think he was legally obliged to take action to stop them from continuing what they were doing and the witness said he did not think he was wrong.

The Lead Counsel highlighted that under the law of “Command Responsibility”, the witness had abrogated his responsibility. He ought to have taken steps to prevent the police from continuing the wrong they were doing. The witness said that under the circumstances at the time, this would not have been possible. He said it would have been very heroic of him to resign but he would have paid for it. The witness tried to claim that evidence had shown it was not only the police officers that were involved.

The Lead Counsel said they were strictly talking about the police and asked the witness if he had taken any steps at 10 am to stop the police from continuing their unlawful acts. The witness said he did not.

Rex King claimed he would have achieved nothing. The Lead Counsel highlighted that at least it would have been on record that he had done what he was required to do and in that case it would have been easy for the witness to sit before them and say “I did what I could”. The Lead Counsel further insisted that the witness had disowned the operation and washed his hands and the witness responded “I would not call it disown but they would have put it all on me”. The Lead Counsel said this was the same but the witness argued there was a bit of a difference.

Asked what he did next, the witness disclosed that after the police cleared Westfield, they went back to their barracks. The witness said there was a debriefing with his management team and he tried to get information out of them. He added that like he had said before, if one thing Yahya Jammeh had succeeded in doing was to put fear in people.

The witness again explained that he had made efforts to find out which of his forces had shot at the students but he did not find out anything. He added that the circumstances at the time were not conducive for him to get answers.

The witness revealed that he asked them questions such as “how did the orders change, who authorised the use of live ammunitions” they would respond “they, they”. The witness would ask “who is they”. The Lead Counsel countered that there was another way of finding out if the witness’ forces had in fact used live ammunitions and after a back a forth, the witness admitted he did not instruct anyone to do the audit to find out if ammunitions/shells were missing, although it should have been done. He said he tried to enquire, though he knew he was not going to last long when he did that, he was retired in June.

Rex King told the Commission that he found out that Ousman Badjie was on the ground and he was not supposed to be there. The Lead Counsel asked if he was implying that Ousman Badjie interfered with police operations and the witness said he was not there so he could not say but Ousman Badjie “had no business” being there. He also named Deputy IGP Sankung Badjie, Landing Badjie, Baboucarr Sowe, the then Chief of Staff Baboucarr Jatta as being present. The Lead Counsel asked the witness if he was suggesting they had messed it up or if they should be able to tell the Commission who messed it up and the witness said it was the latter.

When the Lead Counsel told the witness he had not punished members of his forces for going contrary to his orders or committing violence, the witness said he could not have done so as there were no instructions to punish them. The Lead Counsel argued he did not need instructions to punish them and he could have instituted an internal enquiry. The witness laughed uncomfortably and told him that his suggestion was far-fetched. The old system was abnormal. The Lead Counsel insisted the witness explained what was abnormal so they understand what the circumstances and the witness told him
that “we all know what happened, it was dictatorial, it was this, it was that, we all know what happened”.

The Lead Counsel tried to explain that they could not record that and asked the witness to tell them in his own words what he faced, explaining the circumstances in details so that the witness’ testimony would be understood in light of these.

After a heated debate on explaining the “abnormal circumstances”, the witness, fed up, said if the Lead Counsel could not understand what he was saying, he was sorry and could not go further. He added that he had a very clear conscious. Chairman Sise intervened and told the witness he hoped he did not get the impression that the exchange was confrontational. He explained the objectives of the Commission and what the Lead Counsel was trying to get to, which were the details of the circumstances in order to establish a historical record.

After this, the witness then told the Commission that he believed the staff he was asking questions would have the answers but maybe they were afraid. The Lead Counsel asked if he charged them with insubordination and the witness said he did not. He said it did not occur him to charge them, as he did not think this would have achieved anything. His decision would not have been honoured. He also was afraid that something would happen to him and he was right as he was retired in June 2000. The Lead Counsel finally asked what he thought happened around GTTI and Westfield on 10th April and the witness said he would not guess, as that would not be fair.

In his closing remarks, the witness said he believed there was political interference in the 10th April 2000 events. He stated that he got a call to stop the funeral of journalist and Red Cross volunteer Omar Barrow but he gave instructions not to stop it.

He emphasized the need to avoid tribal selection in any establishment. He advised for his colleagues to love one another, share information and remember they are working for The Gambia. He said that was the mistake back then, people thinking they were working for Yahya Jammeh.

He added that he was not a coward, he recognised trouble and could avoid it but was not afraid.

Persons Mentioned By Witness During Testimony: None
The 10th/11th April 2000 Student Protests resulted in the deaths of at least 18 individuals when security forces shot at civilians on orders of Yahya Jammeh. Many more of those shot at are still suffering from the injuries sustained and in need of urgent medical attention. None of the perpetrators involved in the massacre have ever been brought to justice.
When it was put to him by the Lead Counsel that at time, it was not legal for the military to intervene in civilian matters, the witness agreed.

He further agreed that despite his knowledge of the illegality and the fact that he had no mandate, he still made the undertaking to back the police in the student demonstration.

Witness Jatta however added that the need never arose for him to deploy the army that day.

Continuing on, Baboucarr Jatta said that on his way to work the next morning, he decided to stop by Gambia Technical Training Institute, GTTI where he found some police, headed by then Police Commissioner of Operations Baboucarr Sowe and students gathered. He told Mr. Sowe that should he need help, he had men at Radio Gambia ready to be deployed. When asked if Mr. Sowe told him that they were supposed to pick up the Gambia Student Union, GAMSU executive for a meeting that was supposed to be held at the Vice-President’s office and about the impending student demonstration, the witness eventually responded yes after being referred to his statement to the Commission.

The witness stated that he moved away from the area Mr. Sowe was and he later saw the then Secretary of State Ousman Badjie arrive and speak to Baboucarr Sowe. He said this was around 8 am and added that he did not know what they discussed. All of a sudden, the police fired teargas canisters.

When asked the students comportment and if they provoked this action by the police, Baboucarr Jatta responded that though more students were joining the crowd from buses, they were peaceful and as far as he could see, there was no behaviour that could warrant the firing of teargas. He said that they were affected by the teargas as well. The witness later on added that when the teargas was fired, it turned into a pandemonium with students running helter-skelter and the police chasing after them. He was not in the...
Baboucarr Jatta explained that as he stood at Westfield observing, he saw Omar Joof running around, trying to pacify the group of students who he estimated were over five thousand at this point, with their hand folded or by their side. When asked, he clarified that the students were unarmed and that the crowd included some students who were not in uniform and some curious bystanders.

The witness stated that he left for Banjul at this point and when he got to his office, he called his officers and officer commanding to inform them that there was a planned demonstration and that the student and police may run into a riot and advised them to avoid the general area. He later heard that the students had entered Banjul and sent his deputy at the time, Lieutenant Colonel Momodou Badjie (advisor to President Adama Barrow at the time of this testimony). Witness Jatta said he later decided to find out what was going on for himself and when he got there, he instructed Lieutenant Colonel Badjie to go back and put together a warning order (also called operations order) and have the men on standby for the eventuality that the police need support. When reminded that he had informed the Commission that he knew he did not have legal authority to deploy the army to address civil strife unless a state of emergency was declared, the witness confirmed this but added that they were anticipating that anything could go out of control.

According to the witness, he went on and met the students and police at Westfield arriving between 9 am and 10 am where he met Secretary of State for Interior, Ousman Badjie along with Baboucarr Sowe, then Deputy Inspector General of Police DIG Sankung Badjie, Landing Badjie (also called 13 Badjie. The witness could not remember his position), and Baba Jobe, then Assistant Secretary at the State House and head of the Movement for the Defense of the Revolution, a civilian political group (which the witness said was later transformed to the July 22nd Movement). He added that he confirmed Baba Jobe was armed with a hidden pistol by “bumping into him.” The witness clarified that he himself was not armed but his orderly was armed as part of his dress code.

Baboucarr Jatta explained that as he stood at Westfield observing, he saw Omar Joof running around, trying to pacify the group of students who he estimated were over five thousand at this point, with their hand folded or by their side.

When asked, he clarified that the students were unarmed and that the crowd included some students who were not in uniform and some curious bystanders.

The witness said that he had a brief conversation with Omar Joof who told him he was trying to calm the crowd, and that they were not expecting to run into trouble with the police. He promised to see what he could do about the situation. He added that Baba Jobe, Baboucarr Sowe and Ousman Badjie were still present in the area.

Witness Jatta said that at that point, the students outnumbered the police and their numbers was getting larger. He added that there was no firing by the police then or any stone throwing. He advised Ousman Badjie to make efforts to try and find out what was going on but no action was taken. He therefore decided to chant their military jargon “whoowa whoowa” and immediately got some response from the crowd, which led him to wonder if there were military or retired military among the soldiers.

He continued explaining that they eventually met in the middle of the space between them. He asked the students what their problem was and they responded that the security personnel had picked up their GAMSU leaders, which he (Jatta) said he countered by pointing out that Omar Joof was free. The students then responded that others had been arrested. When he further asked them what the harm was in picking up their leadership, they responded that they believed the security personnel were there to arrest their GAMSU leaders and detain them at
Mile 2 Prison, adding that the students wanted to go with the GAMSU executive in solidarity.

Baboucarr Jatta then recalled that he proceeded to try to reason with the students but when Baba Jobe joined the discussion, they started booing him. He continued his dialogue with the students during which one of them informed him that there were more students at Dippakunda. He negotiated with them to allow him to bring the group at Dippakunda to Westfield and when they agreed, he invited Ousman Badjie to join him and went to meet the students at Dippakunda in his vehicle.

He said that when they got to Dippakunda, they met the students and when Ousman Badjie suggested he should talk to the students, he declined, saying it was his (Badjie’s) show. Witness Jatta explained that the speech given by Ousman Badjie went well until he said “this country has laws”, which did not seem to go down well with the students and they stared throwing stones at them and soon after, Ousman Badjie ran off, commandeered his car and left him behind to the mercy of the students who continued pelting at him, his orderly and his secretary who happened to be there, a female police officer called Elizabeth (Fatou) Jatta. He added that two gentlemen in the crowd asked them to stop at some point and they did. They beaconed for him to go to them, which he did and started negotiating with them. He further stated that he told them that their GAMSU leader was at Westfield and they had made a deal with them and suggested that they go and join the group at Westfield for further negotiations. According to the witness, the group was skeptical at first but later, someone from Westfield arrived at the gathering and confirmed that it was true.

Baboucarr Jatta told the Commission that together with his orderly and the two gentlemen that seemed to have some influence over the students, they took off after agreeing to pick up another group of students that were at Latrikunda German, protect him from being stoned and, form a team to go to the Police Intervention Unit, PIU if Omar Joof was not found at Westfield. They found the group of students at Latrikunda German and were told there was another group near Africell Headquarter and they headed towards Westfield, picking up other students on the way. When asked about the state of his security, Baboucarr Jatta reiterated that he was heavily protected by the students.

Baboucarr Jatta continued to explain that at Mrs. Ndow’s they saw a police officer with a teargas in his hand threatening a group of harmless students. He said he suggested they pick up the police officer as well which they did before proceeding towards Westfield but when they got to the LG outlet, they met a group of angry students throwing stones at them, pushing them back. A short while after, together with the student who were with him, they tried to negotiate to no avail as someone told them that soldiers had started shooting.

The witness said he was surprised to hear that soldiers were on the ground shooting as he was supposed to be giving the orders if that was to happen.

The witness continued to testify that he was whisked away and headed to the former Cooperative end (now NAWEC Headquarters) to try and reach Westfield from that end to speak with the students only to find an angrier crowd who shouted, pelted stones at them and blocked their way towards Westfield. At that point, he suggested to head to the PIU Headquarters which they did, followed by a massive crowd as nobody wanted to be left behind but all of a sudden, there was pandemonium with students running everywhere. He added he was knocked a distance by the mob of students.

When asked what caused the mayhem, he responded he believed it was because of the group of six to seven officers he supposed were PIU men were welding AK47 weapons and chasing the students. He added that immediately when he saw the guns, he started shouting “down, down, down” but nobody listened to him, they continued running and he and his orderly went down at that point. Baboucarr Jatta said he soon after heard the sound of multiple live rounds of gunshots from the AK47s as the supposed PIU
Baboucarr Jatta further stated that he went on to the meeting at the Vice-President’s office where he recalled the then Vice-President, Isatou Njie-Saidy, Ousman Badjie, then Minister of Education Ann Therese Ndong Jatta and then Permanent Secretary to the Ministry of Interior, Essa Khan were in attendance. He could not recall others that were present but remembered that the meeting was in progress when he arrived and they were discussing among other things, issuing a press release. He said Isatou Njie-Saidy later told him “well, I think now you have to come in” which he took to mean that he had to deploy his men to control the boys in the street. When asked if the statement by Isatou Njie-Saidy was an advice or an order, the witness buttressed that it was an order.

When asked if his testimony was that Isatou Njie-Saidy took command of the situation and as acting head of state ordered the deployment of the army to quell the crisis, the witness agreed. He said he took this to mean that at this point, it was his turn to quell the demonstration by all means.

Baboucarr Jatta then affirmed that his plan was to use his armed soldiers because that was what was at his disposal as he did not have seals, riot gears or teargas. The witness specified that the soldiers were deployed with live bullets for self-protection and blanks to be used to quell the demonstration. The witness also confirmed that the orders he gave were verbal, not written.

The Lead Counsel asked the witness to revisit their meeting at State House and asked if the witness spoke to anyone on the phone to which the witness replied that he was asked to speak to President Yahya Jammeh who had called in. He said Yahya Jammeh told him he heard that he (Jatta) was caught in the crowd, which he confirmed and told him that the students were not aggressive, that they were just throwing stones and he was trying to help. He said Yahya Jammeh then told him that they would speak more when he came back. The witness continued on officers tried to push back the students. He explained that his orderly and himself had to crawl on the ground for some time on the other side of the road until after the officers were past them.

Witness Jatta stated that when he got up from the ground, he saw the soldiers chasing the students with their AK47s cocked and pointed at the student and he saw the first casualty.

He added that he believed that if he had not gone down, he would have been hit as well and decided to leave the environment before they came back. The witness also added later in his testimony that he saw several students lying on the ground.

Continuing his testimony, the witness stated that when he looked around, he saw Ousman Badjie and Sankung Badjie standing about 15 metres away from the crowd. He said he went and protested to them for allowing the shooting. When challenged by the Lead Counsel on his expectation that the Secretary of State by virtue of his position and presence on the ground had command authority over the PIU officers, the witness conceded Ousman Badjie did not but added that he could have attempted to stop the carnage by virtue of his political authority.

When the Lead Counsel put it to the witness that the allegation that he (the witness) signalled to the PIU to fire while he ducked, Baboucarr Jatta denied the allegation, adding that for a man of his status, it would have been a foolhardy decision to command the men to fire while he was in the field of fire, especially when he did not know who the gunner was and how effective that person was with a weapon.

The witness said he took his vehicle and left with his driver and orderly for his office for safety and because he was very tired. He added that he was cleaning himself up to attend the meeting at the Vice-President’s office when he heard on Radio 1 FM that he, Baboucarr Jatta had ordered the shooting.
to explain that after his conversation with Yahya Jammeh, he went to his office and deployed two platoons from One Infantry Battalion lead under the command of late Captain Vincent Jatta and Cherno Jallow was on standby to lead 1 platoon. Later in his testimony, he added that he deployed recruits without weapons when Kotu power station came under threat from the students.

The witness was asked if he was aware of a command to “take care of those bastards” given by Yahya Jammeh to Isatou Njie-Saidy to which he responded in the negative. When also asked to confirm if he was present when the decision was made to issue a press release stating that the shooting came from the crowd of students, the witness said he did not, adding that he left soon after he was commanded to deploy and came across the information when he got back to his office. He said he disputed the information contained in the press release, saying that he did not perceive this to be the case from his standpoint in the crowd during the demonstration.

When asked, the witness affirmed that he sent a warning order, adding that this was a civil matter and that they had no information whatsoever as to what was going on. He said the order was written by his deputy Modou Sankareh Badjie. The witness was presented with the report and he confirmed that it was signed by both his deputy and himself.

The report read: “Early on the morning of Monday, 1st April 2000, The Gambia Students’ Union, GAMSU, organised a supposedly peaceful demonstration, which turned out to be characterised by wanton destruction of government, parastatal and private properties. The students, amounting to thousands were allowed to assembly at the Gambia Technical Training Institute but when their behaviour was found wanting, the security forces had to use minimum force to arrest the situation. The students though not mobile, were equipped with some teargas, stones and alleged short guns. Their moral was very high during the day and rumours is rifting that they intend to continue the demonstration with the same moment. Ill disciplined, disorderliness and lack of rule of law has clearly manifested in the students’ approached and conduct of the demonstration. One thing also apparent in their demonstration is that they had a hidden agenda quite different from the alleged death of one Ebrima Barry and by fireman and the rape of a student of Brikamaba School. This could be perceived by use of words “soppi” meaning change of government and attack on some government installations only eyebrows and seems to confirm suspicion that the demonstrations were politically motivated”.

Upon completion, the witness agreed with the Lead Counsel that the raison d’être for the operation given in the operations order was based on a lie and took responsibility for it.

Continuing his testimony the next day, Baboucarr Jatta agreed with the Lead Counsel that he was shocked when he read but having slept over it, he thought of some amendments they tended to make and asked if there were attachments to the order. When the Lead Counsel confirmed that there were no attachments, the witness stressed that for sure he knew their statement was false.

When asked to review the operations orders again and confirm the date it was issued, the witness noted that though the date said the 10th on the document, it appeared it was altered to the 11th April but he affirmed that he was certain the orders were sent the 10th and again took responsibility for the amended official document after an extended back and forth with the Lead Counsel. The Lead Counsel told the witness that the Commission would make a decision on this, as to whether the document was dated on the 10th or 11th, or whether the document was a fabrication.

The witness was asked to proceed and he explained that he called his men to give them a signal to move and he told them where they would meet him on the ground. He met up with the patrol at Kairaba Avenue to make sure that area was cleared before going through to Jeshwang and passed by Radio Gambia
as well. He further stated that while he was at Churchill’s Town, by then one battalion was almost at Old Tippa garage, where they came across Baba Jobe.

He said then the Commanding Officer, late Vincent Jatta asked him what he was to do with him and the witness said he told him to ask Baba Jobe what he was doing there to which he responded to Vincent Jatta that they were on the same mission like him (the witness), trying to talk to the students. The witness said he was warned to get out and he (Baba Jobe) left. When referred to his statement, the witness confirmed that there was no mention of Baba Jobe’s presence and assumed that it must have been an oversight of him.

The witness continued to explain that for his first inspection he went to Westfield and for the second he went to the area around Radio Gambia going down to Kairaba, Traffic Light and realised that the students had gone, the whole place was clear with very few people around there. He further explained that towards 6 pm, he came out by Radio Gambia, moved up to Traffic Light, those places were all cleared, everything was over so they went back.

Asked to explain what happened the next day, the witness replied that they were on standby when the Farafenni Commanding Officer called to say they had some disturbance around Jarra Soma, going to the province, Brikamaba and Basse and they deployed. He said prior to the call, he (the witness) told the commanding officer to make arrangements for fuel and whatever they needed. He said that he knew that from that point, there would be no communication because of distance as they did not cover the whole country with their radios at that point in time. The Lead counsel pointed out that there were mobile phones to which the witness responded that they were not very efficient around the provinces and he lost total communication with his units from Jarra Soma to Kudang but around Kudang, their radios were there, though they also had some ranges that they could not cover.

He was asked to tell them about the deployment of troops to which he responded that on the commanding officer's advice and by extension his orders, a platoon size was deployed from Farafenni Barracks to Brikamaba, adding that he also used his troops from Basse and Kudang. He was asked about Janjanbureh and he confirmed they were in Janjanbureh as well.

When the Lead Counsel put it to the witness that his men from Basse, Farafenni and Kudang took over government effort to quell the students’ demonstration when in fact that was police responsibility, the witness concurred but added that at the meeting at the Vice-President’s office, the police had said they could not move which was why they came out. He added that if the police were ready to go out on the street that day or a day after, they would have remained in the barracks. The Lead Counsel countered that he went out because he was ordered to do so by Isatou Njie-Saidy according to his previous statement to which the witness agreed saying that the fact that the police could not move was why she had to take that decision.

When he was asked if at any one point the police had stated that they could move, the witness could not confirm that and admitted that this was also not in his statement.

Going back to what his men did, the witness said he told them to push the demonstrations out of all key points of installation.

When asked to confirm the kind of weapons they were deployed with, he responded that they were armed with AK47.

He also re-affirmed that they carried live rounds, explaining that it was for their protection and also that it was their dress code, that once a weapon is issued in every operation, they had to go with live ammunition.

The witness was asked what happened at the end of the operation and he responded that they had an After Action Review, AAR which he explained is an assessment by the men and officers of what happened on the ground including inspecting their arms and ammunitions.
He was asked if he recalled that his soldiers were arresting student leaders and the witness admitted it and said he also found one GAMSU leader in Yundum. He however explained that the arrest of the leaders was coincidental as whenever there is a crowd, you look for the most active ones and separate them, which he agreed was in effect arresting them. The witness was asked if when this arrest was being done, the crowd was there and the witness answered that the crowd dispersed, chased away by the soldiers.

When the Lead Counsel put it to Baboucarr Jatta that his troops were already on the ground in the morning during in the demonstration, not after as evidenced by his previous testimony where he said he (the witness) was told soldiers were shooting students, the witness, after a long back and forth, admitted, saying they were unarmed engineers going to Banjul for maintenance.

When the Lead Counsel countered that the allegation was that his troops fired at the students, the witness said yes, adding that the battalion commander did not tell him that some men had been released to GTTI.

When asked if it was his testimony that he did not hear sounds of gunfire, he replied that he did not here, adding that it was very noisy, so much so that he could not even receive his phone call. The Lead Counsel then read out a statement from Alhagie S. Darboe: “The SOS Ousman Badjie started saying that they knew we were under the influence of the oppositions. That all the opposition figures who were behind us would be arrested and charged. We were about to board to the vehicles to be taken to GTTI when we heard the students chanting for our release, just those outside the PIU premises. I could hear gunshots as well. We told the SOS to tell his men to stop firing, but he said the order had already been given. We were conditionally released to calm down the students”. The Lead Counsel read another paragraph: “Some were heading to Westfield. We followed them and gathered them at the monument to address them. Omar Joof stood on the wall of the monument, flanked by me and a BBC reporter, Ebrima Sillah. Before he could give his address, a military truck arrived and firing started.”

The Lead Counsel asked the witness if the statement by Alhagie S. Darboe was a lie and the witness said he was not denying it but what he was saying was the matter was not reported to him. The Lead Counsel further read: “There was use of teargases as well to disperse the students. At one point, I couldn’t open my eyes and stranded against the wall while the firing was going on. A soldier came to me with a gun while I raised my hands. He asked me why I was there. I told him I was a student leader and he advised me to leave the area because it was not safe, which I managed to do so. I headed towards GTTI.”

The Lead Counsel told the witness his men were there and that they participated in the shooting at Westfield. The witness, looking surprised said that nobody told him. The Lead Counsel gave him another reference: “When I arrived at the scene, I found the paramilitary. I found the paramilitary chasing the students and firing rubber bullets to disperse them. At Westfield, I found students struggling against the soldiers who were chasing them. The soldiers then fired some gunshots, killing some of the students and wounded others. Mr. Halifa Sallah appeared at the scene and gave a consolatory advise to the students, indicating to us that we should avoid the demonstration to avert chaos. He further went on saying we should not be involved in vandalism and not to destroy the country as we are the future leaders. He had already convinced us and we were about to disperse when Baboucarr Jatta, the Chief of Defense Staff also arrived. Baboucarr came to the scene and the students rushed on him and wanted to kill him because they were annoyed by the order he gave for the shootings to led to the death of our fellow students and the abuses meted out on them. I was part of the students who defended and protected the CDS so as to help him give an escort to the PIU Headquarters”.

The witness said then he was undermined, that he was unaware as nobody told him about what
undermined him, the witness replied that anybody below him would never give that order, unless an instruction came through. He was asked if he was suggesting that the order was from above him to which he, in a convoluted response, said he believed that must have happened.

After extended probing by the Lead Counsel, the witness admitted that he did not in fact investigate, that his earlier statements were just a smokescreen, adding that sometimes when such damages occur, there is always panic and confusion within their system. The Lead Counsel advised the witness not to develop a tactical approach to answering his questions but to just speak the truth.

Continuing on his explanation of the events, the witness said the next day, he asked them to conduct After Action Review, ARR of what happened and when asked if a report was produced, he responded in the affirmative, adding that they were also told there would be a Commission of Inquiry. The Lead Counsel requested to the Commission Chair to write to the army to request the report.

Going back to the events of the of 10th and 11th April, the Lead Counsel asked the witness to confirm the fact that besides his men being involved in killings, they were also involved in arresting and torturing of demonstrators, which the witness confirmed. When asked if he told the Commission of Inquiry that his men used live ammunition on civilians and were involved in killing, arresting and torturing civilians in Brikamaba, Janjanbureh and Basse, Baboucarr Jatta responded in the negative. When asked him if his office submitted a report to the Commission of Inquiry, detailing account of the deployment of his troops, the witness said yes.

Referring to the said report, the Lead Counsel asked the witness to read the last paragraph of the report which read: “...one week later, I check on the first line armour of soldiers from battalion headquarters who participated in the operations was conducted and all confirmed to be intact.” When asked what that
meant, Baboucarr Jatta said that was to say not a single round was ever fired. When asked if that was not a lie, the witness agreed but added that he personally went to the Chief Justice before the beginning of the Commission of Inquiry to express that they were not happy with the report and asked him to allow them to go to the ground and prepare a better one.

The Lead Counsel told the witness that the deaths arising out of 10th and 11th April were not in fact 15 but would be 17 people, adding that there may be more and the witness said yes.

He was asked what he would say to those people and the witness said he would say to that family that he was very sorry, he apologised for the wrong things meted on to their families, friends and relatives, adding that it was very disheartening to see a person who you were meant to protect but rather turn against then. He also apologised to the entire Armed Forces.

When the Lead Counsel put it to the witness that they were all consumed by their blind loyalty to the then head of state to the extent that they would do anything, the witness replied that it affected all of them in all forms adding that they were entangled in a situation where a Corporal can report a general and get you fired, where he as the Chief of Defense Staff could not fire a corporal, a Sergeant Major, or even a private soldier.

Going back to Bamba Jobarteh, the civilian whose arrest, torture and detention resulted in his death soon after he was released from Janjanbureh, the witness was asked again if he knew about it to which he responded that yes and that when he saw it, he started to assume that these casualties will just keep mounting. When asked if he realised that this death was not recorded in the report, that he did not do his own investigations when he should have, the witness agreed, adding that they were expecting the Commission of Inquiry to assist in that.

The Lead Counsel put it to him that this report was part of the government cover-up to falsify facts about the situation to which he replied that it was true. The Lead Counsel stressed that he lied in the report about there being no casualties, he lied about there being no torture, he lied about not even using live bullets.

The Lead Counsel further put it to the witness that the army failed in its responsibility to deal with some of its men who committed offenses even though two of the soldiers who were deployed at Brikamaba testified before the Commission of Inquiry and the person who led the operation, Corporal Camara, testified at TRRC and indicated that he told the commanding officer that there were casualties and he (the witness) accepted, adding that nothing was done to the men up to the time of his testimony. When asked what he would say to the families of the victims, the witness replied that he wished to apologise for what happened to the victims and the relatives of the victims everywhere on behalf of the army.

The Lead Counsel asked the witness if he was aware that two other individuals died after release from Janjanbureh prison, the witness responded in the negative. The Lead Counsel referred the Commission to a newspaper article by The Independent Newspaper dated 23rd to 25th June 2000 to the section “What killed Bamba Jobarteh”, a late Armitage student.
The Lead Counsel continued to say that the government went on to put in place an Indemnity law to prevent the prosecution of his (the witness’s) men because they did the dirty job for the government. The witness said that this was true. Referring to the findings and recommendations of the Commission of Inquiry, the Lead Counsel read: “Corporal Lamin Camara and his men should be held responsible for the deaths and injuries through gunshots at Brikamaba. Lieutenant Samba Baldeh and Wasss Camara also arrived after the main m Clyb and confusion. It is our belief that those two army officers and their groups are responsible torturing. We hold them responsible for inhumane and degrading treatment, which is unlawful and should not be tolerated. We recommend that Corporal Lamin Camara, Lance Corporal Njie, Private Lamin Camara, Private Paul Mendy and Private Alieu Kambi be prosecuted for the deaths and injuries suffered by victims at Brikamaba”.

The Lead Counsel asked him if he knew what his government did and he replied “Indemnity”.

The Lead Counsel continued on to read the second recommendations that affected his men: “The two groups of soldiers from Basse and Kudang under the command of Lieutenant Samba Baldeh and Lieutenant Wasss Camara respectively should also face disciplinary action for the inhuman treatment of citizens at Brikamaba.” The Lead Counsel told the witness that even this minor disciplinary action that was to be carried out within the army was not done to which he agreed.

After a long debate on the issue, the witness ended up reconfirming that his men were deployed in the morning at Westfield and that they participated in shootings; he was ordered by the then Vice-President Isatou Njie-Saidy to deploy his men to go and quell the student demonstration; his men participated in arrests and torture of students and in killings civilians in Brikamaba; arrests and tortures in Janjanbureh and Basse; that he (the witness) generated false documents, which was submitted to the Commission of Inquiry and had failed in his responsibilities as commander of the army to deal with the men that participated in the events of 11th April at Brikamaba.

The Lead Counsel then led the testimony to the death of Ousman Koro Ceesay. The witness explained that one day, they learnt about an incident around Jambur area and that this involved a Mercedes-Benz issued to ministers. When asked where he got that information, he said he got it from the then Director General of National Intelligence Agency, NIA late Samba Bah who asked that they go to the scene. He added that 13 Badjie was also there at the scene when they arrived.

The witness continued to explain that he was assigned by Samba Bah to assess what happened and he said that his observation of the scene, the areas around it and the vehicle, this could not have been a real traffic accident.

He added that it was like something was wrong because they saw the charred body in the vehicle with no limb, no legs and a little bit of the intestine came out but he could not remember whether the head was there or not, but the limbs were not there and the vehicle was set on fire. When the Lead Counsel repeated ‘set on fire’ and suggested to the witness that this sounded like a deliberate activity, the witness concurred, adding he knew this was sabotage.

The witness said when they investigated towards the end, they discovered that it was Ousman Koro Ceesay. He said Samba Bah and Edward Singhateh, then Acting Chairman of the Armed Forces Provisional Ruling Council, AFPRC were called and informed that they have confirmed that the vehicle belonged to Ousman Koro Ceesay.

\[53\] Finance Minister in 1995 alleged to have been killed by Edward Singhateh, Peter Singhateh, Yankuba Touray and Alhagie Kanyi (who confessed to that in session 2).
When asked, the witness they were at the scene around 8 or 9 am and that Yahya Jammeh had travelled out of the country to Cuba the night before. He added that he was with Ousman Koro Ceesay at the airport the night before. He was asked if he would say that his group was the first line of government officials to go to the scene and he did not think so.

The witness was asked whether he knew or believed that the Director General of the NIA had already informed Edward Singhateh and he responded that he did not know. When probed further on Edward Singhateh’s reaction to the news of Ousman Koro Ceesay’s accident, if he sounded surprised, the witness said that he could not really tell from the telephone conversation. When asked what Edward Singhateh’s response to the news was, the witness said he told him that when the Chairman comes, they would see what they could do. The Lead Counsel then asked him by that, if his conversation with Edward Singhateh implied he expected that the vehicle and the remains will all be left there until Yahya Jammeh returned, and the witness replied yes.

The Lead Counsel then steered the testimony to the issue of the Junglers and the witness confirmed that the Junglers were created whilst he was still CDS.

The Lead Counsel added that in fact, his brother was one of the first Junglers and the witness again responded in the affirmative and when asked what his name was, he replied Malick Jatta. The Lead Counsel further told him that Malick Jatta had confirmed participating in several Jungler activities, and during his (the witness’s) time that he participated in several killings by the Junglers and the witness replied yes.

The Lead Counsel added that being a Jungler, his brother was not going to work like other soldiers and the witness confirmed this. When asked if he did anything about it as the CDS, he answered that he did not do anything about it, but he believed he (Malick Jatta) was under command of the State Guard Unit, that if an officer was found not present, he believed the unit commander should do something about that. The Lead Counsel asked him who should do something about it, he replied the unit commander at the State House.

In ending his questioning, the Lead Counsel further pressed the witness about his brother’s absence from duty and asked his if that did not amount to Absence Without Leave, AWOL, the witness agreed, further adding that it would be considered desertion, a more serious offence in the military. When asked about his inactions, the witness replied that the unit superior should take that responsibility.

The Lead Counsel further put it to the witness that he knew that this soldier of his (Malick Jatta) was not going to work, a disciplinary offences in the army, AWOL or at most desertion; that he (the witness) did not do anything about and further, he knew that Malick Jatta’s superior officers who happened to be his (the witness’s) subordinates did not do anything about it, a deliberate effort on their side; that the army kept a blind eye, the witness agreed to all and to the suggestion that that was all part of his blind loyalty to Yahya Jammeh. The witness further agreed that he knew the Junglers were a hit squad doing Yahya Jammeh’s job, but none of them would lift a finger and say anything about it.

Before passing on the question to the other Commissioners, Chairman Sise put it to the witness that his testimony and the revelations that came out of were “lies, lies and lies and massive cover-up by almost everyone who was involved in investigation handling of the April 2000 event” and the witness replied yes, he agreed to which the Chairman added that that was “tragic”.

Commissioner Kinteh told the witness he remembered “Giri” Abdou Njie admitted firing 104 bullets but he also alleged that others also fired live bullets, adding that the indicators by the witness’ statement to the Commission, all the five should face some form of punishment; meaning the other four are also culprits regarding the firing of live rounds. Commissioner Kinteh asked if the witness if he had been able to establish an inventory of the total rounds that were fired by the other four so that they (the Commission)
could add up and establish the total amount of live rounds that were fired at Brikamaba. The witness responded that he may not be able to recall what action was taken but this Commission has proven that even more bullets were expended than what was said, adding that the accountability of ammunition was not perfectly done.

Commissioner Kinteh told the witness that he had told them that he could not recall if the head was there or not and asked the witness to confirm when he said the limbs were not there if he was only referring to the hands or the legs as well. The witness confirmed that the legs were not there.

Commissioner Kah told the witness that in his testimony, he (the witness) had recounted while they were moving around Africell, there was a student leader named Musa Ann, adding that from other witnesses’ testimonies the name they had was Omar Ann, not Musa Ann. The witness clarified that Musa Ann was not a student leader but an employee of Central Bank, adding that he knew Musa Ann in person, that he is a brother to Major Pa Modou Ann.

Commissioner Imam Jallow reminded Baboucarr Jatta that he had said that whoever gave the order to shoot must have been above him and not below him and asked if the witness could list out for them the people who were above him. The witness said that would be the Minister, the Vice-President (Isatou Njie-Saidy) and the President (Yahya Jammeh) but the rest of the troops, his deputy, the present security officers, his commanding officers, if they had given the order to shoot they would have done it out of their own accord and they know that is a court martial offence, adding that if they had to go through the normal process, he should have be fired like how the Director General and Inspector General of Police were fired but along the line, they spared him.

In his concluding remarks, the witness admitted that they were worried well before the Commission of Inquiry and were not happy with that report and that he told them they did not contribute much to the last commission which opened up a gap. He said that under these circumstances, it is them, the commanders, who will always fall victim when issues around them are not clear. The witness talked about the civil disobedience that marred the Second Republic following the coup d’état, which overthrew a constitutionally recognised government by the barrel of the gun and the fact that they did not expect things to be on a silver platter. He added that they were not prepared for the coup and that with time, they got to realise that they were going for the worse with events they did not have a solution for and the many promises made only to discover that they could not be fulfilled.

The witness said that what aggravated the whole thing was rewarding soldiers by rank despite his advice which demoralized the soldier and opening themselves to other coup d’états which struck four months later.

Baboucarr Jatta said he had insisted that killing the students was the wrong way. He also stated that the military had its own way of dealing with them which was to arrest them, take them to a court martial and if found guilty, go to the Supreme Court for analysis and if confirmed guilty, they have to be executed and their relatives would pick up their bodies at the mortuary.

He stated that what happened had triggered serious instability and they found themselves in an environment of precipitate retirements, banning of the Constitution, ruling by decrees where nobody was being consulted and financial transactions were never straight. The witness said that they were all answerable to one man, that was Yahya Jammeh and that he used to tell people: “The president is our president, you and I. He is our Chief Executive, you and I, but he is our Commander in Chief, not your Commander in Chief.”

The witness went on to say that over the period, they had seen instances that brought about the growth of the so-called Junglers, a year before he left in 2004. He explained that at the time of the death of the Point Newspaper journalist Deyda Hydara, he was not in the government, but he and his former deputy, Samsudeen Sarr had decided among other things to stick to Yahya Jammeh and advise him as best as they could, keep him on the right path adding that “if you know your boss, you will know how to handle

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54 We assume the witness is referring to the army’s report submitted to the Commission of Inquiry in 2000.
55 It is our assumption that the witness is referring to soldiers that have committed a crime.
him”. The witness told the Commission that they knew Yahya Jammeh also had his own problem, that he thought aggression would solve the problem.

The witness went to add among other things that the 10th April events had caused big divisions among the security forces. He also talked and how he did not see his kids sometimes for 21 days and had not gone on leave for 10 years. The witness told the Chairman as of today, if there was to be another coup, let them count him out adding that they thought that their lives were going to improve, but it did not except for a few people. The witness said this is a lesson for them, that a professional soldier does not get involved in coup d’états, but when there was a coup d’état, professional officers try to stabilize the situation and they did all they could to stabilize the situation but their problem sometimes was interference by the State House.

When asked to start summarising his statement, the witness asked to be given a chance and continued his statement, talking about the army’s involvement in building civil military relationship, citing example of the work they did at the children’s ward at the Royal Victoria Hospital, RVH and fixing the road from Banjulinding to Kafuta. The witness also talked about stigmatization of the military all throughout history adding that attention should be given to them because if you have a child in a family and disregard him, he would be a troublemaker.

The witness ended his concluding remarks by apologising to everyone on behalf of the army to each and every one and thanked the Commission for the opportunity to testify and not have to live with this, adding that if one thought that this Commission was a joke, it would be because you were never affected.

He urged the Lead Counsel to cite sections of the law when talking about crimes as he believed the soldiers would learn from it and it would deter them from any other things. He thanked the Chairman again for the audience to tell the whole armed forces to “be careful!” He said he had gone through one mistake and asked that it not be repeated.

Persons Mentioned By Witness During Testimony:
Wilful misrepresentation
Baboucarr Jatta (the witness)
Obstruction of justice
Baboucarr Jatta (the witness)

...Chairman Sise put it to the witness that his testimony and the revelations that came out of were “lies, lies and lies and massive cover-up by almost everyone who was involved in investigation handling of the April 2000 event” and the witness replied yes.
Agency, NIA in January 1996 by a panel chaired by then Command Master Chief, CMC Pa Habibou Mbye. He also vividly remembered Chief Inspector Mam Bojang (who is now the Paramount Chief) being part of the panel and that there was no independent witness though he was treated with respect.

Ousman Badjie told the Commission that he was asked about his relationship with the Council Members and where he was the day Sadibou Hydara was arrested among other questions. He explained that he was made to write a statement, which he submitted to Mam Bojang. On the questions he was asked, he said he believed they were trying to connect him to whatever Sanna Sabally and Sadibou Hydara were accused of. He was released on 28th October 1996.

The witness also disclosed that during his detention, he received a dismissal letter dated 16th April 1996, informing him he was dismissed from The Gambia Police Force with effect from 2nd February 1995 and that he later received a letter from the Ministry of Interior, reinstating him as Commissioner of Police with effect from 2nd February 1995, essentially nullifying his dismissal from the service. He said he served as Commissioner of Administration before being appointed Minister of Interior in January 1999, a position he held until 2003.

He was asked to explain his responsibilities as far as it concerned internal security and he said the responsibility rested mainly on the Inspector General of Police, IGP, that at his level, he only focused on policies and the welfare of all law enforcement agencies under the Ministry.

He further explained that the IGP could report to both the Minister of Interior and to the President except for cases involving investigations when he would liaise more with the Department of State for Justice.

The Deputy Lead Counsel concluded that the witness would therefore get information from the IGP concerning matters of internal security, which the
He added that during the meeting with the students at Gambia College, he told them they had the right to demonstrate but let it be within the confines of the law because the Public Order Act said: “If you want to plan a demonstration, you have to write to the Inspector General of Police and request for a permit”. He said if the request for demonstration is approved, then a police escort is provided. They would also determine the itinerary that the demonstrators would take so as not to disrupt traffic, but also make sure that some security aspects are taken into consideration.

Describing his tone and demeanour during the meeting, the witness said he was respectful. The Deputy Lead Counsel then read extracts from Alhagie S. Darboe’s testimony, which stated the contrary and described the witness’ remarks as very harsh and threatening. Another testimony, that of Lamin Jobe also made similar allegations. The witness answered that he was very surprised to hear that but they were entitled to their opinion. The witness observed that according to Alhagie S. Darboe’s testimony, he said he came at the latter part and argued that he was therefore not in position to describe the tone of the meeting but the Deputy Lead Counsel disagreed.

The witness reiterated that the purpose of the meeting was to reassure them and that his request for a permit was echoed by the then IGP. He added that after that, he held a meeting with Omar Joof, the president of GAMSU in his office. Omar Joof explained that he was here to inform him that he had written a letter to the IGP concerning the incidents of the Fire Service in Brikama and the rape case and that he (Omar Joof) wanted the witness to arrange a meeting with him and the IGP to follow up on actions. The witness said he called the IGP and told him that Omar Joof wanted to meet him because they had sent him a letter but had yet to receive a response, to which the IGP responded that it would be done.

Moving on to the events of 10th/11th April 2000, Ousman Badjie revealed that he was informed that the students were planning to have a demonstration because of two incidents that had happened: the death of Ebrima Barry following torture by the fire service and the rape of a student by a PIU officer whilst on duty at the stadium. He added that according to the then IGP (Rex King), these incidents were being investigated.

The witness recalled holding a meeting with the Gambia Students’ Union, GAMSU at Gambia College together with the IGP and the Deputy IGP and also meeting the principal of the college and some other community leaders in Brikama to reassure them about steps they were taking. He added that during the meeting, he reminded them that they needed to be patient and instructed them that things would be done in accordance with procedures. He highlighted that from his own observation, the students were in a haste to expedite everything but remarked that administration does not work that way, you have to go through procedures, especially when it involved death. There needed to be a post-mortem examination to determine the cause of death.

Ousman Badjie also explained that for the rape case, an identification parade had to be conducted in the presence of the victim and her family, where all those who were on duty the day of the incident would be paraded and the victim would go round all of them and identify the accused.

He added that during the meeting with the students at Gambia College, he told them they had the right to demonstrate but let it be within the confines of the law because the Public Order Act said: “If you want to plan a demonstration, you have to write to the Inspector General of Police and request for a permit”. He said if the request for demonstration is approved, then a police escort is provided. They would also determine the itinerary that the demonstrators would take so as not to disrupt traffic, but also make sure that some security aspects are taken into consideration.

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Asking if after that, if he was involved in any other meetings in relation to the student activities at the time, the witness asserted he was not involved in any other meeting. He was asked if he received any other

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56 Alhagie S. Darboe testified at the TRRC on 23rd September 2019.
57 Lamin Jobe testified at the TRRC on 19th August 2019.
information concerning the planned demonstrations on 10th and 11th April and the witness recalled that he only ever received verbal information from the IGP on Friday before closing, telling him that the students were planning a demonstration on those days and that was all. He added that the IGP told him he had not received any request for a permit to demonstrate. 

 Asked if he took any steps as a result of the information that he had received, the witness said he sent a press release from the Ministry, which was broadcasted on Gambia Radio Television Services, GRTS on 9th April announcing that they were aware of an imminent demonstration by the students and according to information they had received, that demonstration, if it went as planned would be illegal because there was no permit. 

The Deputy Lead Counsel asked if he was not aware of a planned meeting between the student leaderships and the then Vice-President of The Gambia and he responded in the negative. He was asked if on that Sunday, he received any other information about any plans that were in place to deal with the student demonstration and the witness said that he did not receive any plan as to how they were going to deal with the student demonstration. 

Proceeding with his testimony, Ousman Badjie recounted that on 10th April, he left his house without his mobile phone and when he arrived around Gambia Technical Training Institute, GTTI at around 7:45 am, he found the situation somehow chaotic because the traffic was not moving, the students (though peaceful) were chanting “Release Our Leaders” and on the ground, he found less than 10 police officers, who were outnumbered by the students. 

The witness added that the police officers were using their truncheons and shields to forcefully push the students backward. 

The witness stated that he alighted from his vehicle and went straight to the students. In fact, when the PIU officers saw him, they stopped whatever they were doing and then he asked the students what he could do to help defuse the tension. They gave him two demands: 1) they did not want to see any police presence near them, 2) they wanted the release of their leaders detained at the PIU Headquarters. He said he told them to consider it done and he turned around and told the security forces on the ground to disperse, which they did.

Once the security officers complied, the witness said he drove to the PIU Headquarters, where the student leaders were detained and he thought in that process, some of the students from GTTI followed him as they wanted to be sure that their leaders were released. He added that upon arrival at the PIU Headquarters at around 8 am, the only police officers he found there were few, maybe one or two or three. He stated he did not remember exactly who were guarding the detained students and he instructed them to release the leaders, which they did.

 Asked if he had an opportunity to enter the room where the students had been detained, he responded that he did not and only remained outside. The witness added that he ordered the release in the presence of Ebrima Sillah, then journalist, now Minister of Information and Communication Infrastructure, who had followed the witness from GTTI. He specified that he did not see their condition. 

The Deputy Lead Counsel asked the witness if he heard anything and he explained that apart from the sound of a teargas from afar, he did not. She explained that the Commission had received evidence from multiple witnesses that there was a lot of shooting going on around the PIU around that time but the witness said that as far as he could recollect, there was no shooting. 

The Deputy Lead Counsel then proceeded to tell the witness about the testimonies that they had heard from witnesses. She started with Alhagie S. Darboe who stated that he (the witness) spoke to them and said that he knew that they were under the influence of the opposition and that all opposition figures who were behind the students would be arrested and charged. The witness did not recall making such

58 At the time Isatou Njie-Saidy.
leadership was being released to diffuse the tension and when he got there, at around 9 am, he found then Chief Of Defense Staff, CDS, Baboucarr Jatta.

The witness told the Commission that he addressed the students, told them that their leaders were now released, and they welcomed the news. Asked if at any point he heard gunshots around Westfield the witness said, while he was there, as far as he could recollect, the area was very peaceful and calm. He also stated that he could not recollect seeing any security forces there nor could he recollect at any point between GTTI, PIU Headquarters and Westfield Junction seeing any students being beaten.

The witness remembered that after he left Westfield Junction, he went with Baboucarr Jatta to Latrikunda and when they arrived, he asked the students to listen and when he (the witness) started telling them about the release of their leaders, he saw a group of boys who joined the group. They were not in uniform and one of them started throwing stones. He said he paused, he did not continue talking. After a few minutes, a second one threw stones again. He said at this stage, he saw the orderly of Baboucarr Jatta coming towards him as if he was trying to protect him. The witness said he told him he was fine and added that he left the place because he did not want to be in a place where violence was about to erupt.

The Deputy Lead Counsel further read that around GTTI, they could hear students chanting and when they heard gunshots, Alhagie S. Darboe told Ousman Badjie to tell his men to stop firing, but he said that the order had already been given. The witness denied making any such statement. The Deputy Leader Counsel further asked the witness if he denied having heard any gunshots while he was at the PIU premises and he responded in the affirmative. However, the Deputy Lead Counsel explained that Omar Joof similarly testified and in his case, he said they heard shooting and in particular, it was the head of the PIU at the time Momodou Ceesay who was shooting a pistol in the air and he told him (the witness) to order his men to stop and he did so.

The Deputy Lead Counsel told Ousman Badjie that both witnesses mentioned gunshots, mentioned a conversation with him and asked him to order the men stop shooting, all be it with different results. The witness said this was their version of the story and as he said, a long time had passed, 19 years, he could not recall everything that had happened. He added that they could ask Momodou Ceesay as he was expected to testify again.

The Deputy Counsel also informed the witness that Omar Joof testified that he (the witness) was aware of the meeting with the Vice-President. The witness maintained that he was never informed of any meeting with the Vice-President. The Deputy Lead Counsel then told him and in fact the testimony was positive to the extent that he (the witness) offered his vehicle to take the student leaders to go and meet the Vice-President. The witness was asked if he denied that and he said he could not say because he was not aware and he did not remember even taking his vehicle to take the students for a meeting.

Continuing on with his testimony, the witness revealed that he then left the PIU and walked to Westfield as he had gotten information that a larger crowd was gathered there. He wanted to inform them that the student leadership was being released to diffuse the tension and when he got there, at around 9 am, he found then Chief Of Defense Staff, CDS, Baboucarr Jatta.

The witness added that when he was at Latrikunda junction, he did not hear any shooting either.

Further testifying, the witness stated that though he left, Baboucarr Jatta remained despite the stones
being thrown. Asked if he took any measures and he responded in the negative. The Deputy Lead Counsel remarked that he had intervened up until that point. She asked him why he did not take any measures and the witness explained that at GTTI, he found a very peaceful and calm crowd, at Latrikunda, the crowd at the beginning was peaceful but was infiltrated by some hostile elements that changed the whole scenario.

The witness further claimed that he did not take any measure because he felt that if he had requested for any deployment of the police at that point, it would have been seen as provocative and that would have created more havoc than good.

The witness was asked if he felt that he had a responsibility to do something about that situation considering what was happening and he said at that time, it was not his impression that he had anything to do there. He was told he intervened up until that point and then he told them that hostile elements joined that group of students. He was asked why was it that at the point things deteriorated, that was when he felt he did not have any other responsibilities. The witness highlighted that at Latrikunda, there was no presence of security forces, it was himself, then CDS Baboucarr Jatta and his orderly. He said he thought at that point, Baboucarr Jatta would have been in a position to solve the problem and that asking for deployment of security would have worsened the situation.

The Deputy Lead Counsel asked how Baboucarr Jatta was expected to solve the problem, considering that he was being thrown stones at and more importantly, that he was from the army. She further highlighted this was an internal matter squarely under his portfolio and the witness agreed but stated that also the President, under the Constitution, Section 138 had the mandate to deploy the army as well on the ground. The Deputy Lead Counsel told him that at this point, they were talking about a situation where protesters were throwing stones at himself, the Minister of Interior as well as the Army Commander at the time. She said they were not at the point of talking about getting soldiers and she said in fact, the President’s authority did not arise at this point, it was really about his portfolio.

She told him that what she was trying to get at is why he did not take any kind of measure, at a minimum to even report what was happening to the police force. She specified that it was not necessarily that he jumped and then ask for reinforcement, there were some other measures that could have been taken, but he did nothing. The witness said she was right and he took responsibility for not taking any measure at that point for the reasons he previously gave her.

The witness explained that once he left Latrikunda, he walked back again, this time going through Westfield. When he arrived at Westfield, he saw in the crowd Honourable Halifa Sallah and Sedia Jatta coming from Churchill’s town. He described the situation on the ground as very peaceful and at that point, he said to himself “Alhamdulillah”, he had been able to defuse the tension, mission accomplished. However, upon arriving at the PIU, he found that his vehicle had been smashed, the windscreen broken and there was no police present neither at the PIU, around the Red Cross or GTTI.

The Deputy Lead Counsel noted that the witness had done quite a walk and dubious, told him that throughout that period he was in an area where shooting was taking place, where students were being beaten and chased, but that his testimony was that he did not witness any of it. The witness responded that this was what he could recollect. The Deputy Lead Counsel told him that seemed a little bit odd considering the testimonies that they had heard from multiple witnesses and pointed out that he had said that when he arrived at the PIU Headquarters, he found his vehicle had been vandalised.

Ousman Badjie further testified that when he did not find anybody at the PIU Headquarters, he had to find his way to Banjul. He could not recollect how exactly he got there and said he thought he got a lift from somebody. He was then asked if he recalled being in the same vehicle with either Baboucarr Jatta or some other members of the security force going to Banjul but he responded it was a very long time and could not remember. Despite further questioning, the witness maintained that he could not recall how he got to Banjul.
The witness disclosed that when he arrived in Banjul at around 11 am, he went straight to his office and started sorting the files he found on his desk. The Deputy Lead Counsel incredulous retorted that he went to his office in Banjul, knowing what was happening in the country and he continued his work as usual and the witness said yes. He was asked if at any point he spoke to the IGP any members of the security service or the Cabinet that day and he responded in the negative.

At this point, the Deputy Lead Counsel said she was finding it difficult to understand because of his portfolio at the time, considering his position, Minister of Interior, having the police under his ministry and having the IGP who reported to him directly. She added that there was a situation in the country, a situation that as far as he could tell was an internal security issue, but he did nothing when he got to his office. He was asked why and he said a saying in the Serer language: “Whatever you see, there is a reason”. He claimed that did not speak to any of the security officers because he was expecting the IGP to submit or come to his office and brief him about the situation but that never happened.

The Deputy Lead Counsel asked him whether when that did not happen, he tried to contact the IGP request that he submit a report to him or explain what was happening. The witness interrupted and said he did not request any report from the IGP simply because from his own observation, it was very unusual that the IGP would behave that way. He said a French saying and translated it in English as: “Once beaten, twice shy.” He said he was detained for 640 days without being told of what offense he had committed. He added that when he was released, a week after, an incident happened in Farafenni and the NIA interrogated him because the information they got was that he was the one leading the operations in Farafenni.

He stated that “because of all this, this serious situation happened, students were killed by the Defense and security forces”. He added that some were injured and maimed and so the least he would have expected from the IGP and his management, when he arrived in Banjul, was to come to his office and give him a briefing because that briefing would have been very important for him in case the National Assembly or Cabinet wanted briefing about the situation. That never happened. He claimed it seemed they knew something that even himself, he was not aware of.

At this point the Deputy Lead Counsel told Ousman Badjie that what happened to him was a violation of his rights and should not have happened. However, in this instance, he had a responsibility to deal with the internal security matters of the country.

She stressed he took no action and did not request reports.

She told him it was one thing to expect people to report to you as the normal course of events, but if those reports are not forthcoming, surely he had an obligation to do something, to take steps to find out what was actually going on and the witness conceded. She told him from what he had explained, it seemed like it was because of what happened to him in the past that he feared asking questions or taking measures at that point in time even though he had an obligation to do so and he said that was correct. He was asked what he had to say about that now and the witness responded that it was regrettable, he should have done it and took responsibility.

The Deputy Lead Counsel told him that from what he had just said, he had also received information that students were killed by the Defense and security forces and asked to provide details about that information. The witness explained that he had received that information when he was in his office in Banjul. When asked to clarify who had given that information, the witness responded that it was regrettable, he should have done it and took responsibility.

The witness then asserted that at around 11 am, he found out that there were no longer any people outside demonstrating. The Deputy Lead Counsel told him that the testimonies they had heard was that the demonstrations were still going on, shooting
incredulous stated that he did not recall if he went out to look at the damage that was caused during such a unique incident that happened in the history of their country and the witness insisted he could not remember. He also claimed that he did not go to the hospital to visit the injured because protocol dictated that if such a serious incident happened, the government should work in a concerted and coordinated effort and explained that a minister could not take the initiative to visit victims of shooting at the hospital.

The Deputy Lead Counsel asked again if he recalled if at any point in time he received any kind of briefings about what happened, either from the IGP, either from any member of the police force and the witness responded that up to this date, he had not received any information about the events of 10th/11th April and he did, however, make a statement to the press in which he said that the shooting came from the crowd.

On why he made such a statement, when from what he told the Commission he would have no basis to make such statement, the witness explained that he made it based on the impression he had from police sources. The Deputy Lead Counsel told him he had told them that he had not received any kind of official information or communication about 10th/11th April and the witness tried to change his statement and say he had not received any information from the IGP. The Deputy Lead Counsel countered that she had asked him more broadly about whether he had received any information from either the IGP or any other member of the police force or from anybody. The witness then tried to recant his statement and claimed that he received information from junior police officers. It was based on that information he made that statement, not knowing exactly what the reality was.

The Deputy Lead Counsel argued that he made a statement in his official capacity as the Minister of Interior to the Gambian public based on information from junior officers to provide them with information and noted that he should have used credible

was still happening, and people were still being injured and dying at that time. Sounding surprised, the witness asked “really?” He said that was news to him to be quite honest.

He was asked if throughout the course of that day, he met any member of the Cabinet and the witness said he did not remember doing so and neither having attended any meeting that very day. He acknowledged that this was very odd, but he could not recollect because it was 19 years ago. The Deputy Lead Counsel noted that it would have been an important meeting because it would have been called to discuss the shootings and the deaths that occurred. He was asked if during the course of the week the demonstrations occurred, if he at any point spoke to either Yahya Jammeh or the Vice-President of the country and the witness replied in the negative.

The Deputy Lead Counsel then asked if in a situation like that, where an internal security matter had arisen to the point where the Vice-President and the President were involved, if any information was to be channelled to the police force, meaning to the IGP, would that information not have channelled through him or would he not have been in the picture by virtue of his role. He said under normal circumstances, yes, but that never happened as far as he could remember.

The witness claimed he did not communicate with either Yahya Jammeh or the then Vice-President because those were “high-ranking officials” of the country.

He added that when a minister should talk to the President or the Vice-President, he should have something to tell them and he did not receive any briefing from the police, so he had nothing to tell them.

Asked if that week he conducted any visits in relation to the 10th/11th April incidents, the witness said he may have to see to what extent some of the station had been damaged. When asked to give a definite answer, he said maybe because he was not quite sure. The Lead Counsel
information and the witness agreed. He was asked why he did that and the witness said it was a lapse on his side and he accepted the unprofessional way it was done. The Deputy Lead Counsel said but beyond that, the question was why he did that. He said he did it because he felt there was a need to communicate, maybe that was a wrong communication he used, but after he rectified it.

Ousman Badjie said that he realised the information he had received was incorrect after the visit of late Dr. Ceesay who warned him to be careful of what he says as the students had died as a result of gunshots.

He said that the then Police Adviser Tamsir Jasseh also told him that he “had good news for him” and he had viewed the video of the shooting and had not seen any police presence. He explained that he felt relieved and that he therefore decided to grant an interview to GRTS to correct his earlier version.

At this point, the Deputy Lead Counsel explained that the Commission has the footage of that interview which was 30 minutes long but only wanted to show the relevant extracts (some parts were inaudible):

“Ousman Badjie: The firing you were hearing was just exercise [inaudible] that will never kill anybody, it can only burn, you know. Those were the means we used. We realised also, my security personnel...

Journalist: At what point did you start using the blank bullets?

Ousman Badjie: The blank bullets were used when the students started throwing stones, to disperse them, that was the time our officers used both the tear gas and the blank bullets. Just to fighting them. This is just to tell you that there was no live ammunition used because we knew that those are people who are our sisters and brothers. So, we definitely should not be seen – in a civilized society like The Gambia – to be shooting at people. This is not the way we are trained, we are very mindful of people lives and properties, which we are entrusted to protect. But again, they were throwing stones at our people. Now, imagine, let me tell you, just to prove you that there was no live ammunition: a security personal with his rifle, knowing fully well that he has live ammunition, if I shoot at somebody, I kill him, would that person run? He would never run. Running means they knew at least they should not be harming the students and now they should run to save their lives, this shows you that there was no live ammunition.”

Later in the interview Ousman Badjie said intelligence further told him that in that crowd, not only where there students, but they were other people who had ulterior motives and some of those people were armed, that was the time those people started firing gunshots and during that firing, “the pandemonium and everything”, some people got wounded. He was asked by the journalist where they got the arms from and he replied that they were yet to investigate and to know exactly where they got that ammunition from.

The journalist who referred to him as the Honorable Secretary of State told him most parents they spoke to yesterday were concerned about the students and the children who were detained. She asked him what was going to happen to those students. Then Ousman Badjie who called the journalist by her name, Jainaba, told her that The Gambia is a country that respects the rule of law. He said he told her earlier on that all those people who were detained one way or the other (…) their services were engaged, busy scrutinizing all those people. (…) As a result, during that process, those who had no case to answer to would be released, those who actually had something to answer, they would prepare the charge and forward it to the Attorney General’s chambers for advice. (…) The journalist asked Ousman Badjie if he was saying that the live ammunition that was being used was definitely not that of the security forces and Ousman Badjie said not at all because what the Intelligence told him was that they had some armed people inside the crowd, they were using it and he said they were still pursuing their investigation to know where they go those arms from.
The Deputy Lead Counsel then read extracts from the Commission of Inquiry’s report from August 2000 and highlighted some discrepancies with the witness’ testimony including when he said “as they came out of PIU, they saw some students running” in the report, which was different from his testimony to the TRRC that was that when he came out of the PIU, it was deserted. She also highlighted him mentioning hearing one teargas being fired but not seeing the smoke but his testimony before the Commission of Inquiry stated that teargas smoke was everywhere. At the TRRC, he stated that he walked all the way from PIU to Westfield to Dippa Kunda back to Westfield and the PIU. She told him that in the Commission of Inquiry report, it is stated that he drove the car of the Chief of Armed Forces (Baboucarr Jatta) and returned to PIU, where he found his car smashed and other property burnt. The Deputy Lead Counsel said it also said that he later joined the Chief of Armed Forces for a meeting. Similarly, he made other statements that were different from the statements that he gave to the TRRC: for example, he said that he had been asked to provide a vehicle, which he did. She said similarly at the TRRC he denied having met ASP Momodou Ceesay at the PIU Headquarters or seeing him at any point during the day, while in his statement to the Commission of Inquiry, he said that he met him at the PIU Headquarters and in fact he was the one who gave him information to the effect that they were overpowered by students.

Ousman Badjie said that the information he got from Tamsir Jasseh was what had warranted him to say what he said. The Deputy Lead Counsel wondered, how without having seen the video Tamsir Jasseh mentioned nor any report about what had happened, he went on to again make a statement that was absolving the security forces of responsibility and essentially laying the blame on the protesters. She continued by highlighting that he had said that this interview was meant to correct a previous statement that he had made but in actual fact, he repeated what he had said before and made the same claims, which were that the security forces did not fire live ammunition and that the shooting came from the side of the protesters. Ousman Badjie responded he was misled and admitted that instead of correcting his previous statement he made another one that was even further misleading.

When asked what he had to say to the victims and families who were injured and who died as a result of the shooting by security forces especially considering his role at the time and the statements he had made to the public, the witness responded that this was a regrettable incident and he really sympathized for all the pains they had been through all these years. He apologised on behalf of the security forces for what had happened, it should not have been and stated they deeply regretted. The Deputy Lead Counsel asked him what about his own responsibility and the witness responded that he took responsibility for the statement he made.

In response to these discrepancies, Ousman Badjie claimed that he only saw the report for the first time yesterday and contrary to the practice they have at the TRRC, the Commission of Inquiry never provided a draft to him to read and confirm what was written or typed was exactly what he said. The Deputy Lead Counsel told him that if you testify before the TRRC as he was doing today, they will not come back to you to ask you to verify what you had said because there was a record of what you are saying to the Commission and he said that was right.
In terms of their recommendations, the report read as follows: “Top police authorities on the ground at Kanifing, on the 10th April 2000 should accept responsibility for the tragedy that happened. Namely, Secretary of State for the Interior Ousman Badjie, Deputy Inspector General of Police Sankung Badjie, Commissioner of Operations Baboucarr Sowe, Assistant Superintendent of Police Momodou Ceesay”.

Ousman Badjie argued that he saw no reason why he should accept responsibility because he had not given any order for any police officer to shoot any student. The Deputy Lead Counsel pointed that the Commission of Inquiry concluded that he and others should accept responsibility in relation to the police conduct. The Deputy Lead Counsel reiterated that the report stated that they did not believe that he gave the order, but the responsibility was about his portfolio as Minister of Interior and the steps that he should have taken and did not take.

The witness said yes, he accepted that, there were some steps he should have taken but had not taken them but he was glad that the Commission of Inquiry said they had no evidence of him ordering the students’ shooting. The Deputy Lead Counsel told him that responsibility goes beyond merely giving an order, there are other people who are also responsible based on the roles that they either held or the actions that they took or did not take if they had an obligation to take them as in his case. The witness said that was correct.

The Deputy Lead Counsel then moved on to the fact that he was not present at various meetings in relation to April 10th/11th after the incident. The Deputy Lead Counsel said she would provide some information from a particular witness’ statement but would not read out the name of the witness at this point. However, she added that she would provide the name to him in a paper that the usher would bring after she read some of the extracts. She told him not to repeat that name as the witness had not testified yet. One extract read: “The Minister of Interior and other ministers or other security heads...”
Asked exactly what was said during those cabinet meetings and the witness said he could not give any substantial briefing because himself, he did not receive any briefing from the IGP. The Deputy Lead Counsel pointed out that from the video recording of his interview with GRTS, they saw that he was able to give detailed briefings to the public about the events of that day, so they could not just assume that because he said he did not receive briefing, he was not similarly able to do that when it came to cabinet meetings or his communications with either the President, Vice-President or any other member of government and the witness agreed.

Chairman Sise took the floor and asked Ousman Badjie why he had not resigned when he realised he was being left out of briefing meetings and he replied that he tendered his sincere apologies for that and claimed it was a lapse on his part. The Deputy Lead Counsel asked if he meant he would have resigned and the witness said no, he was not saying he would have resigned, he just said the statement he made that he did not participate in those meetings was a mistake on his side and he apologised for that.

The floor was given to the commissioners and Commissioner Imam Jallow said the witness was arrested, jailed, beaten probably or some other torture inflicted on him, but every time Yahya Jammeh laid his hand out to accept him back, they were all willing to always jump back and join him. He asked why he thought Gambians were behaving like this, including himself. The witness said that as a Gambian, he was not working for Yahya Jammeh as when he was appointed and took his oath, it stated, “I bear true allegiance to the Republic of The Gambia and not to a particular person.” He added he was not entirely ready to do whatever Yahya Jammeh instructed him to do. He was however grateful for the trust and confidence Yahya Jammeh had in him for appointing him to those positions and claimed that whatever he achieved during his tenure as minister and ambassador was now benefiting Gambians.

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59This matches the testimony of Isatou Njie-Saidy given on 3rd October 2019.
Commissioner Imam Jallow then asked Ousman Badjie if he thought that if they had resigned from their positions, they would have had the Yahya Jammeh they created for that period and the witness replied that they did not create Yahya Jammeh. Yahya Jammeh was born from his two parents and he came to power through a coup d’etat, which personally, as a security personnel, he did not support. He said and then after that coup d’etat, they went through a transition, he went through elections, Gambians elected him. So, all of them who voted for Yahya Jammeh were somehow responsible for the person they created because at that time, they thought he was the best person and the best choice for them.

Commissioner Jones remarked that though Ousman Badjie excused his actions as well as inactions on his previous victimisation, in the interview that he granted to GRTS, he seemed to be the person in charge and had so much authority when he spoke. She added that for someone who was scared to speak, he spoke very authoritatively in the interview and asked him what changed to which the witness responded that had already admitted that it was a mistake and he deeply regretted it.

Commissioner Imam Sey asked the witness if he had called some of the parents who had lost their children and Ousman Badjie responded in the negative. Commissioner Imam Sey also remarked that contrary to what the witness claimed, they were working for Yahya Jammeh because they never spoke out against anything that was bad or reveal anything.

In a long-winded concluding remark, the witness thanked the TRRC and proceeded to extend his condolences to the parents of the victims that died. He also acknowledged those who were wounded and still suffering, asking for forgiveness from all, saying it was not their intention that this happened to them and expressed regret.

Ousman Badjie remarked that 10th/11th April happened because of a lack of respect for the laws of the country in his opinion. He went on to say among many other things that the peace and security of the nation does not only rest in the hands of the security forces but that it is everyone’s responsibility. He encouraged dialogue and prayed for peace and understanding.
the witness’ advice. The Lead Counsel stated that “Acting President means that all the authority that is conferred by the Constitution is now bestowed on you”. The witness agreed but highlighted that Yahya Jammeh was a strong man, that a lot of things had to be referred to him and major decisions could not be taken without Yahya Jammeh’s clearance. The Lead Counsel noted that until the witness referred to Yahya Jammeh, she was in fact the President and “the buck at that point” would stop with her, which the witness agreed.

Discussing the days leading to 10th April 2000, the witness told the Commission that she did not know of any preexisting problems between students and government. She added that maybe the Ministry of Education would know or other sectors of government. The only time she knew of issues was when she went to see Yahya Jammeh off at the airport and a message reached her protocol, after which she was instructed to talk to the students as they had certain concerns.

The Lead Counsel asked again if at this stage, as the then Vice-President of the county she did not know if there was a problem at Brikama, if she had heard that Ebrima Barry had been killed in Brikama and if a girl from secondary school in Brikamaba was raped at the Independence Stadium and the witness said after the demonstrations, the security briefed her.

Asked if she read newspapers about what was happening in her country, Isatou Njie-Saidy said there was a time when the government did not allow them to buy or read newspapers in their office except for the government one.

The Lead Counsel then highlighted that he was worried that from the outset of her testimony, the theme of her not knowing what was happening in the country would in fact become a major theme.
The witness said that yes, she did not know as she always just went from her office to her house and so forth. The Lead Counsel again highlighted that he was concerned that the witness, as then Vice-President did not know of issues of grave concerns to the population and the witness reiterated that she did not know. The Lead Counsel then asked her to proceed.

Going back to the message she received from her protocol officer, one Baboucarr Puye Jobarteh, the witness explained that she then tasked him to set up a meeting with the Security Council (as Yahya Jammeh had instructed that all complaints should go to them), the Ministry of Education and the Gambia Students’ Union, GAMSU in her office. The meeting was supposed to start at 9:9:30 am, however at 10:30 am nobody had arrived and she was informed, to her surprise, that there was a potential students’ demonstration, which up to this point she claimed she did not know about and the security chiefs were monitoring the situation.

The Lead Counsel noted that it was a serious problem that the witness did not know up to that point what was happening in the country and the witness agreed.

The Lead Counsel expressed his surprise that the witness could not reach the chief of intelligence and the witness said she could not get through to any of them. She stated that she only got her information through protocol that then Chief of Defense, CDS Baboucarr Jatta was moving with the students around Westfield and the Gambia Technical Training Institute, GTTI area. The witness responded vaguely about her inability to reach anyone from the Security Council but then admitted that she did not make any efforts to contact the deputies when she could not reach the principals and conceded that it was a major failure. The witness kept saying she could not do anything as she was in a confused state just waiting to see if the demonstrations would subside.

Isatou Njie-Saidy further testified that she eventually heard that violence had started and vandalism was going on. Asked what she did when she realised violence was taking place, the witness said she could not do much, she could not stop the violence as she was in her office. The Lead Counsel pointed out that she was the Acting Commander in Chief of the Armed Forces and the witness said she was never given that position. She added that security was something that Yahya Jammeh would not “hand over on a platter for anybody to handle in his absence”, especially knowing that the witness had a civilian background.

She added that when Yahya Jammeh would travel, he never told her she was Acting Commander in Chief of The Gambia Armed Forces but Acting President. The Lead Counsel explained that he was not talking about a ministerial position with the title “Minister of Defense” but her position as Acting President and this came with the responsibility for everything during the absence of the then President, which included the Armed Forces. The witness tried to refute the Lead Counsel’s argument by saying she had never dealt with the National Intelligence Agency, NIA but the Lead Counsel insisted that as Acting President, there was nothing in the Constitution that said she did not have responsibility for defense.

Going back to the violence, the witness said she was told of the destruction of a number of places including Bundung Police Station, Serrekunda Police Station, Fire Service Churchill’s Town and private property, and was briefed when the security service chiefs arrived. She said she eventually tried to call Yahya Jammeh but could not reach him. She stated that she eventually managed to speak with him and during their call, she told him that Baboucarr Jatta and Ousman Badjie (she could not remember Rex King being present) were present in her office. Going back to her discussion with Yahya Jammeh, she said she conveyed what was reported to her by Security but she claimed could not remember what Yahya Jammeh said to her before she handed over the phone to the security chiefs. The Lead Counsel told her that the evidence they had, was that these students must be attacked and dealt with seriously and the witness said it was possible though she could not remember nor did she want to argue. The Lead Counsel then added that this was a directive
Isatou Njie-Saidy reiterated at this stage that she did not remember as it had been a long time. They did not keep minutes because it was an emergency and the Lead Counsel accused the witness of what appeared to be selective amnesia.

After a back and forth between the Lead Counsel and the witness, the latter told the Commission that they usually spoke as a family in the Security Council. She could not remember the details of the discussion but their main decision was to ensure there was normalcy in the country. According to the witness, it was the job of the security to go into details as she was not an expert in that area. She claimed the security chiefs knew what to do to stabilize the situation and she admitted that she could not recalled what decision was taken. Further testifying, the witness said that at some point, a statement was written for her and that they mentioned that there was shooting from the crowd. She added that she asked if they were sure and they assured her it was the case. They also told her there were rogue elements in the crowd. She added that she was later told that some of the GAMSU leaders were arrested.

The witness asserted that she did not know about people dying, she only found out after leaving the hospital, the second or third day after the incident. The Lead Counsel at this point asked if Yahya Jammeh was consulted about the written statement and the witness replied that she could not confirm. She also could not remember speaking to the press on a different date.

Isatou Njie-Saidy, however, recalled visiting the facilities where the destruction had happened and going to the hospital to see some of the wounded. At the end of the first day of the demonstrations, the witness said she asked for a briefing from the Security Council and they told her it was a confrontation between the students and the security and it is as a result of that that people were wounded and others had died. On the intervention that took place on 11th April, the witness said she did not know about the details, she only knew that Security was trying to stabilize the situation throughout the country,
especially in the provinces including the Central River Region, CRR. The witness said when she was told about the deaths, she asked them to take pictures and keep a record of that as one day there may be an investigation.

She admitted that though she could not remember enquiring about the number of deaths, she recalled the coroner saying there were about 14 deaths.

She told the Commission that when Yahya Jammeh returned, he met with them in cabinet and he said there would be an investigation. Nevertheless, the witness disclosed that she did not appear before the Commission of Inquiry, which she only heard about once set up. On being asked if she did not think her appearance there was critical, the witness said it may have helped but once again deflected by saying she did not know. The Lead Counsel pointed out that the fact that she did not appear before the Commission of Inquiry, suggested a deliberate effort to avoid an important and critical part of the inquiry and the witness said she was not the “decider”. She asserted that she did not know “the Commission was on until it went very far”.

The witness further testified that maybe Yahya Jammeh should have told them all to go to the Commission and report to which the Lead counsel responded maybe she could have volunteered as major decisions were taken in her office and that fact was not even presented before the Commission. The witness once again declared that she did not know and added: “when President wants you to be there, he does it, when he does not want you to be there, he would not tell you”. Moving on, the witness said that from the Coroner’s Inquest, it was very clear that 14 persons were shot and when the Commission ended, either Yahya Jammeh or the Commission gave amnesty to both soldiers and students. The witness said she did not know who of the two had made that recommendation but they had indemnified all of the perpetrators.

The Lead Counsel then asked the witness if she was not concerned that an Indemnity Act was being passed to ensure that there was no justice and the witness said she was not sure it was meant to ensure there was no justice. According to her testimony, Yahya Jammeh had at the time said it was to ensure peace and stability. She also could not remember reading the Indemnity Act, though she acknowledged that it could have come through her office. When the Lead Counsel suggested the witness had washed her hands of the events of April 2000, she objected. She said she was concerned but once Yahya Jammeh came back, he was “all over”.

At this stage, Isatou Njie-Saidy affirmed that she was not afraid to take responsibility if she said or did something but what she also should not be forced to say what she did not say. The Lead Counsel asked how she could not take responsibility for actions that were taken at the time when she was Acting President and she countered that she did not do take those actions but she took responsibility being the overall head of the country, even when she did not direct or was not aware.

Going back to when the witness learnt about the shootings against the students, the Lead counsel pointed out that it was strange that the witness would get hold of such information after 2-3 days and asked her where she was, to which the witness responded she was busy with meetings.

The Lead Counsel highlighted that the whole country knew that students had been killed and the then Vice-President of the country did not know, and she attested she was busy with meetings.

She further asserted that she had done the best she could and even went to the hospital. She said she only found out about the casualties through the diplomats and some of the cross section of the country.
At this point, the Lead Counsel stressed that it was a disaster that as Acting President, she did not know what was happening in the country and Isatou Njie-Saidy responded “it does happen, if you are not informed, you wouldn’t know”. The Lead Counsel said it was hard to believe that she did not know what was happening but the witness maintained her position. She further claimed she did not have time to listen to the radio and she did not know so she was not going to say she knew when she did not know.

Discerning the orders given, the witness told the Commission that Baboucarr Jatta’s claim that she had given the orders to send the military was not true. She said security went and did what they had to do to stabilize the country as per their responsibility but this had happened ages ago and therefore she could not remember everything. She nevertheless reiterated that decisions were taken jointly by the Security Council. On being asked what she believed happened, the witness simply responded that the security forces went back to stabilize the situation but specified that on how they were to do that, they were best placed to know as she did not have the expertise and she could not speak on the operational issues.

Former Vice-President Njie-Saidy declared that she believed she was doing a service to her country to the best of her ability and denied that it was discussed that the situation would be stabilized by the use of force. After another intense back and forth on what the witness knew would happen if they were to go stabilize, the Lead Counsel accused the witness of a deliberate effort to avoid responsibility for the palpable errors made by the military and that she did not want to have herself associated with the actions of the army.

The witness argued that it was not about “not wanting to accept” but it was her word against that of Baboucarr Jatta’s.

The Lead Counsel countered that the Security Council had advised her as to what to do and asked if she had accepted their advice. The witness said they were the experts and she said “ok, go ahead” but could not remember the details. The Lead Counsel then retorted that by saying “go ahead”, she was in fact making a decision and the witness somewhat agreed. The Lead Counsel then said her decision was what was implemented by them. When the witness responded “supposedly yes”, the Lead Counsel stated: they went out there and killed Gambian students in the streets. The witness refuted that suggestion. The Lead Counsel stated that she had deployed military forces with guns and the witness retorted that she had not deployed them with guns, they knew what strategy to use and not to use guns to kill. The Lead Counsel argued, dumbfounded, that the witness therefore expected that she would deploy the military on the streets to forcibly quell a student demonstrators and they just go there and laugh but witness Njie-Saidy maintained that they did not tell her about killing people with live rounds.

The Lead Counsel took the witness back to her statement when she said that the army would be deployed if the PIU was unable to handle the situation and the witness said it was not correct, the army complemented the PIU. The Lead Counsel noted that the army would carry more guns than the others but the witness only conceded that it was possible they carried more guns. The Lead Counsel asked if it was possible or it was in fact the case. The witness said the army does not always carry guns. The Lead Counsel stated the only reason they would want to bring in the army would be to add more force and the witness reluctantly agreed.

He further stated that this was exactly what had happened: the army was deployed, they used more forced and more people were killed to which the witness declared it was possible.

The Lead Counsel asked the witness if she accepted responsibility for that and the witness finally said that as the head of country at the time, she accepted
responsibility but she was not in charge of operations and did not handle how the army or police should operate.

The Lead Counsel pointed that she had handled the decision to deploy the forces and the witness again said they had advised and they had jointly come up with a strategy. The Lead Counsel stated this was not a joint decision and that the evidence they had from the person who was sitting right next to Yahya Jammeh at the time was that he had said they “should go after those bastards”. The witness explained that this was how Yahya Jammeh would normally talk and it did not mean “you had to implement what was said” but the Lead Counsel pointed out that “these kids were chased in the streets and they were slaughtered”. The witness said Yahya Jammeh did not only speak to her, he spoke to others and she did not know what he told others. The witness reiterated that she did not remember all the details when she was referring to the phrase but she would not be surprised if he used such language.

“How I am driving at is, you spoke to the President and got his instructions” said the Lead Counsel but the witness disagreed. She did not remember Yahya Jammeh telling her what he wanted and she claimed she was not the type to go and implement anything that Yahya Jammeh said. The Lead Counsel, incredulous asked the witness if she was serious. “Did you last in Jammeh’s government for 20 years by defying his decisions?” The witness confidently affirmed that to be the case. She added there were times when they argued with Yahya Jammeh and disagreed as well. “If you look at the videos of Jammeh’s speeches where you are present for 20 years, all you will be doing would be like this [nodding head movement]” countered the Lead Counsel.

The Lead Counsel then stated that Yahya Jammeh had made remarks such as “I will put them six feet deep” to which the witness stated she did not agree with those statements. The Lead Counsel then told her she did not resign, she stayed on throughout effectively acquiescing his style of government. “Well we tried to make changes from within, we tried to discuss with him where we can but the President is not somebody you would sit with all day and just go to his office and talk to him. It is always in a cabinet setting or in a programme setting” claimed Isatou Njie-Saidy.

When the Lead Counsel pointed out that the written statement, which the witness read was false, she explained that she later found out from the Coroner’s Inquest that those who had died had been killed with gunshots wounds. She protested that she had challenged the statement, asking if they were sure. The Lead Counsel countered that it was known at that stage that the statement was false but the witness maintained that she did not know as she was not on the ground. The Lead Counsel stated that Baboucarr Jatta admitted that the statement was false and at the witness’ office it was discussed that that was in the statement was not true. The witness vehemently refuted this allegation and claimed she was assured it was true, hence she read the statement.

After another back and forth with the Lead Counsel, she accepted that she had read the statement because Yahya Jammeh had instructed her to. The Lead Counsel pointed out again that she knew at that point it was false. Isatou Njie-Saidy said she kept telling them that she was not comfortable with this “shooting coming from the crowd”. The witness said she protested the inclusion of that language because she was not sure shooting came from the crowd.

“How come there was shooting and it came from the crowd”? She said it disturbed her. In the first draft, it wasn’t there but then it suddenly appeared so she asked them.

The Lead Counsel then retorted that the same witness told them that Yahya Jammeh insisted that the witness read the statement as it is.

After yet another back and forth, the witness explained that it was only when she read the Coroner’s Inquest report that she came to the conclusion that the army or security had shot the students. She admitted that she knew after that that the statement she had read out was false. Asked what she did about that, she said it was already a fait accompli. What do I do about that? Upon probing from the Lead Counsel,
she admitted that she had unknowingly participated in grossly misleading the Gambian population but she disagreed that she was morally and legally obliged to correct the mistake she fed the people. She said Yahya Jammeh came and “took over” and to do so she would need to seek clearance from him, which she admitted she did not. Asked if she did not deem it necessary to resign from her job after so badly misleading the Gambian people on such an important matter, the witness said she did not.

Moving on to the Indemnity Act, the witness stated that she was not sure who had come up with the decision to indemnify all those who had committed these major crimes and she did not try to find out. The Lead Counsel highlighted that she was not interested and the witness explained that being interested did not mean “finding out/not finding out”. It was after all a presidential decision. The Lead Counsel pointed out that earlier she said it was either the Commission or Yahya Jammeh and the witness reiterated what Yahya Jammeh said “for the sake of peace and stability, it is better to forgive perpetrators on both the side of the students and that of the security”. Asked if this was not a lie, the witness said “that is what he said” so the Lead Counsel explained that there was nothing to forgive about the students as they were exercising their constitutionally guaranteed right to peacefully assemble and demonstrate. The witness reiterated that she heard there were perpetrators on both sides.

Asked if she thought it was right that the forces that she deployed and who went out there and slaughtered students were granted indemnity and the witness said it was not right but that is what Yahya Jammeh said.

She added she did not do anything about that.

The Lead Counsel said the government did not implement any recommendation from the Commission of Inquiry and this was all part of a government cover up to conceal the witness’ action and that of Yahya Jammeh, that is the two of them who gave order to the military to go out there and slaughter the students. The witness disagreed. The Lead Counsel pointed out that the witness was indemnified and the witness said she was not even called by the Commission. The Lead Counsel stated that the Indemnity Act did not talk about those who were found culpable by the report of the Commission of Inquiry, it talked about all those who carried out functions or did certain actions which are criminal. The witness responded “Hmmm, maybe it did”. The Lead Counsel further stated that it covered the witness for her actions of deploying the military and that is why she would not go ahead and challenge the lawfulness of that Indemnity Act.

Further interrogating the witness, the Lead Counsel again remarked she did not resign and she would not resign as a result of all the terrible things that Yahya Jammeh did over 20 years. He added that she issued a statement that was false (albeit the witness claimed she did not know at the time) and even when the witness later realised it was false, she did not do anything about it and by continuing to be quiet about it she kept perpetuating that falsehood fed to the Gambian people. Isatou Njie-Saidy responded that she was not at the TRRC to argue.

The Lead Counsel ended by saying that she was avoiding the very obvious which was that she deployed these forces on the ground knowing fully well that they were going to use force and that it was going to result in casualties. The witness disagreed, which led the Lead Counsel to state that the Commission would make up its mind as to whether by deploying the military, she intended to use force or not and that they had heard Baboucarr Jatta saying that force was expected to be used and that was why they went with live ammunition.

The Lead Counsel further stated that the witness’ approach to this incident was not novel at all, it was the same approach she had during all the terrible things Yahya Jammeh did during those years.
She knew about the attack on the media and the witness reluctantly stated that the relationship between the media and the government was not good. The Lead Counsel said she knew they were being targeted for assassination and the witness denied it. He therefore used the case of Deyda Hydara and the witness said she knew he had died under mysterious circumstances to which the Lead Counsel retorted it was no secret that it was the Junglers who had killed him on the instructions of Yahya Jammeh.

Isatou Njie-Saidy could not remember Yahya Jammeh attacking the opposition parties and asked when this was. When the Lead Counsel insisted, she said she heard of some of them who were arrested and detained and admitted it was unlawful. The Lead Counsel pointed out that there were wholesale arrests and detentions of people who were simply opposed to the government and the witness said it was “possible” but she did not know the degree. She would only hear about arrests but she did not take part in those. The Lead Counsel stated there were many human rights reports about Gambia, which the witness said she knew about. The Lead Counsel stated that all those reports were replete of information about unlawful dismissals, which the witness said yes she was aware. She agreed that Yahya Jammeh caused fear in the army, in the politicians and the media through his unlawful arrests, detention, and assassinations. Even army officers were falsely accused of coup d’états and they were acquitted by the courts.

The Lead Counsel disclosed that Yahya Jammeh put in place killer machinery killing his political opponents and asked the witness if she had heard of the Junglers. The witness claimed she had heard of them after they appeared before the Commission and the Lead Counsel responded that everybody knew of the Junglers during the period they were operating. The witness said she was definitely worried when she heard that some of the people who were sent to her through General Badjie for her security were also Junglers but then she contradicted herself and said she did not know these people would be killing.

Asked what she would have done if she knew the Junglers issue was true, she said she did not know, maybe they would have discussed it. Asked if she did not mind being associated with a government that was killing its citizens, the witness responded said that at the time, she did not know the government had killed anyone, otherwise she would have gone and told Yahya Jammeh. The Lead Counsel mentioned the case of Dawda Nyassi and that of Haruna Jammeh and the witness said she only found out through the TRRC.

The Lead Counsel begged to differ and said this information was all in the public domain that the government, which she served as Vice-President was busy extrajudicially executing its own citizens. The witness said she was only aware of the Amnesty International reports and some of the things she never knew were happening under her nose. She was horrified by the revelations and the Lead Counsel pointed out that the report came out before the Jammeh government fell and asked if she resigned. The witness said she did not see these reports before the Jammeh government fall. The witness then tried to retract her statement by saying that Amnesty International used to write to them about their concerns.

The Lead Counsel then pulled out a 2009 Human Rights Watch report, which talked about arbitrary deprivation of life and listed events, prison detention in terrible conditions and enforced disappearances. The latter, the witness said she had heard about but not established.

The Lead Counsel pointed out that she knew that the government she was serving was one of the worst in terms of its human rights records in Africa and the witness agreed that they definitely had human rights concerns.

She stated that she took responsibility that she was in the government but she would not accept responsibility for directing any of those human rights abuses.
The Lead Counsel stated that it was a question of her morality and of how seriously she took her responsibility as Vice-President of the country. She was supposed to be a mother of this country and was instead a mother who sat there and watched her children being disappeared and she said nothing. She responded that she did not know and that when the reports came from the human rights group, she invited the Security Council for a meeting and they would tell her these were not true so there was nothing she could do.

The Lead Counsel then read an excerpt from a report by the Committee to Protect Journalists: “in a discussion with Njie-Saidy after the event, I mentioned to her that an internet search of The Gambia yields many results about human rights abuses. In response, she shifted the topic to the United States “do they tell you about Guantanamo Bay, seems like a human rights issue” she said, and “you know in the internet, you have a lot of garbage, don’t believe everything you read, you have to look in between”. She later accused social media of peddling untruths- “social media is the problem”. The Lead Counsel told the witness that social media was not the problem, the problem was her government was busy killing and disappearing its citizen. The witness responded that she could not remember making this statement as she had made many statements. The Lead Counsel said she was asked about Chief Ebrima Manneh and she responded that the government did not arrest him and he might have gone missing whilst attempting to migrate to Europe. The witness replied that this was the information she had received from Security and she believed it was true.

Moving on to the false Presidential treatment for HIV/AIDS, the witness said she was not part of it and she only attended ceremonies. Asked to tell the Gambian people if she seriously believed Yahya Jammeh was curing AIDS, the witness responded “that is what he said”. She said she was not a medical expert and the people who were treated also confirmed he cured them. The Lead Counsel insisted she respond whether she believed it or not and she said “we did not disbelieve”. She said they would believe it because nobody disputed it. The Lead Counsel pointed out that the UN had disputed it and she responded she was not aware as the UN never wrote to her. When further questioned, she added that she did not know who the UN resident representative was and she did not know that she had been declared persona non grata because she had protested Yahya Jammeh’s HIV treatment.

When asked about the witch hunting exercise, the witness responded “what witch hunting?”.

The Lead Counsel then explained that Yahya Jammeh had deployed a group of supposed witch hunters, escorted by the military, who went around the country falsely accusing people of being witches, forcing them to drink concoctions and even imprisoning some of them. The witness claimed she heard about it after but did not hear the issue of security forces being involved and the Lead Counsel asked her in which country she lived. She again excused her lack of knowledge by stating that she went from her house to the office and forth. The witness was asked if she thought that it was fair for one person to look at one person and based on his ethnicity, classify him as a witch. She said it was unfair but “we do it locally”. She then reiterated that she did not know and neither was she involved nor consulted about it.

Moving on to the NIA, the witness said she knew they did investigations and that they arrested people. She was asked if she knew they were specialists in torture and the witness said people complained about that. Asked if she resigned because she did not wish to be associated with a government that tortured with its citizens, she responded in the negative. The Lead Counsel then read out the human rights record of Yahya Jammeh: a government that attacked, unlawfully arrested, detained and tortured political opponents; A government that attacked the media, burnt media houses, arrested and falsely imprisoned journalists; A government that unlawfully arrested and detained its citizens. [The witness agreed]: A government that would unlawfully sack its civil

60 The UN resident coordinator at the time was Ms. Fadzai Gwaradzimba.
servants, simply because they opposed Yahya Jammeh. At this stage, the witness interjected that sometimes they did not know the reason for sacking but they presumed it was because they opposed. Asked if that was fair, she responded it was not. The Lead Counsel then highlighted that in fact, her own protocol officer was also arrested in the same manner and detained. The witness explained that she did nothing because she could not do anything.

The Lead Counsel continued to read the human rights record: the government would attack its own students and brutally slaughter them in the streets. The witness finally conceded that was what had happened in 10\(^{th}/11\(^{th}\) April 2000. The Lead Counsel further stated that military officers were falsely accused of coup d’états and the Junglers hit squad would kill anybody who was opposed to Yahya Jammeh. He further listed the Presidential treatment programme, which he highlighted the witness definitely did not believe Yahya Jammeh was curing AIDS and the witness responded “haaaa, that was a difficult one for me. It was the patients themselves who were saying these things and the doctors. I am not a doctor.” The Lead Counsel retorted that any intelligent human being who observed what was happening in The Gambia knew this was a hoax and in fact a medical doctor who testified before the Commission said it was a hoax. The witness again said she did not know.

The Lead Counsel also highlighted that the infertility programme was false.

The witness then retorted that as much as one may blame Yahya Jammeh, one may also blame Gambians because people came to her office thanking him. Who was she to disbelieve?

When told she could have resigned her job and that she chose to go along regardless of all these human rights records, the witness stated that some of these things she did not know.

The Lead Counsel highlighted that he had a list of 10 issues, all terrible violations of rights of Gambians. He asked her if there was not a single one of them, which was serious enough for her not to want to associate herself with that government. The witness stated, “yeah they are serious, nobody wants to be associated with abuses”. The witness conceded that she unknowingly was associated to such a government. The Lead Counsel told her that she knew about the killing of the Ghanaians and the witness said she had heard about it but she did not know who had killed them. What she was told is that these were backway people and something had gone wrong. She said that according to the information she received, there was a Senegalese involved and the Ghanaians had died because they owed a boat owner some money and did not pay him. The Lead Counsel asked her, in dismay, if this was her position on that issue and the witness alleged it was not her position, it was a position given to her. She was not involved in giving directives and therefore she would not know. The whole thing was a mystery.

The Lead Counsel told her that she knew as Vice-President that there were investigations carried out by the UN and ECOWAS and she knew that those reports suggested that the killings were done by security officers. She stated she only knew when she went to Ghana and there was this protest as they thought Yahya Jammeh was coming but she had instead gone. She said she even met with Mohammed Ibn Chambas\(^{61}\) who explained those details to her and the witness said she did not know. After being probed, she added that she felt bad that in a foreign country, she was confronted that her own government which she served as Vice-President had unlawfully executed 44 Ghanaians. The Lead Counsel told her that The Gambia had paid 500,000 USD and the witness claimed she did not know the reason for the compensation. Despite this tragedy, she did not resign from her job. The Lead Counsel told her that she would serve that government no matter what it did, even if Yahya Jammeh were to crown himself king. The witness exhaled and responded “yeah”.

Commissioner Kah asked what loyalty meant to her and the witness stated she was loyal to the country. She was appointed by a president but the loyalty was to the country first.

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\(^{61}\) In 2005 Mohammed Ibn Chambas was the Executive Secretary of ECOWAS. At time of mention, he was Nations Special Representative of the Secretary-General for West Africa and the Sahel, and head of UNOWAS.
did not know that two were posted at her house. Of course, when they were posted at her house, they did not show anything about being killers, they just performed their duties, to provide protection.

She said the entire nation needed therapy as these revelations were mind-boggling. She appealed for healing for the whole country, not just victims or indirect victims. She asked for the process of reconciliation and reparations to be quickened because the country was still a divided country. On the issue of security, she recommended for reforms, that appropriate riot gear be used and the army should be the last resort. Lastly, she asked for Gambians to find it in their hearts to forgive but not to forget as that is difficult when you are traumatised.

Persons Mentioned By Witness During Testimony:

None

Asked if somebody could serve in Yahya Jammeh’s government for 20 years if not loyal to his ideals, the witness she said she did not know, maybe you don’t interfere in his affairs.

When Commissioner Kinteh asked who she specifically handed the phone to after speaking to Yahya Jammeh whilst he was in Cuba, she stated it was to Baboucarr Jatta first and she did not hear what they discussed. She was asked if she cautioned against violent approach and she said that at that time she did not remember what he said.

Commissioner Jones asked if she had followed up on the patients she visited at the hospital following the 10th/11th April 2000 and she said no because Yahya Jammeh “took over” and he said he was going to cure those who were affected, particularly those who were maimed. Commissioner Jones pointed out that some of the victims were still living with bullets and she might owe them an apology, which the witness agreed to as she was part of the government. On answering “she did not know” in response to most of the questions regarding her knowledge about human rights abuses, for example the death of Deyda Hydara, the witness said she could not follow up on everything because she had a full plate and there were so many things that were reported, which was the responsibility of each ministry.

Imam Sey urged the witness to tell the truth and that Yahya Jammeh had given her the order to give the order to deploy the army. The witness in a long monologue, defended herself and said that she was not lying.

In her closing remarks, the witness thanked the TRRC and the government for what they were doing as the work was not easy. She apologised to all the victims who suffered all these various violations that were raised, including the families of 10th/11th April, because as a mother she recognised that the killing of any child is unforgiveable. She also stated that a lot had happened in 22 years and she was shocked that people would be strangled and buried. She added that in the latter years, in 2014, 2015, 2016 when they talked about those Junglers issue, she
The Lead Counsel then read an excerpt from a report by the Committee to Protect Journalists: “in a discussion with Njie-Saidy after the event, I mentioned to her that an internet search of The Gambia yields many results about human rights abuses. In response, she shifted the topic to the United States ‘do they tell you about Guantanamo Bay, seems like a human rights issue’ she said, and ‘you know in the internet, you have a lot of garbage, don’t believe everything you read, you have to look in between’. She later accused social media of peddling untruths- ‘social media is the problem’.”
About ANEKED
Led by young African 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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☑️ @theANEKED

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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