



Plenary sitting

B8-0591/2016

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 the Gambia
(2016/2693(RSP))

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on behalf of the Verts/ALE Group

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on behalf of the EFDD Group

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

The European Parliament,

- having regard to the statements by the EEAS spokesperson of 17 April 2016, 12 June 2015, 31 December, 26 November and 11 January 2014,
 - having regard to the report of the United Nations' Special Rapporteur on extrajudicial, summary or arbitrary executions on Gambia of 11 May 2015,
 - having regard to the report of the United Nations' Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on Gambia of 2 March 2015,
 - having regard to the report of the United Nations' Working Group on the Universal Periodic Review on Gambia of 24 December 2014,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966,
 - having regard to the African Charter on Human and Peoples' Rights of 1981,
 - having regard to the second revision of the Cotonou Agreement,
 - having regard to the Kampala Declaration on Prison Conditions in Africa,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. Whereas on 14 April, peaceful protests took place in the capital Banjul requesting transparency for the process leading to the presidential elections scheduled for December 2016; whereas these protests have led to a disproportionate violent reaction by the Gambian security forces;
- B. Whereas opposition leader Solo Sandeng and other opposition politicians got arrested during these demonstrations and Solo Sandeng later died in custody; whereas Amnesty International has accused the National Information Agency (NIA), Gambia's intelligence service, of torturing Solo Sandeng to death,
- C. Whereas a second demonstration protesting against the death of Solo Sandeng led to yet another round of repression; whereas at this occasion the leader of the opposition party UDP, Ousainou Darboe, got arrested;
- D. Whereas the UN Secretary General has called for a swift and independent enquiry on these events and for the immediate and unconditional release of the arrested people,

- E. Whereas numerous other cases of disappearances, assassinations for political reasons and extrajudicial killings have occurred in Gambia since the acceding to power of President Yahya Jammeh in 1994; whereas Gambian security forces and paramilitary groups have been accused by leading international human rights organisations of being responsible for these acts; whereas complete impunity prevails concerning this repression;
- F. Whereas the former deputy minister of Agriculture, Ousman Jammeh, has been arrested immediately after his dismissal from government in October 2015 and detained incommunicado since then,
- G. Whereas a similar fate occurred to three Islamic scholars, Sheikh Omar Colley, Imam Ousman Savaneh and Imam Cherno Gassamah, who have all disappeared for more than 100 days,
- H. Whereas ECOWAS and the African Union remain silent as concerns the violent repression of the opposition in Gambia,
- I. Whereas the 2015 Election Amendment Act prices out opposition parties, making the Gambia one of the most expensive country to vie for public office, in the process curtailing the rights of citizens,
- J. Whereas detention conditions in Gambian prisons are not respecting the standards of the Kampala Declaration on Prison Conditions in Africa,
- K. Whereas in 2015, The Gambia called for the early departure of the EU chargé d'affaires a.i. after a political dialogue meeting that addressed sensitive issues, including human rights concerns,
- L. Whereas the EU has allocated in the past emergency small grants to human rights' defenders at risk,
- M. Whereas LGBTi organisations and individuals risk draconian sentences due to the existence of laws on 'unnatural behaviour' and on 'aggravated homosexuality', imposing life imprisonment for the same-sex acts specified therein,
- N. Whereas The Gambia is one of the fifteen poorest countries in the world with close to a quarter of the population facing chronic food insecurity; whereas this situation has led to mass emigration; whereas the country is highly dependent on international aid,
- O. Whereas the EU is Gambia's largest bilateral donor; whereas EU development aid currently focusses on agriculture, food security and nutrition for the benefit of the population,

1. Expresses its strong concern on the violent repression of recent peaceful protests in Banjul and the alleged torture perpetrated by Gambian intelligence services against opposition leader Solo Sandeng, leading to his death,
2. Urges the Gambian authorities to conduct a swift and independent investigation of these events and to release immediately and unconditionally the arrested demonstrators, including the leader of the UDP, Ousainou Darboe, given that their imprisonment relates directly to the legitimate exercise of their right to freedom of association and expression,
3. Notes that the government's response to the April 14 and 16 protests, and the subsequent treatment of protestors in detention, are symptomatic of a long-standing threat to freedom of association and expression in the Gambia; demands that the Government of Gambia brings an immediate end to the intimidation of political opposition members, journalists, human rights defenders, trade union officials, student leaders, religious leaders, who have been arbitrarily arrested, detained and, at times, tortured, as a consequence of their advocacy of human rights, respect for the rule of law or political reforms;
4. Calls on the government to take all necessary measures to guarantee, in all circumstances, full respect of freedom of expression and freedom of the press; calls to reform, in that regard, the provisions of the Information and Communication Act in order to bring the national legislation in line with international standards;
5. In advance of December's presidential elections, calls on the government of Gambia to engage in genuine dialogue with all opposition political parties about legislative and policy reforms that will ensure a free and fair election and guarantee respect for respect freedom of association and assembly, in line with Gambia's international obligations;
6. Calls on the Government of Gambia to continue with plans to establish a National Human Rights Commission, in line with the Paris Principles on human rights institutions, to investigate and monitor alleged human rights abuses;
7. Calls for either bringing to trial or releasing prisoners detained incommunicado, like Ousman Jammeh, Sheikh Omar Colley, Imam Ousman Savaneh and Cherno Gassamah,
8. Condemns the Government of Gambia's frequent use of offensive, discriminatory and inflammatory language concerning the rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons; calls for the removal of provisions criminalizing LGBTI persons from the Gambian criminal code; and calls for the government to protect LGBTI persons from violence and discrimination on the grounds of their real or perceived sexual orientation or gender identity;
9. Calls on ECOWAS and the AU to be more vocal towards the ongoing human rights violations committed by the Gambian regime,
10. Welcomes the slight improvements made by the government in terms of prison

detention conditions; notes however that the conditions are still not in line with the Kampala Declaration on Prison Conditions in Africa; calls on the Gambian government to accelerate efforts in order to ensure that prisoners and detainees have access to medical care, adequate and appropriate food, hygiene and exercise,

11. Calls on the EU Delegation in the Gambia, and on the Member States' embassies and consulates in the country, to actively monitor detention conditions in the Gambia, and to accompany and monitor investigations into the government's suppression of the April 14 and 16 protests and treatment of protestors in detention, and to further step up efforts to engage with political opposition members, student leaders, journalists, human rights defenders, trade union officials, and LGBTI leaders; welcomes the support the EU has offered to human rights' defenders in Gambia until now;
12. Calls on the High Representative to consider imposing punitive measures such as travel ban, asset freeze on President Jammeh, his wife and those officials engaged in the grave human right abuses in Gambia, in case no independent investigation takes place on the repression of the April peaceful demonstrations,
13. Instructs its President to forward this resolution to the Council and the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of The Gambia, the institutions of the African Union and of ECOWAS, the United Nations Secretary-General, the United Nations General Assembly, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the PAN-African Parliament (PAP).