



Plenary sitting

**B8-0591/2016 }
B8-0593/2016 }
B8-0595/2016 }
B8-0598/2016 }
B8-0600/2016 }
B8-0602/2016 } RC1**

11.5.2016

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4) of the Rules of Procedure

replacing the motions by the following groups:

Verts/ALE (B8-0591/2016)
ECR (B8-0593/2016)
S&D (B8-0595/2016)
GUE/NGL (B8-0598/2016)
PPE (B8-0600/2016)
ALDE (B8-0602/2016)

on The Gambia
(2016/2693(RSP))

Cristian Dan Preda, Elmar Brok, Tomáš Zdechovský, Andrej Plenkovič, Davor Ivo Stier, Eva Paunova, Milan Zver, Ildikó Gáll-Pelcz, David McAllister, Brian Hayes, Maurice Ponga, Bogdan Brunon Wenta, Adam Szejnfeld, Jarosław Wałęsa, Giovanni La Via, Tunne Kelam, Patricija Šulin, Ivan Štefanec, Dubravka Šuica, Ivana Maletić, Therese Comodini Cachia, Sven Schulze, Luděk Niedermayer, Eduard Kukan, Pavel Svoboda, Romana Tomc, Lefteris Christoforou, Csaba Sógor, Roberta Metsola, Michaela Šojdrová, Claude Rolin, József Nagy, Krzysztof Hetman, Stanislav Polčák, László Tóké, Inese Vaidere, Ramona Nicole Mănescu

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on behalf of the PPE Group

Victor Boștinăru, Eric Andrieu, Nikos Androulakis, Maria Arena, Francisco Assis, Zigmantas Balčytis, Hugues Bayet, Brando Benifei, Goffredo Maria Bettini, José Blanco López, Vilija Blinkevičiūtė, Simona Bonafè, Biljana Borzan, Nicola Caputo, Andrea Cozzolino, Andi Cristea, Nicola Danti, Isabella De Monte, Monika Flašíková Beňová, Knut Fleckenstein, Doru-Claudian Frunzuliță, Eider Gardiazabal Rubial, Elena Gentile, Lidia Joanna Geringer de Oedenberg, Neena Gill, Michela Giuffrida, Maria Grapini, Sylvie Guillaume, Sergio Gutiérrez Prieto, Richard Howitt, Cătălin Sorin Ivan, Liisa Jaakonsaari, Afzal Khan, Jude Kirton-Darling, Miapetra Kumpula-Natri, Cécile Kashetu Kyenge, Javi López, Juan Fernando López Aguilar, Krystyna Łybacka, David Martin, Edouard Martin, Marlene Mizzi, Sorin Moisă, Alessia Maria Mosca, Victor Negrescu, Momchil Nekov, Pier Antonio Panzeri, Demetris Papadakis, Pina Picierno, Tonino Picula, Miroslav Poche, Inmaculada Rodríguez-Piñero Fernández, Daciana Octavia Sârbu, Siôn Simon, Monika Smolková, Tibor Szanyi, Claudia Tapardel, Marc Tarabella, Patrizia Toia, Elena Valenciano, Julie Ward, Josef Weidenholzer, Flavio Zanonato, Carlos Zorrinho

on behalf of the S&D Group

Ruža Tomašić, Angel Dzhambazki, Mark Demesmaeker, Raffaele Fitto, Monica Macovei, Kay Swinburne, Ryszard Antoni Legutko, Tomasz Piotr Poręba, Ryszard Czarnecki, Anna Elżbieta Fotyga, Charles Tannock, Geoffrey Van Orden, Pirkko Ruohonen-Lerner, Jana Žitňanská

on behalf of the ECR Group

Nedzhmi Ali, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Dita Charanzová, Marielle de Sarnez, Gérard Deprez, Martina Dlabajová, Nathalie Griesbeck, Antanas Guoga, Marian Harkin, Filiz Hyusmenova, Ivan Jakovčić, Petr Ježek, Kaja Kallas, Ilhan Kyuchyuk, Valentinas Mazuronis, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Jozo Radoš, Frédérique Ries, Robert Rochefort, Marietje Schaake, Jasenko Selimovic, Hannu Takkula, Pavel Telička, Ramon Tremosa i Balcells, Ivo Vajgl, Johannes Cornelis van Baalen, Hilde Vautmans, Paavo Väyrynen, Cecilia Wikström

on behalf of the ALDE Group

Xabier Benito Ziluaga, Tania González Peñas, Kateřina Konečná, Merja Kyllönen, Jiří Maštálka, Lola Sánchez Caldentey, Barbara Spinelli, Estefanía Torres Martínez, Miguel Urbán Crespo, Marie-Christine Vergiat

on behalf of the GUE/NGL Group

Jean Lambert, Maria Heubuch, Heidi Hautala, Bart Staes, Ernest Urtasun, Barbara Lochbihler, Tamás Meszerics, Jordi Sebastià, Davor Škrlec, Bodil Valero, Igor Šoltes, Bronis Ropė, Judith Sargentini

on behalf of the Verts/ALE Group

Ignazio Corrao, Fabio Massimo Castaldo, Piernicola Pedicini, Laura Ferrara, Laura Agea, Isabella Adinolfi

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on behalf of the EFDD Group

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EN

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

The European Parliament,

- having regard to its previous resolutions on The Gambia,
- having regard to its resolution of 12 March 2015 on the EU's priorities for the UN Human Rights Council in 2015¹,
- having regard to several parliamentary questions regarding the situation in The Gambia,
- having regard to the European External Action Service (EEAS) statement of 17 April 2016 on the human rights situation in The Gambia,
- having regard to several statements made by the EU Delegation to The Gambia,
- having regard to the African Union Commission's resolution of 28 February 2015 on the human rights situation in the Republic of The Gambia,
- having regard to the statement made by UN Secretary-General Ban Ki-moon on 17 April 2016,
- having regard to the UN Human Rights Council report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Addendum: Mission to The Gambia, of 2 March 2015,
- having regard to the report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions on The Gambia of 11 May 2015,
- having regard to the report of the United Nations Working Group on the Universal Periodic Review on The Gambia of 24 December 2014,
- having regard to the Cotonou Partnership Agreement signed in June 2000,
- having regard to the Gambian Constitution,
- having regard to the African Charter on Democracy, Elections and Governance,
- having regard to the African Charter on Human and Peoples' Rights,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief of 1981,
- having regard to the Universal Declaration of Human Rights of 1948,

¹ Texts adopted, P8_TA(2015)0079.

- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Yahya Jammeh took power in The Gambia in a military coup in 1994; whereas he was elected president in 1996 and has since been re-elected three times, under disputed circumstances;
- B. whereas presidential elections are scheduled to be held on 1 December 2016 and legislative elections on 6 April 2017; whereas the last presidential elections, held in 2011, were condemned by the Economic Community of West African States (ECOWAS) as lacking legitimacy and being accompanied by repression and intimidation of the opposition parties and their electorate;
- C. whereas a peaceful protest, held on 14 April 2016 in Serekunda, a suburb of the capital Banjul, calling for electoral reform led to violent reactions by the Gambian security forces and arbitrary detention of protestors, among them several members of the United Democratic Party (UDP); whereas Solo Sandeng, the opposition leader and a member of the UDP, died in detention shortly after his arrest in suspicious circumstances;
- D. whereas members of the UDP gathered again on 16 April 2016 to demand justice for Mr Sandeng’s death and the release of other members of their party; whereas police fired tear gas at the demonstrators and arrested a number of people;
- E. whereas another opposition leader, Ousainou Darboe, and other senior party officials were arrested and remain in state custody, reportedly suffering from serious injuries;
- F. whereas Alagie Abdoulie Ceesay, the managing director of the independent radio station Teranga FM, who was arrested on 2 July 2015 by the National Intelligence Agency (NIA), has been denied bail three times despite his poor state of health;
- G. whereas in March 2016, the United Nations Working Group on Arbitrary Detention released an opinion, adopted during its last session in December 2015, stressing that Mr Ceesay had been arbitrarily deprived of liberty and calling on The Gambia to release him and drop all charges against him;
- H. whereas human rights defenders and journalists in The Gambia are victims of abusive practices and repressive legislation and constantly face harassment and intimidation, arrest and detention, and enforced disappearance or being forced into exile;
- I. whereas torture and other forms of ill-treatment are regularly used in The Gambia; whereas people are reported to have been routinely brutally tortured or otherwise ill-treated in order to extract ‘confessions’, which are then used in court, as evidenced in the report drawn up following the visit of the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to The Gambia in 2014;
- J. whereas arbitrary detentions by the NIA and the police are routinely carried out, such as in the case of the former Deputy Minister of Agriculture, Ousman Jammeh, and Islamic scholars Sheikh Omar Colley, Imam Ousman Sawaneh and Imam Chernu Gassama, and individuals are often held without charge and beyond the 72-hour time limit within which

a suspect must be brought before a court, in violation of the constitution;

- K. whereas the current anti-homosexuality legislation in The Gambia provides for long prison terms and hefty fines for ‘aggravated homosexuality’; whereas LGBTI people are often victims of attacks, threats or arbitrary arrests by security forces and some of them have been forced to leave the country for their own safety;
 - L. 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 the country is highly dependent on international aid; whereas 14 475 Gambians have applied for asylum in the EU since 2015;
 - M. whereas the situation of human rights, democracy and the rule of law in The Gambia raises real concerns; whereas the EU has been addressing these issues in a dialogue under Article 8 of the Cotonou Agreement since the end of 2009, but with little concrete progress;
 - N. whereas, following concerns over the human rights situation, the EU drastically reduced its aid to The Gambia, although it remains the country’s largest aid donor with a total of EUR 33 million allocated for the 2015-2016 national indicative programme (NIP) period; whereas following this reduction in aid, President Jammeh abruptly expelled the EU’s Chargé d’Affaires to The Gambia, Agnes Guillard, in June 2015;
 - O. whereas the NIP for The Gambia for 2015-2016 provides for investments in agriculture and food security, as well as in the transport sector, but no funds are allocated to civil society development, democratic governance or the promotion of human rights and the rule of law;
 - P. whereas The Gambia is a member of ECOWAS; whereas in July 2014 an Economic Partnership Agreement (EPA) was concluded between the EU and ECOWAS, which will be ratified in 2016; whereas EPAs shall strengthen not only fair trade but also human rights and the achievement of Sustainable Development Goals;
 - Q. whereas The Gambia is a Member State of the African Union (AU), a State Party to the African Charter and a signatory to the African Charter on Democracy, Elections and Governance;
 - R. whereas the 2015 Election Amendment Act prices out opposition parties, making The Gambia one of the most expensive countries in which to vie for public office and curtailing the rights of citizens in the process;
1. Expresses its deepest concern regarding the rapidly worsening security and human rights situation in The Gambia and deplores the attacks of 14 and 16 April 2016 against peaceful demonstrators;
 2. Calls for the immediate release of all protestors arrested in relation to the 14 and 16 April protests; requests that the Government of the Republic of The Gambia ensure due process

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for any suspects detained on allegations of participating in the attempted unconstitutional change of government; calls on the authorities of The Gambia to guarantee the physical and psychological integrity of these suspects in all circumstances and to secure medical treatment for those injured without delay; expresses its concern regarding the testimonies of torture and ill-treatment of other prisoners;

3. Urges the Gambian authorities to conduct a swift and independent investigation into these events, and in particular expresses grave concern about the reported death in custody of opposition activist Solo Sandeng;
4. Strongly condemns the forced disappearances, arbitrary detentions, torture and other human rights violations targeted at voices of dissent, including journalists, human rights defenders, political opponents and critics, as well as lesbian, gay, bisexual and transgender people, under the government of President Yahya Jammeh; calls for any prisoners detained incommunicado to be either brought to trial or released;
5. Calls on the EU and the AU to work with The Gambia to put in place safeguards against torture, ensure independent access to prisoners and reform all legislation interfering with the rights of freedom of expression, association and peaceful assembly, including the offences of sedition, criminal libel and ‘spreading false information’ in the Criminal Code and the amendment of the Information and Communication Act of 2013, which includes censorship of online expression;
6. Calls on The Gambia to ratify the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
7. Calls on the Government of The Gambia to investigate the evidence on the NIA’s human rights violations, to develop legislation that addresses equal rights for citizens, including inequality issues, and 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;
8. Urges the Government of The Gambia and the regional authorities to take all necessary measures to stop the discrimination against, and attacks and criminalisation of, LGBTI people and to guarantee their right to freedom of expression, including the removal of provisions criminalising LGBTI people from the Gambian Criminal Code;
9. Calls on the Gambian authorities to prevent any religious discrimination and to encourage and act in favour of a peaceful and inclusive dialogue between all communities;
10. Calls on ECOWAS and the AU to remain engaged towards the ongoing human rights violations committed by the Gambian regime; recalls that security and stabilisation remain great challenges in the West African region and insists on the need for the AU and ECOWAS to closely monitor the situation in The Gambia and maintain a permanent political dialogue with the Gambian authorities on the strengthening of democracy and the rule of law;
11. Urges the Government of the Republic of The Gambia to ratify the African Charter on

Democracy, Elections and Governance in advance of the presidential elections scheduled for December 2016;

12. Calls on the Government of The Gambia to engage in genuine dialogue with all opposition political parties on legislative and policy reforms that will ensure a free and fair election and guarantee respect for freedom of association and assembly, in line with The Gambia's international obligations; recalls that the full participation of the opposition and independent civil society in the independent and free national elections is an important factor for the success of these elections;
13. Encourages the international community, including local human rights organisations and NGOs, as well as the EU Delegation to 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;
14. Calls on the Government of The Gambia to take all necessary measures to guarantee, in all circumstances, full respect of freedom of expression and freedom of the press; calls, in this regard, for the reform of the provisions of the Information and Communication Act in order to bring the national legislation into line with international standards;
15. Is concerned that the 2015-2016 NIP for The Gambia does not provide for any support or funding for civil society or for democratic governance, promotion of the rule of law and human rights protection; calls on the Commission to ensure that democratic governance, the rule of law and human rights protection are the focal sectors of any future development cooperation agreements to be considered between the EU and The Gambia;
16. Calls on the EU Delegation to the Gambia to use all tools at its disposal, including the European Instrument for Democracy and Human Rights, to actively monitor detention conditions in The Gambia, and to accompany and monitor investigations into the government's suppression of the protests of 14 and 16 April 2016 and the 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;
17. Urges the EU and its Member States to conduct a public consultation under Article 96 of the Cotonou Agreement, and to consider freezing all non-humanitarian assistance to the Government of The Gambia and imposing travel bans or other targeted sanctions on officials responsible for serious human rights abuses;
18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the African Union, the governments of the member countries of the Economic Community of West African States, the Government and Parliament of The Gambia, the Secretary-General of the United Nations, the UN Human Rights Council and the ACP-EU Joint Parliamentary Assembly.

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