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*Plenary sitting*

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**B8-0593/2016**

10.5.2016

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Gambia  
(2016/2693(RSP))

**Geoffrey Van Orden, Raffaele Fitto, Ruža Tomašić, Pirkko Ruohonen-Lerner, Monica Macovei, Ryszard Antoni Legutko, Ryszard Czarnecki, Anna Elżbieta Fotyga, Tomasz Piotr Poręba, Jana Žitňanská, Charles Tannock, Angel Dzhambazki, Valdemar Tomaševski, Mark Demesmaecker, Branislav Škripek, Arne Gericke**  
on behalf of the ECR Group

**European Parliament resolution on Gambia  
(2016/2693(RSP))**

*The European Parliament,*

- having regard to the International Covenant on Civil and Political Rights and in particular to Article 10 thereof;
- having regard to the Constitution of Gambia and in particular to Articles 1 (secular Republic), 17-19 (Fundamental Rights and Freedoms), and 25 (Freedom of Speech, Conscience, Assembly, Association and Movement) thereof;
- having regard to the African Charter on Democracy, Elections and Governance (ACDEG);
- having regard to the African Charter on Human and People's Rights;
- Having regard to the Report of the Special Rapporteur UNHRC, Christof Heyns, on extrajudicial, summary or arbitrary executions in Gambia, of 11 May 2015;
- having regard to the UN Human Rights Council Report of 09 March 2016 - on Proper preparations and precautions to protect the rights of the demonstrators, bystanders and police during public gatherings;
- having regard to the Statement by the United Nations Secretary-General Ban Ki-moon of 17 April 2016 – concerning the apparent use of excessive force on peaceful demonstrators in Gambia;
- Having regard to the EEAS statement on recent violence in Gambia of 17 April 2016;
- having regard to Article 135 of its Rules of Procedure;

A. Whereas the President of the Gambia, Yahya Jammeh, has been in office since he seized power in a coup in 1994, having been re-elected three times; whereas the last presidential elections, held in 2011, was condemned by the Economic Community of West African States (ECOWAS), as lacking legitimacy and accompanied by repression and intimidation of the opposition parties and their electorate;

B. Whereas the new presidential elections were scheduled for the 1st December 2016; whereas ahead of them, some leaders of the opposition and human rights activists in the country have organized recently peaceful protests, calling for electoral reforms, including an independent election commission and equal access to public media; whereas those protests were declared by the government "unauthorized" and brutally broken up by the security forces firing [live ammunition](#) to disperse the crowd and followed by violent arrests of the participants;

C. Whereas among those detained was Ebrima Solo Sandeng, the newly elected National

Organising Secretary of the United Democratic Party (UDP), whose whereabouts and ultimate fate remain unknown, but who is reported to have died in a custody, after being tortured and terrorized by Gambia's National Intelligence Agency;

D. Whereas another opposition leader, Ousainou Darboe and other senior party officials were arrested and remain in state custody, reportedly suffering from serious injuries - after they went in the streets demanding justice for Solo Sandeng alleged death as well as release of other detained supporters;

E. whereas over all those years under the President Yahya Jammeh, human rights standards in the state have been reported to be gravely infringed; whereas in recent months number of suspicious disappearances and alleged murders among independent [journalists](#), human rights activists, [trade union leaders](#) and members of the political opposition has remarkably increased, escalated in particular after an attempted coup in the country in December 2014;

F. whereas media freedom in the country is reported as being regularly violated; whereas Mr. Alhagie Ceesay, a journalist and managing director of the independent radio station Teranga FM, detained since July 2015 and currently gravely ill in hospital, has been declared by the United Nations Working Group on Arbitrary Detention "arbitrarily deprived of liberty";

G. whereas in September 2014 President Jammeh signed a draconian anti-LGBTI law as part of revisions to the country's criminal code; whereas the President of the state has publicly threaten to "slit the throats" of homosexual men living in the country;

H. whereas, according to the United Nations High Commission for Refugees, Gambia remains in the [top 10](#) of all nationalities crossing the Mediterranean to this day, which flow of refugees is undeniably caused by continuing unlawful killings, arbitrarily arrests, detentions and forced disappearances of people;

I. whereas on January 4th an executive order, released by the authorities, banned all female civil servants from leaving their hair uncovered during working hours; whereas the national broadcaster is referring to the Gambia as an "Islamic Republic" and the President has stated that the flag of the country would be changed in order to "reflect the country's new status" - despite the fact that, according to its Constitution, the Gambia, with 90% of its citizens being Muslims, remains a "secular republic";

1. Expresses its deepest concern regarding the rapidly worsening security and human rights situation in the Gambia; holds the President of the state responsible for the current social and political crisis;

2. Calls for immediate, effective actions to be taken by the Gambian authorities unveiling to the public opinion full information about the whereabouts and ultimate fate of Mr. Ebrima Solo Sandeng; urges the authorities to ensure that the case was subjected to an independent and thorough investigation and that the perpetrators were brought to justice;

3. Calls for immediate release Mr. Ousainou Darboe together with other senior party officials as well as all those arbitrarily arrested and detained [journalists](#), human rights activists, [trade union leaders](#) and members of the political opposition; calls for securing without any delay medical treatment for those injured;

4. Calls on the President of the Gambia to ensure proper democratic background for the incoming presidential elections; expresses the hope that the electoral process would take place in a peaceful atmosphere and in a transparent manner, enabling an equal participation of all the political parties in the country and their electorates; Encourages the international community, including local human rights organisations and NGOs as well as the EU Delegation in the Gambia and other relevant international institutions, to actively monitor the electoral procedure, with special regard to securing public respect for freedom of association and assembly; is of the opinion that, in case of continuing shortcomings in the democratic electoral procedures, combined with repression towards the political opposition, further and wider suspension of the development aid should be considered by the EU;

5. Strongly condemns the revision of the country's criminal code in September 2015, introducing inter alia severe anti-LGBTI law; is of the opinion that public threats made by the President of "slitting the throats" of homosexual men living in the country are shameful coming from a head of state, bringing disgrace upon the ruling authorities of the Gambia urges the President to apologise for his threats and to protect all minorities, including LGBT ones, in the country;

6. Notes with concern the reports of transformation in progress of the political system in the country into an "Islamic Republic"; Calls on the Gambian authorities to strictly abide by the provisions of the Constitution of the Republic of the Gambia in force since 1997, which guarantees secular status of the state as well as freedom to practise any religion and to manifest such practice; Calls on any eventual changes in the political system to be done exclusively after consulting the citizens, with full respect to the rule of law and respect to the rights of religious minorities in the country;

7. Instructs its President to forward this resolution to the Government and Parliament of the Gambia, the Commission, the Council, the governments of its member states, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the institutions of the African Union and the Secretary-General of the United Nations.