

## **ADF Statement on the Conviction of Gambian Journalists**

**18 August 2009**

The African Democracy Forum (ADF), a network of over 450 democracy and human rights organizations throughout Africa, expresses concerns over the arrest, jailing, and conviction of six Gambian journalists charged with sedition and defamation, and calls for the Gambian government to respect and preserve the freedom of expression and to maintain a judiciary independent of political biases. The ADF also wish to draw a particular attention to the fact that one of the imprisoned six journalists is a lactating mother with a 7 month-old baby.

In December 2004, Deyda Hydara, editor of the newspaper *The Point*, president of the Gambia Press Union (GPU), and ardent critic of the government, was shot in his car by unknown gunmen. On 9 June 2009, Gambian President Yahya Jammeh dismissed ongoing concerns about the circumstances surrounding Hydara's death and the government's inadequate investigation, describing those who questioned foul play "stupid." The GPU challenged these statements in defence of its former president. Three days later, six journalists from the GPU, *The Point*, and *Foroyaa* newspaper were arrested and held incommunicado until their first court appearance on 18 June 2009, during which time legal council was unable to contact them.

Throughout the next weeks, the trial was held in-camera, and their families and the public were unable to enter the heavily-guarded courthouse, prompting the defence to file a complaint of bias against presiding Justice Joseph Wowo. On 21 July, the defence requested that the judge step down, citing blatant bias, including not permitting the defence opportunities to argue during their allotted times. Justice Wowo was then replaced by Justice Emmanuel Fagbenle. In a televised statement, President Jammeh accused the journalists of "hiding behind freedom of expression," and threatened to deal with them "to the letter." On 6 August, the six journalists were sentenced to two years in prison and fined 250,000 Dalasis (US\$10,000) each.

The ADF urges the Gambian government and the Gambia Court of Appeal to respect the Economic Community of West African States' Protocol on Democracy and Good Governance by overturning the High Court's decisions on those six journalists and building further an independent judicial institution. The ADF also call the Gambian government to discard all media laws restricting freedom of expression permitting journalists to be charged with sedition and defamation, and to establish laws on Freedom of Information and Access to Information as required by the ECOWAS Treaty.

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