



TRUTH,  
RECONCILIATION  
AND REPARATIONS  
COMMISSION

**THE GAMBIA**

# **REPORT**

**VOLUME 6**

**APRIL 10 & 11 2000,  
STUDENT DEMONSTRATIONS**



# **REPORT**

## **VOLUME 6**

### **APRIL 10 & 11 2000, STUDENT DEMONSTRATIONS**

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## A. BACKGROUND

1. The April 10 and 11 2000 Student Demonstrations in The Gambia was sparked off by two incidents involving students which The Gambia Students Union (GAMSU) felt was not adequately addressed by the government and aggrieved the student population of The Gambia. The first incident involved **Ebrima Barry** a fifteen (15) year old Grade 10 student of Forster's Technical High School in Brikama, Kombo South District, West Coast Region (WCR). **Ebrima Barry** died shortly after being physically assaulted by fire officers in Brikama. The second incident was the rape of **Binta Manneh** a Grade 7 student of Brikama Ba Upper Basic School, in the Central River Region by a security officer when she came to represent her school at the inter Secondary Schools Sports Competition at the Independence Stadium Bakau.
2. In line with their obligation of safeguarding the welfare and best interest of their membership GAMSU engaged the government to seek redress. The negotiations were unsuccessful. GAMSU decided to hold a '*limited peaceful demonstration.*' The said demonstration was to have taken place on 10th April 2000 and students were to converge at the gate of Gambia Technical Training Institute (GTTI) at Kanifing for the procession. According to **Aliou Darboe** a member of The GAMSU Executive: "*on 9th April, 2000, the Executive held a meeting at St. Therese's Middle School at Kanifing in which I was present. At the said meeting Mr. Aliou Khan, the President of Gambia College Sub-Union, informed us that the Secretary of State for Local Government and Religious Affairs, Retired Captain Lamin Kaba Bajo informed him that he heard that GAMSU was planning a demonstration. The said Secretary of State told Aliou Khan that he was going to arrange a meeting for some members of the GAMSU Executive Committee to meet the Vice President and some Secretaries of State in order to find a peaceful solution to the crisis over the death of Ebrima Barry and the raping of Binta Manneh.*"<sup>1</sup> The meeting with the former Vice President, Her Excellency, **Isatou Njie Saïdy** on the morning of the April 10, 2000 was overtaken by events.
3. Things turned out differently however. On the morning of April 10, 2000, hundreds of students had already converged outside the premises of The GTTI<sup>2</sup>. Thereafter, the Police Intervention Unit (PIU) and later The Gambia National Army (GNA) were deployed to disperse the students. Some of the senior security officers including the then Army Commander **Baboucarr Jatta**, the Deputy Inspector General of Police (DIGP), **Sankung Badjie** were also on the ground. The then Secretary of State for Interior, **Ousman Badjie** was also present. With no coherent plan as to how handle the situation, it spiralled out of control when shots were fired by the security to dispel the protesting students and the students responded by throwing stones at the security personnel.<sup>3</sup>
4. To escape from the assault by the security forces the converged students ran away in different directions. Other students in other locations upon hearing about the confrontation also converged and the whole of the Serekunda area from Westfield to Iceman in the Industrial Area and along the Brikama Highway were filled with student protestors and security forces. The security forces chased after them and beat and arrested a good number of them. They also fired tear gas and bullets which were supposedly blank ammunition but which turned

<sup>1</sup> Witness statement, Aliou Darboe, para 11 page 7

<sup>2</sup> [TRRC OMAR JOOF DAY 85 PT3 24.09.19 - YouTube](#) accessed 15.10.2021, Aliou Darboe, witness statement submitted to the TRRC 30th August, 2019

<sup>3</sup> Ibid 1 above

out to be live bullets as in the process twelve (12) students a Red Cross Volunteer and a toddler died from gunshot wounds. Several students were seriously wounded and had to be hospitalised. One child was trampled upon in his home by students who were fleeing for their lives from the security forces.

5. In Banjul armed PIU were deployed from the Police Headquarters to patrol the city. Even though no deaths were reported in Banjul there were incidents of violence. Some security officers entered the premises of Saint Augustine High School, assaulted a teacher, seriously wounding him and fired indiscriminately into a class room resulting in glass shatter which wounded three (3) students.
6. Some persons capitalised on the situation and there was vandalism and looting of various public and private properties in the Greater Banjul Area (GBA) resulting in immeasurable economic loss.
7. On April 11, 2000 when news of the events of the April 10, 2000 student demonstrations reached the rural areas the students in the different parts of the country - Brikamaba, Janjangbureh and Bansang in the Central River Region (CRR), Basse, Upper River Region and (URR) and Barra and Essau in the North Bank Region (NBR) decided to come out in solidarity and support of their peers who were killed, wounded, brutalised and detained by the security forces. This time, the GNA was sent to curb the student demonstrations in the CRR and URR area and the NBR was handled by the Police. In handling the situation the students were manhandled, physical assaulted and shot at with live rounds. Two (2) died in the Brikamaba area, others were seriously wounded and hospitalised. Some were forcefully detained at Armitage High School and Janjanbureh prisons.
8. Thereafter, a commission of enquiry was set up by the State to investigate the incident. Subsequently, The State absolved those responsible for the violations by enacting the Indemnity (Amendment) Act 2001. This was intended to exonerate public officials, especially members of the security forces from liability for the violations that occurred during the demonstrations.
9. From August 19 to October 3, 2019, the Truth, Reconciliation and Reparations Commission (TRRC) heard testimonies from 32 witnesses including direct and indirect victims and those adversely mentioned and concluded hearings on April 10/11, 2000 Students' Demonstrations investigative theme.
10. This report will provide the testimonies of victims that were presented at the public hearing of the TRRC on this theme and from other witness testimonies emanating from other themes as well and from the written statements that were submitted to the Commission. It will also present the testimonies of perpetrators and adversely mentioned persons and use this evidence to identify the human rights abuses and violations that occurred during this unfortunate incident which is described by many as "*one of the darkest days in The Gambia.*" Finally, recommendations will be made for the reform of those key institutions involved in perpetrating the atrocities.

## B. SUMMARY OF EVENTS LEADING TO THE STUDENT DEMONSTRATION OF APRIL 10 AND 11 2000

11. According to **Lamin Jobe**<sup>4</sup>, an Administrative Officer at the Ministry of Basic and Secondary Education who at that time was a leading member of the GAMSU Sub Union (Minister of Information) at Gambia College, responsible for providing information on a timely basis to the student's body. He received information about the death of **Ebrima Barry** on 9 March 2000 and relayed the information to the Vice President, GAMSU, **Aliou Khan**. An emergency meeting of the Sub-Union was convened at the College. The purpose of the meeting was to decide on steps to take to know the root cause of the problem as they perceived both disciplinary and administrative issues surrounding **Ebrima Barry's** death.
12. On the afternoon of Monday, March 13, 2000 a delegation from The Gambia College Sub Union consisting of all the executive members of the Sub-Union including himself and Bubacarr Ceesay and members of the main GAMSU Executive - **Alhaji S. Darboe** Vice President, GAMSU,<sup>5</sup> **Saja Camara** information Minister GAMSU and **Mollo Baldeh** GAMSU went first to the Brikama Police Station to report the matter and tell them what steps they intended to take as Union to resolve the matter. They were assigned a CID officer to go with them on their fact finding mission. **Lamin Jobe** could not say at this stage if the Police had started investigating the matter.
13. At the school they met **Mr. Ajawo**, the Senior Teacher in charge of the School. They explained their mission and told him that they would also like to talk to the students at school in assembly. The students were assembled and they told them about their mission and addressed them about their responsibilities. After that they met with **Mr. Ajawo** and he explained the circumstances surrounding the death of **Ebrima Barry**. He explained that **Ebrima** had fought with a teacher **Mr. Paul Arinze** on March 7, 2000. After the fight he went home only to return to school the next day, March 8, 2000. **Mr Ajawo** on seeing him in school went to the Fire Services which was just a few metres away and asked for their support in escorting **Ebrima** out of the school. Which they did and **Ebrima** was issued with a suspension letter. Shortly after leaving the school, **Ebrima Barry**, the Fire Service Officer and **Ebrima's father** returned to the school. The father pleaded with **Mr. Ajawo** to forgive **Ebrima** as he was not aware of the problem as **Ebrima** had not told him anything the previous day. **Mr. Ajawo** after checking through **Ebrima's** records and not finding anything negative about his behaviour in school agreed that he could come back after **Tobaski (Eid el Adha)**. That was the end of the matter in the school until he heard the news on the morning of March 9, 2000 that **Ebrima** had died. It was an anomaly to call the Fire Services to deal with an internal matter in a school and according to **Lamin Jobe**, **Mr. Ajawo** regretted this move as he wept when he narrated the events.
14. This narrative was corroborated by the class teacher **Ms. Camara** and **Alhaji Giyana**, **Ebrima's** friend and class mate who sat next to him in class. **Alhaji Giyana** was able to give more detail about the circumstance surrounding **Ebrima Barry's** death. According to **Alhaji** the incident started when **Mr. Paul** the Commerce teacher asked them (himself and **Ebrima**) to move from where they were seating at the back of the class. He asked them to

<sup>4</sup> TRRC LAMIN JOBE DAY 77 PT1 19.08.19 - YouTube accessed 10.10.2021

<sup>5</sup> As revealed in his statement, GAMSU Vice President Alagie S Darboe participated in the investigations and in the protest that followed. <<https://www.trrcgambia.org/case-view/c88899ce-e5d5-11e9-be00-02a42364fba0>>

sit in front but there was too much sunlight. **Mr Paul** allowed him **Alhaji** to change seats but refused **Ebrima** who insisted that he had to change seats as he was being blinded by sunlight. It ended in a push and pull between the teacher and the student and the teacher and **Mr. Paul** grabbed him by the collar. **Ebrima** retaliated by hitting him and a fight ensued. After the fight, **Ebrima** went home. The narrative at the school for the next day is the same as that of **Mr. Ajawo** and the class teacher. However, **Alhaji** had additional information to tell the **GAMSU** members about what happened at **Ebrima's** home.

15. **Alhaji** told the **GAMSU** officials that in the evening he went to visit **Ebrima**. He found **Ebrima** in great distress and according to him in a barely audible voice he narrated his ordeal at the Fire Station. He told him that he was seriously beaten, doused with water and his hair shaved. He was in so much pain and he knew that he was going to die. He consoled him and reassured him that he would not die. He left him in that condition and went home and the next morning he woke up to the news of **Ebrima's** death.
16. **Lamin Jobe** told the Commission that **Alieu Barry**, father of **Ebrima Barry** corroborated the story up to the point where they left the school with the **Fire Officer**. After leaving the school, the **Fire Officer** told him that **Ebrima** would not be going home but would be taken to the Fire Station to have his hair shaved as a disciplinary measure. He left **Ebrima** with him as he thought that they were taking him just to frighten him but would not harm him. When **Ebrima** got home he was called from the market where he worked to come and see **Ebrima's** condition. They managed that night and in the morning he went to the market as usual. As soon as he got there they called him to tell him that **Ebrima's** condition had worsened. He left the market and met the family taking him to the Health Centre. He got into the vehicle and as soon as he entered he noticed that **Ebrima** was dead but he could not say it. When they got to the Health Centre he was confirmed dead.<sup>6</sup> The rumour that **Ebrima** had been given cement to eat was dismissed by the father and his friend **Alhaji Giyana** had not mentioned it in his interview also so it was just a rumour.
17. At the end of their fact finding mission they went back to the College and reported to the student body. The information was shared through the notice board which was the main source of disseminating information. They did not do anything about the matter till the twentieth (20) March 2000, because of the Eid break.
18. While the case of **Ebrima** was on another incident happened. On March 12, 2000, the **President of GAMSU, Omar Joof** was informed about the rape of **Binta Manneh** a 13-year old Grade 7 student of Brikamaba Junior Secondary School representing her school in an inter-school athletics competition at the Independence Stadium. **Binta Manneh** was allegedly raped by an unidentified paramilitary officer at the National Youth Service Scheme where they were lodged for the duration of the competition which was to be held during the weekend. At around 8pm to 9pm, **Binta** went out to buy biscuits as she was hungry. She was accosted by two men in paramilitary uniforms. One of whom held her by the hand and led her behind the stadium. The other officer followed them but later left. The other restrained and raped her.
19. The matter was immediately reported to the Bakau police station by her teacher and she was sent to the Royal Victoria hospital for treatment. On March 12, 2000, **Omar Joof** went

to the Department of State for Education and met with officials including the CEO and the Asst. Director of Education, **Hassan Joof** and one **Muhammed**. After discussions with the officials he left with some of them including **Mr Hassan Joof** to visit the girl who was raped at the Royal Victoria Teaching Hospital (RVTH). At the RVTH they were told that she had been discharged and had left with her school principal, two teachers, and the chairman of The National interschool Sports Committee Mr Willy Carr of Gambia. School. However before they left a senior nurse at the ward explained the condition of the girl as of the time she was admitted into the hospital.

20. From the hospital they proceeded to Gambia High School but were told that the girl and her teachers had gone to Bakau Police Station. They proceeded to the Bakau Police Station and found **Binta Manneh** with her two sports teachers and the Principal of her school. They had gone to the Police Station to ensure that a case file was opened for the rape. The paper work could not be completed and they were asked to return the next day. As **Binta Manneh** and her escorts – the female sports teacher were not from the GBA the President of **GAMSU** hosted them in his house at Bakoteh. At his home his mother saw that the girl was in pain and asked if she could take care of her. The officials agreed and she gave her therapeutic care which gave her comfort.
21. The next day, March 14 2000, **Omar Joof**, accompanied with **Binta** and her teachers returned to Bakau Police Station. The case file was completed but to the surprise of the **GAMSU President**, while they were waiting in the Station Officer (**SO**) **Fofana's** office, he overheard a telephone conversation between the Station Officer and someone superior to him in rank as he addressed the person as 'sir'. **Omar Joof** could hear him saying 'yes sir' and he heard the person at the other end telling him to "take it easy on the case" This changed things for the foot dragging started from that point onwards.
22. According to **Omar Joof** their request for an identification (ID) parade was delayed till after the Eid. The urgency of holding it early while the incident was still fresh on the mind of **Binta** was lost on the officers who insisted that it could only take place after the Eid Break. **Binta** and the school officials returned to Brikamaba and **GAMSU** continued with their efforts to seek redress for both **Binta Manneh** and **Ebrima Barry**. **Omar Joof** contacted **Baba Jobe** and requested that he should brief the former **President, Yahya Jammeh** about the current events in relation to **Binta Manneh** and **Ebrima Barry**. He got immediate feedback that he should meet with **Ousman Badjie** the Secretary of State for the Interior. At the meeting, **Omar Joof**, briefed **Ousman Badjie** on the two cases and highlighted the urgency of the situation. He emphasised that: "a window of opportunity existed to effect some-thing meaningful before students returned to their schools from the Eid break<sup>7</sup>." From the Department of State for the Interior he went back to the Department of State for Education and further briefed the officials and here again he emphasised that they could take action before the end of the EID break so that when the students returned they would see that something meaningful had been done to address their concerns. However, it seemed to him that: "everyone else was preoccupied with Eid at this point; while we were preoccupied with getting something meaningful to inform our membership with, when they returned to school from Eid<sup>8</sup>".

<sup>6</sup> Testimony of Lamin Jobe; 19/08/2019; pages 13-17, lines 270-304, 345-36

<sup>7</sup> Witness statement, Omar Joof para 7 page 9  
<sup>8</sup> Witness statement, Omar Joof, pare 6 page 6

23. After Eid the ID parade was held at the Police Headquarters but **Binta** could not identify the rapist. This was to be expected due to several factors: (i) the time lapse (ii) the incident took place in the dark, (iii) ID parades can be intimidating especially for a very young girl in an unfamiliar environment and (iv) it is always difficult to differentiate men in uniform especially when the person is traumatised and nervous.
24. The situation was aggravated by the announcement on Radio Gambia that the Post Mortem Report on the death of **Ebrima Barry** indicated that he had died of natural causes. This unexpected announcement surprised GAMSU and angered the students who knew about his torture at the hands of the Fire Service Officers. GAMSU had been informed that the post mortem could not be carried out at that point in time because the doctor was out of the country on a mission to Abidjan. This announcement precipitated what GAMSU determined “was a spontaneous demonstration in Brikama, in which the student leadership had to step in to control the situation.” According to **Aliou Darboe**: “was compounded by the fact that we, as in GAMSU, believed that autopsy report suggested foul play that was why it was not publicized. GAMSU pressed for answers, but none was coming from the government. Then the GAMSU executive team agreed that we ought to stage a peaceful protest to increase pressure on government to provide honest answers regarding the alleged rape of **Binta Manneh** and the death of **Ebrima Barry**.”<sup>9</sup>
25. GAMSU did everything to consult with all stakeholders. The Central Executive Committee was expanded into an Emergency Executive Committee. Meetings were organised at the Independence Stadium Bakau, GTTI and Gambia College Brikama Campus to discuss developments with the membership. This was the situation when they were invited to Police headquarters around the end of March. According to **Omar Joof**, “the meeting failed abysmally to reach any meaningful conclusions. Before we left, the Commander of the Serious Crimes Unit **Landing 13 Badjie** and **Commissioner Jasseh**, suggested to me that we return the following day. Myself, **Information Secretary, Alhagie Camara** and the **Assistant Secretary General** went back but again our efforts were again fruitless”<sup>10</sup>. On March 20, 2000 the Sub-Union leadership met and resolved to hold a protest march on March 22, 2000 if the State failed to take action over **Ebrima**’s death before then. The protest was held on March 22, 2000 as planned. The students gathered at the Gambia College gates at which point the **Director of Education for Region 2 Kakai Sanyang** and the **Principal of Gambia College Jenung Manneh** attempted to dissuade them from protesting but failed. The students’ proceeded to the Governor’s office to meet **Governor Kebba Ceesay** who also pleaded with them to discontinue the protest. The procession continued to **Ebrima Barry**’s house to pay their respects. At **Ebrima Barry**’s house, the crowd grew rapidly to include a large number of non-students.
27. There were outbursts of anger and suggestions of retaliation from the crowd upon hearing what **Ebrima Barry** had gone through before his death. The Sub-Union leaders at that point cautioned the crowd and sought to return to the college. Despite their efforts, a large crowd gathered at the Fire Station which was next to Forster’s Secondary School. The crowd turned violent and there was destruction of Fire Station property. The officers were forced to flee the premises. PIU officers were deployed to the ground to disperse the crowd, which they eventually did. No person was injured and no arrests were made.
28. The Sub-Union executive returned to the college to find senior government officers who requested to meet with them, these included **Governor Kebba Ceesay**, Inspector General of Police (IGP) **Rex King**, **Deputy IGP Sankung Badgie**, **Police Commissioner for Western Region**, the **Chief of Kombo Central** and officials from the **Departments of State for Education** and the **Interior** and the **National Intelligence (NIA)**.<sup>10</sup> They lamented the destruction of fire station property but resolved that the Student’s Sub-Union was not wrong in their decision to protest. They promised to prioritize the investigations into **Ebrima Barry**’s death. **Aliou Khan**, President of the Sub-Union was one of the spokespersons during the meeting.
29. On the Friday 24, March 2000, the **Minister of Interior Ousman Badgie** and **Deputy Inspector General of Police Sankung Badgie** paid a visit to College, and the students were summoned to a meeting. The meeting was brief, but the tone of the officials was considered threatening and aggressive<sup>11</sup>. Despite this, the Sub-Union Executives were resolute in their quest to attain justice for **Ebrima Barry**’s death. In the evening of March 24, 2000, a press conference was convened at the Kanifing Youth Centre to voice out their concerns and remind the authorities of their demands.<sup>12</sup> The college closed for holidays on March 31, 2000 a week after this meeting.
30. In response to these events, GAMSU executive wrote a demand letter, dated March 24, 2000 to the IGP, the Department of State for Education, the Department of State for Interior and the Office of the President making the following demands.
- i. **The Fire Officers who tortured Ebrima Barry be brought to Justice;**
  - ii. **The Fire Service Officers involved in the torture be redeployed;**
  - iii. **The person who raped Binta Manneh be identified and prosecuted or;**
  - iv. **The Officer in charge of the PIU on duty at that post and on that day is held responsible and**
  - v. **The demands were to be executed by April 7, 2000.**<sup>13</sup>
31. Thereafter, GAMSU executive met with the **IGP, DIGP, CMC Landing Badjie**, and the Chief Fire Service Officer. According to witnesses, the Chief Fire Officer was allegedly provocative, hostile and demeaning. He is quoted to have said “*What is GAMSU? What can GAMSU do? Can GAMSU make demands? Can GAMSU dictate to us what to do in our office?*” He then stormed out of the meeting.<sup>14</sup> The IGP’s response to the students’ demands was also negative. The meeting was brought to an abrupt end despite the students’ pleas, as the **IGP Rex King** declared that he had to see the President off at the airport.<sup>15</sup> The students’ demands were disregarded.

9 Witness statement, Aliou Darboe, para 9 page 6

10 GAMSU Vice President Alagie S Darboe’s statement specifically refers to the Permanent Secretary, Ministry of Education.  
 11 This was stated by both Alagie S Darboe Lamin Jobe in their statements to the TRRC.  
 12 Alagie S Darboe  
 13 Testimony of Alagie S. Darboe; 23/09/2019; Lines 458-481; Pages 21-22; GAMSU Demand Letter Report of the Commission of Inquiry Into Public Disturbances of 10th and 11th April 2000 Page 172; Exhibit 8  
 14 Alagie S Darboe’s statement to the TRRC and testimony of GAMSU Information Minister Alhagie Camara in April 10 and 11 Commission of Inquiry Report  
 15 Ibid 14

32. The students met on April 7, 2000 and resolved to hold a mass demonstration at Sting Corner, Old Jeshwang, their objective being to seal off the road to Banjul. Before the planned date of the protest, the Gambia College Students' Sub-Union president **Alieu Khan** met with **Lamin Kaba Bajo**, then the Minister of local Government and Lands. **Lamin Kama Bajo** offered to arrange a meeting with the **Vice President** and the **GAMSU** leaders to resolve the situation. On April 9, 2000 **GAMSU** decided that the demonstration will be held off while the **GAMSU** executive, engaged the authorities, however this was not communicated to the student body. **Alhagie Darboe** stated on that same date, **GAMSU** wrote a request for a permit to protest but 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.
33. On April 9, 2000, **Ousman Badjie** issued a Press Release declaring that any such planned demonstrations would be unlawful because no permit had been applied for and/or granted. However, following the planned meeting with the **Vice President**, the **IGP** testified that those orders were later amended to allow for the students to be provided with a police escort to come to Banjul and not be dispersed by the PIU as previously planned.<sup>16</sup> According to **Modou Ceesay**, the operational commander **Baboucar Sowe** gave him an oral order over the phone saying "Get your Standby Unit ready" this implied that he was expected to maintain law and order<sup>17</sup>
34. **Alieu Darboe** describes the events as they happened on that fateful day. He told the Commission that on April 10, 2000 whilst the students were converging opposite GTTI the PIU arrived in battle gear. One of them held a hand public address system and immediately announced that all students should disperse. This was certainly not what we expected after Retired Captain **Lamin Bajo's** proposal was accepted and communicated to him. The executive members of **GAMSU** told the students not to disperse but to keep off the road and remain calm. He saw the same paramilitary officer who made the announcement use his mobile telephone after which he saw him talk to the other paramilitary officers who were immediately galvanized into activity.
35. According to **Alieu** they attacked students beating them with batons and there was utter chaos. So instead of a vehicle to take them to a meeting the government sent paramilitary personnel in riot gear, and they insisted that the students disperse, or they would use force. The student's refusal to disperse resulted in them being chased and beaten by the PIU. They started rounding up all visible leaders. **Omar Joof**, the President of **GAMSU** and **Baboucarr Jonga**, the External Relations Officer of **GAMSU** were rounded up by the PIU and thrown into the back of a pick-up truck. **Alieu Darboe** was also arrested, together with **Alhagie S. Darboe**, the Vice President of **GAMSU**. They were taken to the PIU base at Kanifing which was next door to the Police Mobile Traffic office, where they were detained together with other students. From the accounts given by **Alagie S Darboe and Alagie Darboe** to the TRRC, **Pa Alasan Ceesay, Sainabou Jaye, Lamin Jobe, Alhagie Camara, Ebrima Daffeh, Abdou Sonko** and several other persons arrested were detained by the PIU.
36. Whilst in detention all students at the PIU base were beaten and kicked all over their bodies. The Secretary of State for Interior, **Ousman Badjie**, visited them at the PIU where they were detained and told them that he believed they were being used by some elements which

<sup>16</sup> Testimony of Rex King 1/10/2019 para 714 - 745 page 33 - 34  
<sup>17</sup> Testimony of Modou Ceesay 1st October line 590-633

- the students denied. **Ousman Badjie** then ordered their release and informed **Omar Joof, Baboucarr Jonga, Alhagie Darboe** and **Alieu Darboe** to go with him to the meeting at the office of the **Vice President**. According to **Alieu** they never made it to the meeting.
37. **Alieu Darboe's** testimony corroborates the evidence that at the beginning only paramilitary officers were present, but as the clashes between the students and the paramilitary intensified moving toward Westfield, the military were involved. Some of the senior security officers he saw were **Babucarr Jatta**, then head of the Army and **Sankung Badjie**, then DIGP. To his thinking the officer that led the first contingent of paramilitary officers at the GTTI was one **Modou Lamin Ceesay**, an Inspector. It is possible that I have his name wrong, but I strongly feel this was his name and rank. He led the group that began the initial skirmishes, which degenerated into a full blown violent crackdown. The role of **Modou Lamin Ceesay** is corroborated by **Omar Joof** who also told the Commission that he saw him in the lead.<sup>18</sup>
38. As the sound of gun fire intensified, **Omar Joof, Baboucarr Jonga, Alhagie S. Darboe** and **Alieu Darboe** requested the Secretary of State for Interior **Ousman Badjie** to ask the security officers to stop firing and to retreat, the said Secretary of State retorted that the order had already been given and he was unable to stop them.. After the violence stopped, by this time the **GAMSU** leadership were scattered all over the place and some went into hiding. Information started filtering in that there were deaths, arrests and torture of protesters and others who may not have been protesting at all, including a Red Cross Volunteer and a baby.
39. **Alagie S Darboe** described the scene as he was running by stating: "Behind me I saw they started beating the students, arresting **Mr. Joof** and others and they chased the other students who ran away some through the Cemetery then it was no fence that is the **Jeswang Cemetery**, students ran across the Cemetery they were chasing them and some ran to **GTTI** they chase others toward the direction of **West Field** or **Jimpex**. Unfortunately for me the last guy did not spare me, hit me hard on my head until I nearly fell down but I manage<sup>19</sup>."
40. **Assan Suwareh** a student, who had ran into GTTI with others stated that when the PIU stormed after the students in GTTI, he was caught up in the ensuing stampede which pinned him against the wall. He finally found refuge in a classroom in GTTI which they managed to barricade with other students. He could hear the screams of students who were being brutally and mercilessly beaten by PIU with their batons. He recalled the terror he felt as he helplessly watched a girl being brutally beaten and kicked by a PIU and how they waited in fear as they suddenly started hearing the screams of their counterparts hidden in other classrooms below them as the security forces went from class to class searching, assaulting and arresting the students they found in hiding. After the noise of the screams died down, they managed to escape from the back fence of GTTI where they joined many other students on the street, who were shocked, terrified and also trying to flee from the danger. Some students were seeking shelter in compounds around the GTTI campus but he tried to get as far as possible from the campus. The witness noted that it felt as if they were
41. This according to **Alagie Darboe** was around 10 am. The Secretary of State for the Interior told the students that their leaders will be released only if they went into the compound. The student leaders were released to help control the students. The PIU did not appear to have given a chance for resolution hence were committed to dispersing the crowd of students

<sup>18</sup> Testimony of Modou Ceesay 1st October 2019 line 523-528  
<sup>19</sup> Testimony of Alagie S Darboe 23rd September

forcefully. **Ousman Badjie** then negotiated with the students to return back to GTTI. As they were trying to board the vehicles, they heard a large group of students outside the PIU premises chanting “*release our leaders, we need justice; we need Justice, in the case of Ebrima and Binta Manneh*”.

42. They also heard gun shots and when they asked **Ousman Badjie** to tell his men to stop firing, his response was an order was already given but he did not name who actually gave him the order. As a result, they advised him to release them so that they could approach the students and inform them that they were released and he did so. They left **Ousman Badjie** at PIU and that was the last time they saw him. However, when they came out, the students insisted that they must continue to march with them to West Field Junction which they did and gathered the students around the monument. This was around 10 a.m.<sup>20</sup> **Alagie S Darboe** stated that at that point, he saw **Momodou Ceesay** again firing in the air with his pistol, shooting at students to disperse. He asked **Ousman Badjie** to stop him from shooting which he did and he did stop at that point. There were also firing tear gas at students who were running all over the place being chased by PIU officers running after them. As the students retreated, they stoned PIU officers who also threw stones back at them **Modou Ceesay** denied this assertion students who had drifted to Westfield after the disruption at GTTI, and some of those who had left their schools in Kanifing (eg: ICE and Daddy Jobe) all within the Kanifing area,<sup>21</sup> were gathered at Westfield, on the verge of being addressed by the student leaders when the PIU attacked again, with rubber bullets, batons and teargas.<sup>22</sup>
43. Meanwhile, the Army commander **Baboucarr Jatta** arrived at Westfield at 9am and met a group of students with **Baboucarr Sowe** and the then interior minister **Ousman Badjie**. **Omar Joof** stated that when **Baboucarr Jatta** arrived at the scene and he advised him to withdraw the PIU Officers which he did and as a result, the students calmed down and they were finally able to address them. At that point, some of the students started going home. While they were standing there at Westfield, they saw a truckload of soldiers coming from Bakau and going to the PIU Headquarters. **Baboucarr Jatta** and **Aliou Darboe** addressed the students coming from various locations to Westfield to discourage them from coming to Serrekunda, according to **Omar Joof** the President of GAMSU, they had everything under control at that point. After their departure, he decided to move with **Sankung Badjie** in his vehicle to prevent a conflict as 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. He said that his happened around 12 pm.
44. **Ebrima Camara** provided a statement stating: “*We were assembled around the Bakau Garage at Serekunda, where we met Baboucarr Jatta, the then Chief of Defence Staff (CDS), with his bodyguards. He approached us and we had a discussion with him about our intentions to go for the demonstration. He pretended to be in support of our cause. This was when he informed us that he was with us and he was willing to join efforts. He even volunteered to lead the team. We trusted him and allowed him to lead us. We headed towards Red Cross HQ at Westfield. On our way, we saw armed military officers in uniform and helmets around Iceman. As we approached the junction (the slip road to Kanifing at Westfield) Baboucarr Jatta pretended to fall on the ground (unknown to us that was a trap by the CDS to lead us*

20 Testimony of Alagie S Darboe 23rd September 2019 line 998-1086  
 21 Bakary Njie, Paragraph 3 <<https://www.trrcgambia.org/case-view/1111577e-3b6d-11ea-9f52-02a42364fba0>>  
 22 Pa Demba Camara, Paragraph 2 <<https://www.trrcgambia.org/case-view/bbe41a05-b2bb-11e9-bec0-02a42364fba0>>

*to where the officers were camped). As he fell on the ground, the officers started shooting at random on the students and we ran for our lives”*

45. According to **Yusupha Mbye** a student who became permanently injured as a result of a physical assault by gun shot in his testimony to the TRRC on September, 16, 2019, told the Commission that a group of students including himself walked up to the PIU headquarters accompanied by the army commander **Baboucarr Jatta**. As they were negotiating with him, **Baboucarr Jatta** suddenly disappeared as shots were being fired at the students. Everyone started running. He told the Commission that the shots were been fired by the PIU and for him, “*as soon as the shooting started the next moment I woke up and found myself in a hospital*”<sup>23</sup> He was informed by the nurse attached to him that when he was brought to the hospital, they thought that you had died so, he was put amongst the dead bodies that we were to be taken to the mortuary. Fortunately a nurse saw his feet moving and he was quickly removed to be operated on<sup>24</sup>
46. The students were covered on all sides. Some students ran towards ICEMAN in the Kanifing Area. Others who emerged at GAMGAS junction heading towards GTTI found their way obstructed by the PIU and thus were pushed towards Westfield. But PIU officers were also advancing from Westfield,<sup>25</sup> causing a concentration of students around Iceman, Sankung Sillah junction and PIU headquarters.<sup>26</sup> These became the major points of conflict. The officers fired rubber bullets and teargas at the students, who retaliated by burning tires, throwing stones, and attacking the PIU headquarters. The officers were forced to retreat into the headquarters and then out into the field behind the headquarters.<sup>27</sup>
47. The chaos soon spread, some group of students attacked Kotu police station. The unsuspecting police officers had to barricade themselves in the police station. The students threw stones and whatever they could find into the police station. **Awa Sanneh Bittaye** a female police officer in her public testimony to the Commission on September 23, 2019, stated that a colleague **Ensa Badjie (Jesus)** was wounded by a broken piece of glass from the glass door of the station after it was hit with a stone thrown by the students. Another officer **Mengeh Ceesay** tried to escape by running outside unfortunately, she was hit by a stone on the neck and she fainted. **Awa Sanneh Bittaye** and other officers locked herself in the Station Officer’s office and from there she saw one of the boys’ snatched **Mengeh’s** chain from her neck from where she was lying. One officer scaled the fence with his wife and children.
48. **Awa** further narrated that she suddenly smelt the scent of petrol, so she removed her police uniform shirt and put her underwear on top of her skirt to disguise the police uniform and make it look like a dress, so that the students would not recognise her and went out. As she was heading out she saw some boys sprinkling patrol on the station counter. One of them sprinkled some on her but she managed escape. As she was running, a stone hit her stomach. She was pregnant at the time and this gave her a lot of complications. She later gave birth to a still born.
49. Several Police Stations suffered arson attacks including Brikama, PIU, Mobile Traffic, Serekunda, and Bundung and Police Station. Police vehicles and other property were

23 Testimony of Yusupha Mbye 325 -395  
 24 Testimony of Yusupha Mbye para 415 - 425 page 26-27  
 25 Sheriff Sanneh, Paragraph 2, Alagie S Darboe para 29, Paul Sylva para 3  
 26 Sheriff Sanneh, Paragraph 2 <<https://www.trrcgambia.org/case-view/73ae9112-3c60-11ea-9f52-02a42364fba0>>  
 27 Sheriff Sanneh, Paragraph 3

damaged and destroyed Fire Stations, the Bundung Magistrates' Court, Angry students were damaging and looting everything within their reach including private supermarkets, shops, fuel stations and other properties as well as the Gamtel offices and telephone booths and the Post Office at Kairaba Avenue.

50. However, none of the students were armed. A group of Security Forces including soldiers and the PIU from Westfield end arrived and started shooting which led to panic and chaos and they started running like before in the direction of Bakau until they reached Africell junction.<sup>28</sup> They headed towards Dippa kunda and found another big group of students there. One amongst them addressed them to go home since their plans for a peaceful demonstration had been foiled. Shortly thereafter, **Halifa Sallah**, National Assembly Member for Serrekunda arrived and addressing the students advised them to disperse, go home and stop destroying their country as future leaders. He received a standing ovation for his inspiring speech and they all obeyed and started to disperse in different directions.<sup>29</sup> Suddenly, someone shouted in the crowd and said *"A student has been shot in Westfield"* causing everyone to run.<sup>30</sup>
51. **Assan Suwareh** in his testimony to the Commission on August 21, 2019, testified that he was at Westfield and the students were being chased, beaten and shot at with tear gas canisters, the student retaliated throwing stones at the officers. He heard gun shots when they got close to the Red Cross Society building. He became very scared, he then saw a student running and holding his hand that was shot. As he was running he felt weak but he did not see any blood. He could not at that point believe that live bullets were used on defenseless children. He laid down for about 10 minutes. Two men came and carried a student that was lying lifeless beside him. An ambulance came by and he managed to wave for them to assist him, but they did not stop.
52. As the ambulance passed him, he could see lifeless bodies on it one of the Red Cross volunteers wanted to stop but the other said: *"no we cannot stop we are too full."* Another passer-by saw him and took him and three other wounded students in his vehicle and took him to Banjul. He told the Commission that: *"in the back of the car three (3) of us one of the students' who was sitting directly behind the passenger seat was in severe pain and was crying and the student in the middle between us did not say anything when I looked to see him his abdomen was riddled with bullets wounds that appeared as wounds, it was so sad that I even forget about my flag he was not making any movement or noise and I did not know who he was, I did not know any of them but I hope he made it if it is this will be a miracle given how his abdomen was riddled with bullets. I looked at my stomach and saw a wound so that was the first time I saw the bullet that struck me I was bleeding so I took one of my hands and place it over my stomach."*<sup>31</sup>
53. **Oumie Jagne** who testified at the public hearing on September 18, 2019 told the Commission that she 15 years old at the time of the incident. She told the Commission that someone told her that her sister **Anna** was being chased naked by the PIU. She grabbed some clothes to take to her sister so that she could cover her nakedness. As she ran towards her sister, she called out to her *"Oumie Jagne, Oumie Jagne."* She threw the clothes to **Anna** and they

28 Testimony of Abdou Karim Jammeh; page 14-16; lines 288-338  
 29 Testimony of Abdou Karim Jammeh; page 18-19; lines 369-408  
 30 Testimony of Abdou Karim Jammeh; page 18-20; lines 402-412  
 31 Testimony of Assan Suwareh 21st August 2019 line 470-537

continued to run as they were being chased by the PIU. Some of the students were running towards the GTTI area and others towards Westfield. The scene was chaotic with truck-loads of PIU officers wielding guns and batons chasing, beating and kicking students.<sup>32</sup> When she got to Iceman, she was struck with a bullet in the arm. She told the PIU officer who shot her: *"you have wounded me. He said to her, if you stand there, I will shoot again. Which he did and a second bullet struck her nearly on the same spot as the first one both"*<sup>33</sup>. She added that the bullet would have struck around her ribs if her hand was in a different position. She was later taken to the hospital and boarded a vehicle which carried corpses.<sup>34</sup> She still has the bullets in her arm.

54. **Abdou Karim Jammeh** testified that when they reached near the PIU camp, they saw the PIU standing with their guns. He recalled that he heard gunshots being fired and he told his relative they should run away. As he tried to run away, a bullet struck him and he fell into the gutter. Continuing on, he emotionally explained that the bullet, had struck his left leg around his knee from the back, as he was running away from the direction of the firings. He fell into the filthy gutter and lost consciousness. When he regained consciousness, he realised that he had been shot. He remembered that as he laid there, he could hear gunshots and people shouting. He noticed four (4) students wearing white shirts and black trousers in a terrible condition lying on the road, struggling to crawl on the road and moving as though they were struggling to breathe and move until they all became still and he realised that they were dead. Their shirts were all stained with blood and they had gunshot wounds. He believed that they must have been shot by the same PIU officers that shot him, because they were the ones facing them with guns when the gun shots started.<sup>35</sup> A Red Cross volunteer **Mr. Nyang** was assaulted by security officers while trying to help an injured student. Even though he told the PIU officers that he was a Red Cross volunteer; they did not stop. Two PIU officers were beating and kicking him.<sup>36</sup>
55. **Sainabou Camara** testified that she was abducted around Westfield by PIU officers. She was pulled down by the leg as she attempted to jump over a fence to escape the officers. When they got hold of her, they attempted to strip her, but she had shorts under her uniform. She was beaten all the way to the PIU headquarters at which point she was kicked to the ground. She was stretched out on the floor by four PIU officers and tied up *"like a dead body"* such that she was unable to move any part of her body or talk. She was slapped, beaten with batons and trampled by the officers until she lost consciousness.
56. She woke up in the Royal Victoria Hospital (RVTH) with no idea how she got there or how long she spent there. She was informed by a female nurse, **Ms Njie** that she was taken to the mortuary because she wasn't breathing when she was brought into the hospital. When the bodies were being arranged, **Ms. Njie** was trying to untie the ropes that **Sainabou** was bound with when she discovered that she was still alive. She was removed and taken to the Accident and Emergency Unit. Amongst other injuries, **Sainabou** was found bleeding from her genital area. She revealed in her statement, *"At that time, I could not eat nor ease myself. I was fed through a pipe and I could neither go to the toilet nor sit on my own for almost*

32 Testimony of Oumie Jagne; 18th September, 2019; lines 115-162 ;page 6-8  
 33 TRRC OUMIE JAGNE DAY 83 PT1 18.09.2019 - YouTube 27:55-39:09/1:26;32 accessed 18.10.2021  
 34 Testimony of Oumie Jagne; 18th September, 2019; lines 148-290 ;page 7-13/ A Press Release by the Gambia Red Cross Society published in the Daily Observer Newspaper dated the 11th of April 2000 admitted as Exhibit 0079  
 35 Testimony of Abdou Karim Jammeh; page 25-27; lines 564-580, page 30; 645-661  
 36 Testimony of Abdou Karim Jammeh; page 25-27; lines 564-580, page 30; 645-661

*three months. I was in deep pain and I was on crutches for a very long period...Before we left the hospital, the doctor made me sign a certificate indicating that it is possible that I might not have a child. Some years later, a man came to seek my hand in marriage and my family told him the predicaments but he had faith and said it does not matter if we will have a child or not. With the help of God, I was able to have four children, but when I got married, I suffered from serious stomach aches and I was frequenting the hospital. I had my first child but I immediately lost the child after birth.”<sup>37</sup>*

57. **Abdoulie Bojang** a former Police Officer whose eighteen (18) year old son **Lamin A Bojang** was shot and killed on April 10, 2000, on the first day of the Students Demonstrations on November 21, 2019 testified at the public hearing in Jambur about the incident surrounding the death of his son. He told the Commission that he had gone up country on an official mission and while in Basse he heard about the demonstrations. For him it was normal but on his return he discovered that his son did not come home from school at Nusrat High School in Bundung he went to look for him. He went to Banjul and eventually went looking for him at the RVTH. He went through the various wards and he found the children in various stages of injury crying in pain.
58. He told the nurses that he was looking for his son. When they asked him what his name was he told them **Lamin A. Bojang**. He saw them exchange looks and they informed him that the child was there but that he could not see him. He was angry but they remained calm. He then calmed down also. He went home and informed the mother and the family that he was not allowed to see him. He feared the worst. The next day at nine (9) a.m. he went back to the hospital and one **Dr. Ceessay** informed him that his son had passed away. He asked to see his son’s body and they led him to the mortuary. When he saw his son’s body, his head was covered with a nylon bag with blood oozing out of it. He asked to see his son’s face and when the bag was removed, he saw he been shot above the ear on the right side of his head.
59. He had taken his camera and he took pictures of the body. He told the Commission that there was *one child among the dead that he was very concerned about. He did not know his name and no one came for the boy. He had been shot in the jaw and it was completely shattered and his tongue had fallen onto his chest, making the boy unidentifiable. No one knew where he was from or if anyone was looking for him and he believed that up to today, the child has not been identified or his family found.*<sup>38</sup> When he was doing the charity he did a charity for the child.
60. **Bojang** told the Commission that he had reports that his son was shot on the highway from Westfield junction towards Iceman. He got this information from student’s narrations and the Coroner’s inquest and Commission of Inquiry. The body of his son was handed over to the family for burial two days after the event. He also received reports that the opposition had sent their children to oppose the government. He found this statement very upsetting as he was not an irresponsible parent. Even though he did not know any of the victims or their families he built a database of all the students who had been killed and the contacts of their parents. They established a support network and attempted to hold meetings. However, the network became infiltrated by state security agents and he abandoned the network.
61. It was not only students that lost their lives on that day. Two innocent children lost their lives within the confines of their own homes.

<sup>37</sup> Sainabou Camara-Lowe <<https://www.trrcgambia.org/case-view/be66f90f-3c63-11ea-9f52-02a42364fba0>>  
<sup>38</sup> TRRC LIVE at Jambur: 21-11-2019 Abdoulie Bojang testifies - YouTube accessed 18.10.21

## BOX 1: THE INNOCENTS

Ousman Sembene father of Musa Sembene narrated to the Commission on September 18, 2019, how his three (3) year old son Musa was struck with a stray bullet on the right side of his head at his home in London Corner leading to his death. He told the Commission that on the morning of April 10, 2000 he dropped Musa off at his school. Along the Kairaba Avenue he saw student protesters holding banners occupying the street. At the Pipeline Mosque junction he saw some more protesters at the junction leading to MDI road. They stopped Ousman and advised him to take a different route which he did.

On the way home he was informed that Musa had been shot by an unknown security personnel and was taken to Serekunda hospital. At the Serekunda Hospital he was told that Musa was evacuated to RVTH in Banjul. At the RVTH he found Musa at the Intensive Care Unit (ICU) lying on the bed and he was bleeding through the ears, nose and mouth. In the ward he saw a lot of students with gun-shot wounds lying around.

Musa’s mother informed Ousman that Musa was shot in the head while he was at home. The child was taken home from day care for his safety. Unfortunately this was not the case. He was told that the PIU were responsible for the shooting of Musa.

Musa spent three days at the ICU (10- 12 April) but he received no treatment and the doctors at the hospital offered no explanation. His health condition remained critical. He could not speak and was still bleeding through the nose, ears and mouth. On the fourth (4) day when Ousman demanded for an explanation a Cuban doctor informed him that Musa could not be treated in The Gambia as the facilities needed were not available in the country. The nearest place where treatment can be received is Dakar. Ousman made arrangements for his son to be evacuated to Dakar.

On the 3rd day the Vice President (VP) Isatou Njie Saidu came to the hospital accompanied by a lot of soldiers. He lost all hope of receiving assistance from the government to treat his son when he listened to a news broadcast on GRTS and a government statement read by the VP Njie Saidu putting the blame of shootings on protesting students.

Musa was flown by Sabena Airlines to Dakar. In Dakar Musa underwent surgery and the bullet was successfully removed. His father was told that the three (3) days that Musa did not receive treatment after he was shot in The Gambia worsened his case. Unfortunately Musa did not survive. He died on June 5, 2000 at the Abbas Ndow hospital in Dakar.

All Medical bills were paid by the Sembene family. No assistance was received from The Gambia government or any other institution. The government did not make any effort to investigate the matter and Ousman was not invited to the commission of enquiry that was set up to investigate the student protests and 14 deaths.

**Ref Testimony of Ousman Sambene; lines 127 – 155 pages 9 - 11**

**Independent Newspaper in The Gambia publication**

62. The second casualty was also a toddler. **Amadou Sajaw** was trampled to death in a stampede as students ran away from the security to save their lives. In the process they killed an innocent child.

## BOX 2: THE INNOCENTS

Mohammed Sajaw father of two year old Amadou Sajaw on September 19, 2019, narrated to the Commission how his son was injured and killed in a stampede after a group of students rushed into his compound after being chased and fired at by the PIU at Old Jeshwang. He told the Commission that his compound has two gates a front gate and a back gate.

On April 10, 2000 he was at home and as he stood at the gate of his compound a group of students from Jeshwang, Mass Kah and other schools came running from the Highway into the Jeshwang Road leading to the Jeshwang Prison. They were being chased by the PIU. The men were dressed in black and as they ran after the students they were shooting at them. His son Amadou was playing in the compound when they heard an outburst of gunshots.

The students panicked and ran into his compound. He could not get his child out of the way and the students ran over him. When he eventually got to Amadou he noticed that his body was stretched.

He took him to the pharmacy and the pharmacist pronounced him dead. He returned the child to his house and then went for his mother. James Kujabi, a neighbour was not satisfied by the verdict and decided to take the child to the RVTH.

At the hospital the Nigerian doctor initially refused to examine the child he was talking on the phone for about two (2) hours and completely neglected them. However, when he was told that James Kujabi was a relative of the former President he changed his attitude and apologised. He examined the child and pronounced him dead. It was after that he examined the child and pronounced him dead.

Muhammed Sajaw told the Commission that after the death of his son, no post mortem examination or autopsy was suggested to him by the authorities whose responsibility it was to do so or medical reports issued and he did not know what the procedure was. No death certificate was issued to him too.

They simply took the dead body and buried it.

Mohammed Sajaw saw the mayhem that was at the Accident and Emergency Ward and was appalled at what he saw.

*Testimony of Muhammed Sajaw; lines 25-88 page 5-11*

63. **Killing of Omar Barrow: Awa Sanneh, Omar Barrow's** wife of eighteen (18) months and mother of his five (5) month old baby testified at the Public Hearing of the TRRC on September 17, 2019. She told the Commission that **Omar Barrow** was a staff of *Sud FM* and a Red Cross volunteer. She also confirmed that on April 10, 2000 he was at the Red Cross as a member of the Emergency Response Team (ERT) on standby for any eventuality of the students' demonstration and that he was shot inside the Red Cross headquarters premises. .
64. Narrating the events of the day, **Awa Sanneh**, told the Commission that after **Omar** left for the Red Cross she went about her normal chores. As she left for the market her neighbour told her that the market was deserted due to the student demonstrations. She returned home and told her mother-in-law. The mother-in-law went to a small market nearby in the Latrikunda German area. She returned home sombre and informed her that she saw the student's carrying **Baboucarr Jatta**, and she feared that the repercussions would be serious.
65. While she was cooking they had a flow of people coming in and out. These people already knew about the death of **Omar** but could not say anything due to the semblance of normalcy at the house. At around two (2) p.m. the news was broken to them by a relative whose policeman son had informed her about the death of **Omar**. When **Awa** heard the news she denied in disbelief saying: *"it is not true. Pa Omar cannot die. When he was going to work, I saw him off to the gate. It is not true. He is not dead."*<sup>39</sup> At this point, two of his Red Cross colleagues came to the house and she demanded for her husband. They calmed her down and told her that he was in surgery but they would call her around six (6) p.m. after the surgery to get her to speak to him.
66. With these reassuring words she and the family calmed down. This did not stop people from coming in and insisting that he was dead. Some claimed that they saw him at the mortuary others that they saw his lifeless body after he was shot. At six (6) p.m. as promised a fleet of Red Cross vehicles came to their house. She ran out to enquire and when she was told by one of the Red Cross volunteers *"to take heart as God is in control"* she fainted. She was devastated, confused and lost.
67. A *Daily Observer* newspaper dated April 11, 2000 published a Press Release by The Gambia Red Cross Society (GRCS), titled: **Omar Barrow Killed**<sup>40</sup>. The Press Release stated that **Omar Barrow** died at the RVTH after all efforts to save his life failed. It confirmed that **Omar Barrow** was killed at the premises of The GRCS while he was rendering humanitarian services during the student's demonstration of Monday, April 10, 2000. At the time of the shooting **Omar Barrow** was wearing a clearly marked protective Red Cross emblem that is a Red Cross bib and helmet which were in line with international code of conduct for relief operations and in conformity with the Geneva Convention. **Mr. Omar Barrow** is a member of The GRCS ERT, resource mobilisation committee and was a very dedicated and active volunteer. He died in the line of duty. The GRCS declared a week of mourning for the late **Omar Barrow**. The article was tendered as **Exhibit 0079**. The death certificate of **Omar Barrow** was tendered as **Exhibit 0080**. As the sole breadwinner of the family Omar's death impacted negatively on the family. The family received no help or recognition from the government.

### BOX 3: KILLING OF OMAR BARROW

Pa Momodou Faal a colleague of Omar Barrow at Sud FM in his testimony to the Commission on July 16, 2019, told the Commission that on April 9, 2000, Omar Barrow informed him about a student demonstration that was to take place on April 10 and requested him (Pa Momodou Faal) to cover the demonstration as he would be at the Red Cross. Omar Barrow was both a Red Cross volunteer and also a reporter for Sud FM a private radio station in The Gambia in 2000

On the morning of the demonstration Omar called Pa Momodou to tell him that he was already at the Red Cross and informed him that: "the station will contact you, they will call you so that when the demonstration starts, you will go live. We are going live. I would be at the Red Cross; I would not be on the ground. I would be at the Red Cross to volunteer to help the students." Pa Momodou told him that he was ready.

Later he got a call from Omar to go to GTTI where the students were gathered. As he arrived he saw the Security forces were going towards the students. From GTTI, he moved to Westfield, St II on live coverage. He was also interviewing students at the same time. He then saw soldiers coming towards the demonstrators and they started firing at the students. The students started running for their lives. Some fell and he saw some casualties.

At that point the radio station called him and asked him to send live reports, which he did without disclosing his actual location for safety reasons. While he was doing his coverage he saw the then Army Commander, Baboucarr Jatta, arrive and the students surrounded him, which he reported live. As he was moving towards GRTS, he stopped reporting as he suspected that some soldiers were following him as he had revealed his identity by reporting live while on the ground. He ran into GRTS and hid there for about thirty (30) minutes when he felt it was safe to leave GRTS. When he came out of hiding he was informed that Omar Barrow had been killed.

Devastated and angry he went to their office at Mile Seven (7), his boss, Peter Gomez, asked him if he had heard the news of Omar's death. He confirmed that he had heard and from there he made his way to the mortuary in Banjul. When he arrived, he saw them taking Omar Barrow's body to the mortuary. He remembered seeing blood on his blue shirt, but he could not confirm seeing gunshot wounds. He later learnt from the Red Cross that Omar Barrow had been shot by security forces while assisting students in the premises of the Red Cross.

*Witness Testimony Pa Momodou Faal*  
July 1, 2019 lines 259 to 263, 319, 409 and line 430

### C. EVENTS IN BANJUL

68. Between the hours of 8am and 9am, an officer of the PIU referred to as **Inspector Darboe** approached the fence of Saint Augustine's High School and began yelling at the students within the premises of the school to go into their classes. **Rev Fr David Jarju**, the Vice Principal told **Inspector Darboe** that he must go through him if he intends to talk to the students. Following this, one of the PIU officers with **Inspector Darboe** unsuccessfully launched a teargas canister towards the school. The students jeered at his failed attempt. In response to this, **Police Officer Gorgui Mboob** who was amongst the group of police officers declared that since the students refused to get into their classes, they would get them out. 69. He and the rest of the police officers forced their way into the premises of St Augustine High School, causing students to run and scatter, mostly towards the direction of the school hall. **Ousman Sabally**, a senior teacher at the school who attempted to stop them, was physically assaulted by the officers, causing him injury. In response to this, the students began throwing stones at the officers<sup>41</sup>. The officers fired shots in the air, then two of the officers including **Gorgui Mboob** knelt with AK47 guns and opened fire in the direction of the school hall, causing injury to three (3) students. The students who were injured were **Ebrima Darboe, Baboucarr Jagana and Omar Sosseh**.

### D. EVENTS AT BRIKAMA

70. The demonstrations at Brikama were captured in the evidence of one of the Student Leaders **Lamin Jobe** who lived in Brikama. He testified that on the day of the demonstrations, after he received the news, he rushed out of his house in Brikama. As he made his way towards the Brikama Police Station end, he observed heavy smoke, people running helter-skelter and shouting there was a demonstration. As he walked past the Police Station, he saw it being burnt down. He then found a group of students facing soldiers around the road leading to Brikama Health Centre just opposite Njie Kunda near the Bakery. This was between eleven (11) am and 12 noon. Because of his position, many students recognised him so he started to calm them down and ask them to disperse because things had gotten out of control and the soldiers were involved.

71. All of a sudden, he heard someone yell "fire!" and he heard the sound of live gun fire and a young man standing beside him fell on his feet bleeding and struggling for air, and he now understood that things had turned terribly worst. He believed that the young man must have been taken to Brikama Health Centre although he could not confirm it but there was an unidentified body up to the time of burial who he believed was that young man shot at Brikama. The students were running for their lives and the soldiers started chasing them and continued firing.<sup>42</sup>

72. Someone accused him of being an informer, so the soldiers pounced on him and started hitting him. About four (4) to five (5) soldiers were hitting him with gun butts, slapping

<sup>41</sup> Testimony of Gorgui L. Mboob para 316 - 450 pages 16 - 21

<sup>42</sup> Testimony of Lamin Jobe; page 41-45, lines 908-1003

and kicking him but he did not sustain any injuries. After that, the soldiers went into the interior of Brikama and effected mass arrests of suspected students who were picked up until the vehicle was fully loaded and they were driven to Yundum Barracks.<sup>43</sup> Over a hundred students were detained at Yundum Barracks in a hall. He later came to know that other detainees were beaten all night by the soldiers at Yundum Barracks.<sup>44</sup> One of the detainees was made to dance and if the soldiers were not satisfied at his performance they beat him. **Lamin Jobe** was placed in a cell for a week from Monday 10 to Friday 14, April 2000 after which he was taken to the Police Headquarters for questioning and later transferred and detained at the NIA for a week. At the NIA he met **Nakulang Ceesay** advisor to the Sub Union and **Pa Alasan Ceesay**, treasurer GAMSU

## E. SUMMARY OF TESTIMONIES OF ADVERSELY MENTIONED PERSONS

73. **Baboucarr Sowe** admitted that violation that took place was a major failure on his part and he took full responsibility for not taking over command of the forces on April. 10, 2000<sup>45</sup> He stated that he helplessly stood by, doing nothing and watched the Police chasing students and beating them in breach of an operational order he purportedly issued before the incident. He had previously disagreed that it was a failure on his part and described it as a rather unfortunate circumstance which he would have handled differently.<sup>46</sup> He admitted that the Operational Commander reported directly to him and that he could have assumed command over his men but he did not because it did not occur to him at the time that he should. He stated that as per his operational orders, they should use only that force that is necessary, the witness stated that the actions of the police were provocative by beating students and chasing them and this led to the chaotic situation.<sup>47</sup>
74. He left GTTI without any command and went to the PIU in search of **Momodou Ceesay** who was not at GTTI but was not also at the PIU premises. He also called him but couldn't reach him. He then continued to Westfield. He agreed that since no one was in charge or in control of the forces at GTTI, things were completely out of hand, and that contributed to the chaos.<sup>48</sup> He stated that he had no idea how many weapons were issued. He admitted to failing to do 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 initiate an investigation to find out, who did what, who carried the weapons, who died, who fired, which under normal circumstances his office should have been able to do that. This was a failure on his part<sup>49</sup>
75. He apologised to the victims and their families for failing in his duties as the operational commander of the police at that time.<sup>50</sup> He admitted that the riot gear was not sufficient to go round stations for the general duty Police Officers who were left defenseless as we see in the testimony of **Awa Sanneh Bittaye** and also through the evidence of the destruction of Police Stations, Fire Station, other equipment and other government installations.<sup>51</sup>

43 Testimony of Lamin Jobe; page 45, lines 1003  
 44 Testimony of Lamin Jobe; page 45-47, lines 1004-1058  
 45 Testimony of Baboucarr Sowe para 720 - pages 34 -35  
 46 Testimony of Babouca Irr Sowe para 703 - 720 pages 37  
 47 Testimony of Baboucarr Sowe para 740 - 777, 778 -781 pages 38 - 40, 41  
 48 Testimony of Baboucarr Sowe para 781 - 821 pages 41 - 42  
 49 Testimony of Baboucarr Sowe para 961 - 986 page 49 - 50  
 50 Testimony of Baboucarr Sowe para 986 - 1030 page 50 -52  
 51 Testimony of Baboucarr Sowe para 923 - 960 page 47 -49

76. The witness acknowledge that there was insufficient riot equipment for the police during that period. He insisted that he did prepare an operational order and disseminated it to the divisional commander prior to the incident. At page **26 of exhibit 83**, the Commission of Inquiry found that his handling of the operations was not ineffective and unsatisfactory perhaps due to inexperience.
77. **Momodou Ceesay** admitted during his testimony that the attack on the students was unwarranted because they were peaceful up to that point. The witness insisted he received an oral order to take charge of the situation and no operational order was given to him. He acknowledged that it was a failure on the part of the Police administration for failing to deliver an Operational Order that would guide the operations on that particular day. He admitted that his men attacked, beat and fired tear gas at students without provocation and when they ran away, they chased, beat and arrested. He accepted responsibility for whatever happened on April 10, 2000 at GTTI in terms of the beating, chasing and the throwing of tear gas because he was Officer Commanding but denied that his men shot at the students.
78. **Rex King** the IGP testified that he did not receive any request for permit to demonstrate from the students. He stated that it was the responsibility of the Commissioner of Operations, **Baboucarr Sowe** to issue an Operational Orders and disseminate them to other Units.<sup>52</sup> He admitted as head of the police, he had to take ultimate responsibility for the fundamental lapses and problems within the institution.<sup>53</sup> He accepted that whilst he was in his office, he received information that his operation had gone bad and there were casualties but he did not withdraw the forces. He further stated that once the GTTI area had been cleared he started to get information that they are doing other things in other places some of which had nothing to do with to do with the Police.<sup>54</sup>
79. He kept asking question as to who authorised the use of live ammunition and many other questions, but sadly he had no answer to the question.<sup>55</sup> He asked the Commander on the ground **Ceesay** *how did the shooting come about*, he said *"boss, nobody is talking"*. He stated that there was a way of determining whether in fact his Units used live ammunitions or not apart from asking them and the simplest way was to check with them in terms of what they had in stock prior to the incident and what they had left after that. He did not order an audit of the ammunition because by June he had been dismissed <sup>56</sup>He acknowledged that there were lots of failures on the part of the Police but there were people on ground who ought not to have been there. When **Tamsir** came to his office and said to him *"they blew it up, they messed it up Rex everything was going on nicely but these guys,"* he said *'who are these guys,'* of course he would not tell him who these guys are. So he went the other way he said by the way *"who and who was there"* he said *"oh the Minister Ousman Badjie was there, Chief of Staff was there"*, some names have even been forgotten now, so he said to him *"but Tamsir what were they doing there."*<sup>57</sup>
80. He admitted failure not having control over the situation but started that he did not receive any orders to punish those responsible for the violations.<sup>58</sup> He said that he was hands off on

52 Testimony of Rex King 1/10/2019 para 807 - 830 page 37 - 38  
 53 Testimony of Rex King 1/10/2019 para 831 - 854 page 38 - 39  
 54 Testimony of Rex King 1/10/2019 para 1197 - 1226 pages 54 - 55  
 55 Testimony of Rex King 1/10/2019 para 1228 -1278 page 56 -57  
 56 Testimony of Rex King 1/10/2019 para 1280 - 1339 page 57 - 60  
 57 Testimony of Rex King 1/10/2019 para 1397 - 1423 pages 62 - 64  
 58 Testimony of Rex King 1/10/2019 para 1467 - 1493 pages 65 - 67

the situation because he was a perceived UDP sympathiser and it was a fearful environment.<sup>59</sup> He also indicated that perhaps people did not speak up because of the climate of fear,<sup>60</sup> as his own staff refused to provide him with information.<sup>61</sup> In exhibit 83 on page 26 the Commission of Enquiry found that the IGP **Rex King** showed negligence or lack of control over the machinery of the operations of the Police Force.

81. **Ousman Badjie** who was the Secretary of State for the Interior at that time testified that during that period, internal affairs was under the portfolio of the Department of State for the Interior. He stated that he had to retract and leave **Baboucarr Jatta, CDS** as they were under attack with stones from the students. He told the Commission that because of what happened in the past when he was unlawfully detained and victimised, he feared asking questions or taking measures at that point in time even though he had an obligation to do so. He also accepted responsibility for the false press statements he made containing unreliable information. He refused to take responsibility for the shootings but accepted that there are some steps that he should have taken and did not.
82. **Baboucarr Jatta** attributed the mayhem to a group of six (6) to seven (7) PIU officers who were wielding AK47 weapons and chasing the students. He informed the Commission that he shouted: “down, down, down” but nobody listened to him. They continued running and he and his orderly went down at that point. **Baboucarr Jatta** said ‘down’ after he heard the sound of multiple live rounds of gunshots from the AK47s as the PIU officers tried to push back the students. He explained that he and his orderly had to crawl on the ground for some time on the other side of the road until after the officers were past them. When he got up, he saw the soldiers chasing the students with their AK47s cocked and pointed at the students and he saw the first casualty. He also indicated that 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.
83. The former **Vice President, Isatou Njie Saidu** was in charge of the country as former **President Yahya Jammeh** was out of the jurisdiction. She accepted responsibility for her actions but insisted that she did not direct such action. For even though she was technically the head of the country in reality former **President Yahya Jammeh** was in control. She told the Commission that she learnt about the casualties two or three days after that incident as she was busy with other engagements.<sup>62</sup> When it was suggested that as **President** of the country at that time it was a serious disaster that she did not know what was happening in the country.<sup>63</sup> She agreed that the only reason they would want to bring the Army in is to add more force and she accepted responsibility as the Head of the country although she was not in charge of the operation.<sup>64</sup> She also did not make an effort to get in touch with the deputies of the Security Chiefs she was not able to contact and even though that would have been the reasonable thing to do under the circumstances but because it was such a confusing situation that she could not even think of that. She admitted that was another important failure.<sup>65</sup>

59 Testimony of Rex King 1/10/2019 para 1494 – 1560 pages 67 - 70  
 60 Testimony of Rex King 1/10/2019 para 1561 - 1647 pages 70 - 73  
 61 Testimony of Rex King 1/10/2019 para 1648 – 1694 pages 73 - 74  
 62 Testimony of Isatou Njie – Saidu 3/10/2019 – para 890 – 915 page 40 - 41  
 63 Testimony of Isatou Njie – Saidu 3/10/2019 – para 916 – 933 page 41 - 42  
 64 Testimony of Isatou Njie – Saidu 3/10/2019 – para 1170 - 1214 page 52 -54  
 65 Testimony of Isatou Njie – Saidu 3/10/2019 – para 260 – 273 page 13

84. News of the demonstrations was announced in the various media outlets which highlighted that several students were killed and some were injured. Consequently, the demonstration spread beyond the Kombo’s to provinces. Students all over the country were angry at the actions of the state against the students. So they decided to stage demonstrations in solidarity with the students

## F. ESSAU

85. **Sainey Senghore** a student in Essau Senior Secondary School testified to the Commission on August 20, 2019 about the student demonstrations in Essau on April 11, 2000. He told the Commission that he walked home from Essau towards Barra in front of the group of demonstrators who were shouting “Justice .... for Ebrima and Bintu.”<sup>66</sup> When they reached Essau, the students vandalised the building of the Gambia Ports Authority (GPA) weigh bridge building by throwing stones at windows and destroying them.<sup>67</sup> After they left the GPA Weigh Bridge, coming towards Essau just before the Health Centre, they saw up to ten (10) Police Officers standing in a line holding AK 47 guns. They started shooting in the air and by the time he heard the gunshots and turned round and attempted to run, he was shot on his right leg. He could no longer move so he fell to the ground. After sometime, the landlord of a nearby compound came out to help him with some of the students who were seeking refuge in his compound. After applying some first aid help, he was rushed to the Health Centre through the back route because the Security Personnel were at the Check Point still shooting.<sup>68</sup>

## G. FARAFENNI

86. **Lamin B. Camara**<sup>69</sup> was sleeping at home on April 11, 2000 when the security officers burst into his room and started beating and gun butting him. They asked him to put on his school uniform and follow them. One of the officers a female called **Neneh** pulled off his towel and he became naked. His mother pleaded that they should allow him to put on his clothes but they refused. When he came out of the room there were already ten (10) students under arrest and he was asked to join them. They were made to walk about two hundred (200) metres to the Farafenni Barracks. His mother followed them with his clothes and one of the officers took it from them and gave it to him to put on. At the Barracks they were put into a garage. While they were seating an army officer came and asked them to go home. Upon arrival the whole family was crying at the inhumane and degrading treatment he had received at the hands of the people who came to arrest him. His father lodged a complaint with the head of the Military Barracks in Farafenni and a few days later a Lt. **Gomez** or **Mendy** came to apologise to the family. About two weeks later he became dizzy and was taken to the Farafenni Hospital. He was referred to the RVTH in Banjul. And he was diagnosed with Post Traumatic Epileptic Seizures. He was hospitalised in Banjul from April 24-26, 2000. He still suffers from the seizures. *The Independent* Newspaper heard his story and published

66 Testimony of Sainey Senghore para – 147 page 6 - 8  
 67 Testimony of Sainey Senghore para 118 – 151 page 4 - 8  
 68 Testimony of Sainey Senghore para 152 - 230 - page 4 - 8  
 69 Witness statement Lamin Camara incident ID 845 Submitted August 5, 2019

it on May 8 and 11, 2000. When he went back to school the school administration under **Mr. Marong** expressed regret at what happened and promised to give him assistance anytime he needed it.

## H. BRIKAMABA & JANJANGBUREH

87. The student leaders and other students in Brikama Ba decided to also stage a protest on April 11, 2000, in solidarity with their colleagues in the Kombo's. On the night of April 10, about three (3) soldiers arrived in Brikamaba from Kudang Army Barracks. They arrested four (4) students from Brikamaba School including **Malick Jallow**, the Deputy Head Boy and detained them at the Brikamaba Police Station. The soldiers also imposed a curfew, in the village.<sup>70</sup>The following morning, soldiers with AK47 rifles from Kudang Military Barracks were stationed at the school gate to prevent the students from entering the school premises. It was at this juncture that the students got the information about the arrest and detention of **Hamadi Sowe** and **Malick Jallow** which angered them. An altercation ensued which resulted in the firing of blanks shot in to the air by the soldiers.
88. **Musa Kanaji** a 16 year old Grade 9 student of Brikama Ba Junior Secondary School<sup>71</sup> testified to the Commission on August 22, 2019 that soldiers started chasing the students into the village. The students retaliated by throwing stones at the officers. In response, the officers fired live rounds at the students resulting in the killing of **Sainey Nyabally** of Brikamaba, **Ousman Sabally** of Kerewan Samba Sira and injuring many others including himself (**Musa Kanaji**) **Ebrima Saidu** and others. In the hours following the protests, soldiers went around arresting students from their homes. Student were beaten during arrest and some were detained at Janjanbureh Prison for weeks under terrible conditions and physically assaulted during detention. Many students suspected of having taken part in the protests and elderly/prominent community members were arrested in the weeks that followed, physically assaulted and detained at Janjanbureh prison. Students who were arrested in the night of April 10 were also subject to torture to reveal information on the plans to protest the day after<sup>72</sup>. These students were arrested by a military team from Kudang led by **Wassa Camara**<sup>73</sup>
89. **Musa Kanaji** further testified that the following morning they found some soldiers who were stationed at the school who prevented him and a group from entering the school. When they arrived at the school on April 11, 2000 at around 8 am with a group of about twenty (20) students he saw three armed soldiers suspected to be from those who arrived the previous day from the Kudang Barrack standing by the front gate of the school with guns he recognised as AK 47.<sup>74</sup> When they insisted on entering the school and started moving, the soldiers fired in the air and they all fled in different directions to take refuge in different places. He went towards the highway and started throwing stones at the soldiers. Apart from the stones, the students did not carry ammunition or any other weapons. The soldiers ran after the students and started firing.<sup>75</sup>

70 Testimony of Musa Kanaji; page 5-8, lines 67-116

71 Testimony of Musa Kanaji; page 3-4, lines 37-47

72 Sulayman Mendy's statement to the TRRC <<https://www.trrcgambia.org/case-view/28147344-ce58-11e9-bec0-02a42364fba0>>

73 Mbemba Bah's Statement to the TRRC <<https://www.trrcgambia.org/case-view/b1a50763-ce4a-11e9-bec0-02a42364fba0>>

74 Testimony of Musa Kanaji; page 8-11, lines 117-174

75 Testimony of Musa Kanaji; page 11-14, lines 175-237

90. **Ansumana Kanaji** brother to **Musa Kanaji** in his written statement, Incident ID, 841 submitted to the TRRC on the October 2, 2019, narrates how he was arrested from his home by **Wassa Camara** and a group of soldiers. When they entered his house he was gun butted, kicked and beaten. Four soldiers were jointly beating and kicking him all over his body. He was stripped half naked and then they put him and other students in a truck and taken to the Brikamaba Lumo junction. They were made to alight and were made to crawl from the Brikamaba Lumo to the Police Station. They were forced to do it all night until he fainted. He saw two of his colleagues **Mbemba Bah** and **Omar Mbye** also being subjected to the same treatment. He incurred severe injuries on his knees, ears, eyes and genitals. After this he was forced to sign a statement which was prepared by the police officer. When he refused to sign the statement he was handcuffed and threatened with a pistol that he would be shot if he did not sign.
91. **Sulayman Mendy** in his statement to the TRRC stated that on April 10, 2000, the students of Brikama-Ba organized a meeting which was held around the cemetery of Dasilameh (a hamlet nearby Brikama-Ba), after getting the information of the student demonstration in the Kombos, **Malick Jallow** who was the regional GAMSU representative highlighted the purpose of the meeting and advised them to conduct a peaceful demonstration the following morning. They agreed to march peacefully from the school gate towards the Police Station via the market and back to the school campus. After the meeting **Sulayman Mendy** stated that he returned home at police quarters immediately at around nine (9) pm. As he passed to get to his room, he saw **Lamin Manneh** (ex-student of Armitage), the Station Officer (SO) of the Police Station, and the Criminal Investigation Division (CID) officer **Fakebba Darboe** discussing something. He said the following morning, at around five (5) am in the morning, he heard a knock on his door and when he opened the door, he saw **Fakebba Darboe** and **Giri Njie**, a soldier. **Giri** was armed with a rifle. They arrested and escorted him to the Police Station where he met **Hamadi Sowe** and **Malick Jallow** the Head boy and Deputy Head boy respectively.
92. At the police station he was interrogated about their meeting and was tortured by **Lamin Sambou** who hit him on his face and injured him on the right eye. He said the others present at the scene were **Giri Njie (then lance corporal RP, now staff Sergeant)**, **Kambi (Turkey's Soldier)**, **Lamin Sambou**, **Lamin Camara, a Sergeant (he was an electrician, now under the construction unit)** **Fakebba Darboe** and his sibling brother, private **Paul J. Mendy** (who passed in the first contingent to Darfur 2003).<sup>76</sup>
93. Later, they received information from other colleagues participating in the demonstration that **Ousman Sabally** was shot. After the students heard the news, their anger intensified, they went into the village they kept throwing stones at the soldiers. As the crowd was increasing, the soldiers continued to fire their guns to disperse the crowds. A short distance away from the Brikama Ba Primary School on the Banjul/Basse highway with some of his colleagues, they came across three (3) soldiers he believed to be from Kudang Barracks also standing on the highway. One of the soldiers who was black in complexion, not very well built, average height left the other two who were retreating back towards the Police Station end and he started advancing towards them intently pointing the muzzle of his gun at them.<sup>77</sup>

76 Statement of Sulayman Mendy paragraph 5, line 6-7 <https://www.trrcgambia.org/case/28147344-ce58-11e9-bec0-02a42364fba0>>

77 Testimony of Musa Kanaji; page 16-18, lines 274-310

94. Before he could realise what was happening, he opened his eyes and realized that he was lying on the ground. He got up without realising what was happening until a student behind him said to him “*boy you have been shot*” so he put his hand behind his back and felt the blood. He had been shot with a single bullet on his spine between two (2 ribs). **Musa Kanaji** testified that when he arrived at the Health Centre, he found **Ousman Sabally** lying down with blood oozing out from his chest with great force from a gunshot wound to the heart despite a bandage that had been placed there to stop the bleeding. He later came to realise that **Ousman** was on the verge of death at the time as he stretched himself gasping for air and raising his head as if he was trying to get up and the nurses would hold him down.<sup>78</sup>
95. They were both referred to Bansang Hospital along with his brother **Kitim Kanaji, Ousman Sabally** and their Principal **Merican Mendy**. Musa also told the Commission that whilst he was at Bansang Hospital he received reliable information that one **Sainey Nyabally** a teenager of Brikamaba Primary School was shot by the soldiers. Two other school going children were shot, one in the head and the other on his side by the soldiers. Other individuals were also beaten and injured in the same incident by other soldiers from Basse, who came to reinforce the soldiers from Kudang at Brikama Ba.
96. **Sulayman Mendy** indicated that while in his cell at the Briakamba Police Station, he saw the students approaching the station and his brother **PJ Mendy** started firing at them with rubber bullets and he wailed and told him in the Manjago language, ‘*please don’t shot them*’ and he replied, “*it was fake bullets*”. He also heard the students clearly shouting: ‘*fake bullets*’. He later saw some of the students picking stones at the nearby compound opposite the police station and started pelting stones at the Police Station. He said the premises became very noisy and he could hear gunshot as well. He stated that **Giri Njie** was drunk (he was continuously drinking “*pastis alcohol*”) and was firing his gun. At one point, he noticed **Giri** about to fire his machine gun but **Nadinding**, the SO forcibly stopped him by wrestling **Giri Njie** until they both fall on the tar road.<sup>79</sup> He further told the Commission that about seventy five (75) students were arrested and detained at Janjanbureh Prison<sup>80</sup>
97. **Njie Manneh** a Grade 9 student of Brikamaba Junior School who was part of the April 11, 2000 demonstrators was arrested along with **Buramanding Fatty** and **Faye Sanneh** (a UDP supporter) by the soldiers from the Kudang Military Barracks on the first day school resumed after the demonstrations just outside the school gates and taken away in a military vehicle to Janjanbureh Prison. They were detained for almost two weeks without being charged. He stated that after the student’s demonstration, the whole issue was turned in to a political affair and the UDP was accused of using the students as a tool to start the disturbances hence many of their leaders in that area were arrested.
98. **Lamin Kebba Njie** a teacher of Briakamaba Junior School testified before the Commission of Inquire of 2000 that one **Modou Bah** was shot in the shoulder, another old man **Bun Mbye** was shot in the back. Students were arrested and tortured in his presence. They were made to crawl and were beaten by soldier. He was hit with the butt of a gun by one **Corporal Ceesay**. Police Officer **Lamin Drammeh** who was armed and Immigration Officer **Tamsir Jobe** were involved. Detective **Fakebba Darboe** and the Station Officer **Mamanding Fatty** were armed with a pistol. This evidence was corroborated by several witnesses from Brikamaba.<sup>81</sup>

78 Testimony of Musa Kanaji; page 21-23, lines 370-412  
 79 Statement of Sulayman Mendy, paragraph 7, line 1-5  
 80 Statement of Sulayman Mendy, paragraph 8, line 1-2  
 81 Report of the Commission of Enquiry into the Public Disturbances of the 10th and 11th April, 2000 page 28 - 30

99. **Ebrima Saidy** testified to the Commission on September 16, 2019, that on April 11, 2000 he went in search of his children at their school to bring them to safety.<sup>82</sup> As he approached the school, he was able to identify armed soldiers inside the school. He rode towards home after being informed that his children went home. He got shot while standing along with other elders around Brikamaba Police Station. The bullet pierced through his back and came out through right side of his stomach. He said, he was assisted to the Brikamaba Heath Centre and later referred to Bansang Hospital where he was treated and admitted for three months.<sup>83</sup> He blamed the soldiers and the person in charge of the Brikama Ba Police Station where the shootings emanated from.<sup>84</sup>
100. **Merican Mendy**, Principal of Brikama-Ba Upper Basic School testified that on April 10, 2000, a CID Officer by the name of **Fa Kebba Darboe** came to the school and asked him whether he had noticed anything strange about his students because of the demonstration in the Kombos and he responded in the negative and that they carried on with lessons as normal.<sup>85</sup> After school in the evening as he was watching TV with students at his official quarters in the school, all of a sudden, they heard commanding voices coming from four military officers and one Police Officer telling them to disperse. The students left and he was advised by the Police Officer not to sleep at his house if he valued his life so he spent the night with a friend one **Mustapha Njie**, Headmaster of the Primary School which was just across the road from his school.<sup>86</sup>
101. **Merican Mendy** further told the Commission that on April 11, 2000, he went to the school around eight (8) a.m. and was accosted by a soldier standing by the gate who refused to allow him entry into the school. He identified himself as the Principal of the school and that he needed to enter to convince the students to go home. He was informed by the soldiers that they were ordered not to allow anyone into the school.<sup>87</sup> He had seen two armed Soldiers with AK47.<sup>88</sup> Upon entering the school, he advised the students to go home as there was no school that day. After a while, some students came into his office and informed him that the **Head Boy, Hamadi Sowe** and the **Deputy Head Boy, Malick Jallow** had been arrested during the course of the night and detained at the Brikamaba Police Station. They pleaded with him to go to the Station and secure their release and he agreed. He asked the students to disperse but some of them were lingering around because they wanted to go to the Station with him. During that discussion, a Soldier came in to his office and said “*Master, tell your children to go away.*” The students insisted that they would not leave leading to a push and pull and finally they were chased out of his office towards the school gate with the Soldier pursuing them out of the school into the village. He then came out of the school and continued to ask other students who were still gathered to disperse and go home.<sup>89</sup>
102. **Merican Mendy** narrated that while at the compound which was used as a teachers’ staff quarters near the Banjul/Basse Highway, he observed students on the said highway picking and throwing stones in the direction of soldiers further up the road. The soldiers reacted by firing back at the students. During the shooting incident, whilst he was still at the Teachers

82 Testimony of Ebrima Saidy; Page 3; Lines 24 -79; page 3-5  
 83 Testimony of Ebrima Saidy; Pages 6-7; Lines 112-130  
 84 Testimony of Ebrima Saidy; Pages 8,9-11; Lines 167 - 216  
 85 Testimony of Merican Mendy; paras 348-358, 402-419; pages 17, 19-20  
 86 Testimony of Merican Mendy; paras 477-509; pages 22-24  
 87 Testimony of Merican Mendy; paras 514-560; pages 24-26  
 88 Testimony of Merican Mendy; paras 642-649; pages 29-30  
 89 Testimony of Merican Mendy; paras 561-638; pages 26-29

Quarters, all of a sudden **Musa Kanaji** who he heard appeared before the TRRC was brought to the next compound bleeding from either his right or left leg. He went to the compound where **Musa** was and found a teacher rendering First Aid treatment to him to stop the bleeding. **Musa** was then taken to the Health Centre by other students.<sup>90</sup> **Merican Mendy** stated that, although he did not witness the shooting of **Musa Kanaji** but he was present when he was brought in and he concluded that he suffered a gunshot wound due to the nature of his injuries and the surrounding circumstances of the shootings he observed from the soldiers on the highway.

103. Apart from **Musa Kanaji**, two other students of his were shot. One of them was **Ousman Sabally** a 16 year old Grade 9 student who was shot in the chest was also brought in by students 10 minutes after **Musa** was evacuated to the Brikamaba Heath Centre. They laid him down in front of them because he was unable to stand. He was bleeding from a fatal gunshot wound he sustained.<sup>91</sup> He was subsequently taken to the Health Centre. One of the students who brought **Ousman Sabally** came with an AK 47 Magazine fully loaded with sharp metal bullets which he claimed to have picked up from the side of the road. After looking at it, he passed it on to a teacher (**one Mr. Lamin Njie**) who he believed subsequently submitted it as evidence at the Commission of Enquiry<sup>92</sup>
104. After **Ousman** was taken to the Health Centre, he went to the Brikamaba Police Station and confirmed the detention of the Head Boy **Hamadi Sowe** and the deputy Head Boy, **Malick Jallow** both of whom had been detained there from the night before.<sup>93</sup> No information was received from the Police about why they had been arrested. He did not believe their families had been informed and it was obvious that they had no access to a lawyer.
105. **Merican Mendy** explained that from the Police Station he headed to the Health Centre where he found **Musa** and **Ousman** already placed in the Ambulance for referral to the Bansang Hospital and he joined them. Upon arrival at the Hospital, **Ousman** was pronounced dead, although he believed that he died en transit to the hospital.<sup>94</sup> **Musa** was admitted in Bansang and later referred to Banjul.<sup>95</sup> The following day, on April 12, 2000 **Ousman's** body was collected from Bansang hospital by members of his family, himself and members of the Parent Teachers Association (PTA) of the school and buried at his home in Kerewan Samba Sira.<sup>96</sup> **Merican Mendy** told the Commission that after the burial of **Ousman**, he decided to visit the student detainees at Janjanbureh Prison with members of his PTA but they were not allowed access to the Prison. So they went to seek the assistance from the Principal Education Officer (PEO) at the Regional Education Office but he could not help as his office was burnt down.
106. In addition to **Musa**, there were other students who were injured and hospitalised. When they were in Bansang Hospital, the elder brother of **Musa**, **Ansumana Kanaji** was also brought in for treatment after he sustained some wounds from being beaten. Although he was not informed who beat him, he came to the obvious conclusion that it was the security forces.<sup>97</sup> He also later came to know about the fatal shooting of a primary school student by the soldiers.<sup>98</sup>

90 Testimony of Merican Mendy; paras 650-709; pages 30-32  
 91 Testimony of Merican Mendy; paras 710-723; pages 32-33  
 92 Testimony of Merican Mendy; paras 739-772; pages 33-35  
 93 Testimony of Merican Mendy; paras 772-795; pages 35-36  
 94 Testimony of Merican Mendy; paras 711-713, 847-853; pages 32-33  
 95 Testimony of Merican Mendy; paras 815-817, 847-853 pages 37-39  
 96 Testimony of Merican Mendy; paras 830-835 page 38  
 97 Testimony of Merican Mendy; paras 854-863 pages 38-39  
 98 Testimony of Merican Mendy; paras 864-873; page 39

107. Unlike the riots in other parts of the country, the riots in Janjanbureh didn't begin as a peaceful protest. As narrated by **Muhammed Phatty** in his statement, the students of Armitage High School were outraged after watching the eight (8) pm GRTS news and seeing the death and destruction.<sup>99</sup> They decided not to vent their anger on the school. They rushed out of the school campus and first of all attacked the Janjanbureh prison, pelting the roofs with stones. They quickly discontinued this when one of them, cautioned that they had no business with the prison and should target the police station instead. The police fled the station when the students got there. The building was burnt down. The GAMTEL phone booth was vandalized. The post office was also broken into. The students then went to the Janjanbureh power station and instructed the man in charge to switch off the power supply so that they would not be easily identified. When he resisted he was pelted with stones and he did what they wanted. In anticipation of the deployment of soldiers, the students cut off the ferry crossing line so that the soldiers, who were likely to come through Sankulay Kunda, would be slowed down.<sup>100</sup>
108. In the early morning of April 12, 2000, soldiers removed students from their dormitories and amid beatings rounded them up at the basketball pitch. The beatings continued when the student were seated on the grounds of the pitch. Amongst the soldiers named to have taken part in this were **Army Captain Keita** and **Wassa Camara**. The soldiers called from a list which bore the names of alleged riot leaders and arraigned these students on the ground in front of the rest of the students. These students were later boarded into a military truck and transported to Methodist Primary School<sup>101</sup>. They were beaten with sticks, batons and rifle butts during the journey to Methodist Primary, which only intensified after they were detained in a classroom there. Later the students were again asked to board a truck and were this time transported to Janjanbureh Prison. Additional students were brought into the cells and severely beaten. They remained in the prisons until the evening hours of the following day. They were not given food by the soldiers during this time. Those who had family in Janjanbureh had meals brought to them which was shared amongst the detainees, but it wasn't enough.<sup>102</sup> The students were then transported back to the school grounds and detained in the girls' dormitories. They were beaten through the night and forced to give information about other students.
109. **Ansumana Sanno** was an active participant in the demonstrations even though he was physically disabled. In his statement Incident ID 405, submitted to the TRRC on October 10, 2019 he narrates the events that happened at his school. He was woken up at six (6) a.m. by a soldier who kicked him and beat him. He got up took his crutches and started to walk. As he came out of the dormitory he saw the soldiers chasing the students, beating, gun butting and kicking them. There was chaos everywhere. They were taken to the football pitch while beating them all the way. When they had rounded almost seventy five (75) percent of the students they asked which of them had been insulting the former President's mother. He told them that this was a false allegation against him. They were kept in the pitch until eight (8) p.m. without food or water and then they were taken to the Methodist Primary School in Janjanbureh.

99 Corroborated by Abdou Tambajang and Ansumana Sanno  
 100 Ansumana Sanno, corroborated by Muhammed Phatty <<https://www.trrcgambia.org/case-view/ee1b0d5d-eb62-11e9-be0-02a42364fba0>>  
 101 Abdou Tambajang <<https://www.trrcgambia.org/case-view/c997f4c7-391b-11ea-9f52-02a42364fba0>>  
 102 Muhammed Phatty <<https://www.trrcgambia.org/case-view/0c35b69a-e9d6-11e9-be0-02a42364fba0>>

110. On the way they were beaten with sticks and batons and gun butted. They were beaten all night long. They were tortured so that they would reveal the names of the students who vandalised the GAMTEL booth, the NAWEC and the ferry. The leaders were identified as **Bakary Jobarteh** and **Bamba Jobarteh**. **Bamba Jobarteh**, was named as one of those who broke the GAMTEL telephone coin box. When the soldiers went to arrest him, they couldn't find him so they arrested his grandmother instead. **Bamba** came the following day so that they would release his grandmother. He was severely beaten by a soldier called **Lamin Jatta**<sup>103</sup> despite being told that **Bamba** has health issues due to which a doctor had ordered that he shouldn't participate in daily duties at school. **Bamba** died subsequently at the Bansang Hospital from his injuries. Because he had to walk on crutches, **Ansumana** was mocked and called names by the soldiers. **Balla Musa Saidykhan** used the crutch to beat him to his satisfaction. On the third day of their detention they were joined by students from Kuntaur. They were then taken to Janjanbureh Prison where they were detained for nine (9) days and then released on bail.<sup>104</sup>
111. In his written statement to the TRRC, Incident ID 445 dated October 3, 2019, **Bolong Tamedou** a student at the school at that time narrates his ordeal. He and two of his colleagues –**Mbemba Jobarteh** and **Lamin Jobe** recognised a soldier by the name of **Balla Musa Saidykhan**. He was a teacher before at Brikamaba Upper Basic School and the students thought that he would be empathetic. On the contrary he detested the fact that they recognised him and believed that this was a threat to his job. Consequently he beat the students mercilessly, kicking and gun butting them. When **Wassa Camara** knew about the torture he stopped him and **Balla Musa Saidykhan** would only beat them in the absence of **Wassa Camara**. On the third day, April 13, 2000, it was announced that the students who were not part of the demonstration would be released. He was one of the lucky ones. However, he had to work home from Janjanbureh to Brikamaba. His mother had to be nursing his wounds on his ribs, head and lower abdomen. For the following three months he had to be hospitalised at Jahali and Bansang hospitals and his schooling was interrupted for that period. According to **Bolong**: "*Mbemba Jobarteh died a week or two after our release due to the injuries he sustained as a result of the beating.*"<sup>105</sup>. However the records shows that the person that died is **Bamba Jorbateh** as mentioned by **Ansumana Sanno** and not "**Mbemba**" as such **Bolong** must have been mistaken as to name. He himself lost interest in his education and his family had to encourage him to go back. His whole family were traumatised by the events.
112. It was not only the students who suffered at the hands of the security forces during this period. Parents who went to look for their children on those fateful days were brutalised. **Ebrima Saidu** was on his way to collect his children at Brikamaba. He was shot through the back and the bullet penetrated his stomach. He was hospitalised for three (3) months at Bansang hospital. **Jalamang Makalo** was imprisoned for eleven (11) days at Janjanbureh Prison for going out to look for his children. Adults who complained about the way that students were treated were also maltreated. **Muhammed Jimbong Sawaneh** who openly protested at the way that the students were treated was physically assaulted and detained at Janjanbureh Prison for eighteen (18) days.

103 Ansumana Sanno, witness statement ID 405, date 10.10.2019 para 11

104 Ansumana Sanno, witness statement ID 405, date 10.10.2019 para 14

105 Bolong Tamedou, witness statement Incident ID 445 date 3.10.2019 page 3 para 4

113. **Mbemba Barry** testified that some of the student protesters in McCarthy were taken to Janjanbureh Prison. The proper procedure was not applied to those students who were taken to Janjanbureh Prison because they should have been charged, cautioned, their statements taken in the presence of their parents for those who were children and tried. Also the proper procedure for their detention was to take them to the Juvenile Prison in Jeshwang and not Janjanbureh Prison which did not have a Juvenile detention facility. These children were interrogated without their parents being present, they were not charged for any offence neither were they taken to court but rather taken to an adult prison which was not appropriate for them. It was not the normal procedure either for soldiers to escort detainees to prison nor was it their responsibility. That was the work of policemen.<sup>106</sup>

## I. BANSANG

114. **Major Wassa Camara** testified that after he left Janjanbureh he and his men arrived in Bansang around eight (8) p.m. He found the students of Bansang Senior Secondary School were planning to participate in the demonstrations. Tree trunks and stones were placed across and alongside the road, to stop vehicles and students were leaving the school coming into the streets. He positioned men to secure the GAMTEL Antenna and to patrol and clear the streets of students and convince them to go back to home and stop vandalizing public property. He also addressed the students and his men along the road. He remembered seeing a Police Officer beating a student so he stopped him and admonished him.<sup>107</sup> When he reached the Police Station he found **Lt. Samba Baldeh** from Basse Military Post with some troops who came to reinforce him.

## J. BASSE

115. According to **Lt. Samba Baldeh** Commanding Officer of the Alpha Company of the 2nd Infantry Battalion of the Gambia National Army stationed in Basse, unlike all the other areas in the provinces where the demonstrations were held on April 11, Basse's happened on April 12, 2000. The Gambia Public Transport Company (GPTC) Bus station and Income Tax Office was destroyed. They managed to control the arson attack of the grass near the radio station by firing at the culprits. Some ring leaders were arrested and taken to the Police Station.<sup>108</sup>

## K. TESTIMONY OF STATE AGENTS

116. **Lance Corporal (Cpl.) Lamin Camara** testified that he and about twenty (20) men were deployed from Farafenni Barracks to Brikamaba during on the April 10, 2000 to quell the demonstrations. The commander was **Captain (Capt.) Baboucarr Keita**. He told the Commission that they were each armed with sixteen (16) blank bullets but as they were on duties, they already had four (4) Magazines of thirty bullets each making it a total of one hundred and twenty (120) live rounds in addition to the sixteen (16) blank bullets. He

106 Testimony of Mbemba Barry paras 292-329 pages 14-16

107 Testimony of Major Wassa Camara para 1079 – 1095 pages 54-55

108 Report of the Commission of Enquiry into the Public Disturbances of the 10th and 11th April, 2000 page 31-32

however explained that, they were ordered not to use the live bullets to shoot<sup>109</sup> and they left for McCarthy (Janjanbureh) in two truckloads.<sup>110</sup> They arrived at Brikamaba at around eight (8) to (9) o'clock and **Cpt. Keita** alighted from his vehicle to speak to the Policemen on the ground at the police station. He later came back and told five (5) of them - **Lance Cpl. Camara, Giri Njie, Private (Pte) Aliou Kambi, Pte. Lamin Camara and Pte. PJ Mendy (who later died in Darfur)** to alight from the vehicle because there were students who were preparing to stage a demonstration. Of the five (5) soldiers from Farafenni, he was the most senior and the leader of the group at the time. He was from the Engineering Branch of the army and the other four were Infantry Soldiers. He indicated that they were told that students at Brikamaba were demonstrating and destroying things prior to departure. However, they did not notice or find any kind of demonstration or destruction upon arrival.

117. The Station Officer **Mamading Fatty** informed them upon arrival that students wanted to stage a demonstration and planned to kill a teacher at the Secondary School.<sup>111</sup> **Cpl. Lamin Camara** further said the CID Officer, **Fa Kebba Darboe**, told them to pick up the Principal from the school and bring him to the station. Prior to that, they did not arrest anybody that morning. He and **Fa Kebba Darboe** went into the school to talk to the Principal while the other soldiers stood and waited at the gate. The principal insisted that he was not going anywhere and the students demanded to know why they (soldiers) came to their school. He stated that **Fa Kebba Darboe** also informed him that the students were going to burn down the Police Station and that was when they ran towards the Police Station along with the students to prevent them from burning it down.<sup>112</sup> According to him, all of them were carrying AK47 rifles.<sup>113</sup> Upon arrival at the Police Station at around nine (9) am, the number of students increased. The students started throwing stones at the police station. They surrounded the building, **Giri Njie** and **PJ Mendy** on one side of the building, **Aliou Kambi** stood on the southern side of the Police Station, **Pte. Lamin Camara** on the Eastern side and him, **Cpl. Camara** on another side of the station. He said, although he ordered his men to put away their life rounds, they refused to obey his orders.<sup>114</sup>
118. The stones kept raining on them, **Aliou Kambi** got wounded on his head and **P. J. Mendy** was stoned on his leg and that was when they sought reinforcement from McCarthy (Janjanbureh). So they responded by firing to keep the students at bay. However he wasn't able to tell whether his colleagues were firing with blank bullets<sup>115</sup>. He also fired just before reinforcement arrived in two pickup vehicles. **Lt. Wassa Camara** from Kudang came with his pickup and **Lt. Baldeh** from Basse also came with his pickup around ten (10) to eleven (11) am. The arrival of the soldiers coincided with the stoning hence the soldiers that came started shooting as they approached the station on board their vehicles.<sup>116</sup>
119. Around one (1) pm, **Capt. Baboucarr Keita** came and checked their blank rounds. It was then he realised that **Giri Njie** had exhausted his blanks and one of his live round magazines was missing. **Kambi** also exhausted his blank bullets but he did not check their

live rounds.<sup>117</sup> Two weeks after the incident, they returned their weapons and bullets to the Armory. **Giri Njie's** entire Magazine was missing which had over thirty (30) bullets and another bullet was missing from one Magazine totaling 31 bullets. He was the only person whose live rounds were missing.<sup>118</sup> It is worthy to note that the witness had testified before the *Commission of Enquiry into the April 10 and 11, 2000 Disturbances* and the Commission held him responsible "for the death of 2 students- **Sainey Nyabally and Ousman Sabally** as the evidence shows that the deaths occurred before the Soldiers from Kudang and Basse arrived at Brikamaba." As commander on the ground, he accepted responsibility for the deaths that occurred in Brikamaba. However, he denied that he and his men arrested or tortured any of the students or individuals at Brikamaba in April 2000.<sup>119</sup>

120. **Major Wassa Camara**, testified that he was a Lieutenant and Officer Commanding Kudang Military Camp during the incident. He informed the Commission that he received information from a Police Officer **Fa Kebba** about the need for reinforcement at Brikamaba because someone had been killed there. So he left Bansang with his men and arrived at Brikamaba around ten (10) to eleven (11) am to quell the demonstrations there.<sup>120</sup> When they got to Brikamaba the Commanding **Officer Keita** dropped five (5) military personnel there to reinforce the police officers at Brikamaba. These included **Cpl. Camara**, one **Njie** commonly known as **Giri** and three others.<sup>121</sup>
121. He was informed by the Station Officer that some elders were amongst those demonstrating. So he went to the Alkalo's Compound and told him to caution the elders and other people in the street to desist from such actions and to go back to their compounds to avoid any problems. So after leaving the Alkalo's residence, he went on patrol and later **Lt. Baldeh** and his troops joined him at Brikamaba to provide reinforcement.<sup>122</sup> A few people were arrested by his team and **Lt. Baldeh's** team and brought into the Police Station.<sup>123</sup> He stated that he saw civilians being tortured by **Lt. Baldeh's** men and he stopped it. He admitted responsibility for the tortures at Brikamaba as the most senior Military Officer on ground.<sup>124</sup> He admitted that some students were made to lie on the hot tarmac whilst soldiers trampled on their backs with their military boots and thereafter, some students were detained and subsequently taken to Janjanbureh prison. **Maj. Camara** stated that he only knew about one person being killed at the time of going to Brikamaba and that he did not know that it was three people and others had been shot and injured. He insisted that he discharged his responsibility on the ground as the superior officer by informing his commanding officer about the casualty.<sup>125</sup>
122. After the incident, he enquired from the troops on the ground as to whether any one of them fired at the demonstrators and they responded that not a single shot was fired. He further enquired directly from **Cpl. Camara** and **Giri Njie** to find out from their men whether they fired but they could not identify any one.<sup>126</sup>

109 Testimony of Corporal Lamin Camara para 131 – 162, 183 - 214 page 7 – 11  
 110 Testimony of Corporal Lamin Camara para 215 -260 pages 11 -132; Testimony of Abdou Njie para 31,54,79, 80 - 134  
 111 Testimony of Corporal Lamin Camara para 263 - 350 page 13 - 17  
 112 Testimony of Corporal Lamin Camara para 504 – 553 page 23 - 26  
 113 Testimony of Corporal Lamin Camara para 441 - 503 page 21 - 23  
 114 Testimony of Corporal Lamin Camara para 554 - 582 page 26 -27  
 115 Testimony of Corporal Lamin Camara para 584 - 615 27 - 28  
 116 Testimony of Corporal Lamin Camara para 617 - 678 page 28 - 31

117 Testimony of Corporal Lamin Camara para 683 -777 page 31 -36  
 118 Testimony of Corporal Lamin Camara para 798 - 855 page 36 - 39  
 119 Testimony of Corporal Lamin Camara para 996 - 1067 page 45-47/ page 37 of Exhibit 83  
 120 Testimony of Major Wassa Camara para 1095-1126 pages 54 -57  
 121 Testimony of Major Wassa Camara para 1124 -1135 pages 57-58  
 122 Testimony of Major Wassa Camara para 1135 – 1152 page 58  
 123 Testimony of Major Wassa Camara para 1152 – 1178 pages 58-60  
 124 Testimony of Major Wassa Camara para 1178 - 1265 pages 60-64  
 125 Testimony of Major Wassa Camara para 1237– 1285 pages 63-66  
 126 Testimony of Major Wassa Camara para 1289 - 1343 pages 65 - 67

123. **Maj. Wassa Camara** told the Commission that during the incident that they were not given written operational orders or detailed rules of engagement and any suggestion that this was prepared and disseminated to the forces would be a lie. Further, any rules of engagement that later emerged dated April 11, 2000 would be part of a cover up to suggest the Army did it properly when in fact this necessary documentation was not done.<sup>127</sup> He and his men arrived in Janjangbureh at around nine (9) am and they found that fires were being set ablaze at different locations. They set up their base near the GAMTEL and from there, eight (8) of his men went on patrol asking those that were found in the streets to go into their compounds.<sup>128</sup> They found some students burning the market and they chased them away from the market. The Police Station had already been burnt, The GAMTEL was also vandalized by the students from Armitage High School who were demonstrating on the street. They managed to control the students and send them back to school. At around one (1) to two (2) a.m. his Co- Capt. **Baboucarr Keita** former Commander of second (2) Infantry Battalion joined him at Janjanbureh with a platoon of soldiers and he briefed him about the situation on the ground. They were also able to prevent the student's from kidnapping the Commissioner when they broke into the Prison.<sup>129</sup>
124. Thereafter, they had a discussion with some of the prison officers and they decided to cordon off the school and bring all the students to the basketball pitch so that they could talk to them. By then the police were nowhere to be found because they were the students' target. By five (5) a.m. they were able to secure all the routes. They moved in on the students in the school and secured it. That operation lasted up to seven (7) am or seven thirty (7:30) am. Himself and **Capt. Baboucarr Keita** addressed the students and advised them to desist from vandalising properties. The student had destroyed the GAMTEL boots which was the main communication centre for residents. The students were assembled and detained at the football pitch for a period to quell down the situation so that once peace and stability was maintained they could be released.<sup>130</sup> He denied knowing whether any of the students from Armitage were taken to Janjanbureh Prisons and he or his men did not take anyone there and they did not go into Janjanbureh Primary School. He insisted that he did not see any of the students arrested or beaten during that period. He saw students caught from the bush trying to escape and brought to the basketball pitch. After he and the Company addressed the students, they left them at the basketball pitch and proceeded to Bansang so he was not aware of what happened after that.<sup>131</sup> He insisted that he had no knowledge of students being beaten, tortured and unlawfully detained in Janjanbureh. However it is worthy to note that one **Alhagie Saidy Khan** stated that he was beaten mercilessly by soldiers at Armitage on April 11, 2000 in the early hours of the morning after they entered into the campus. According to **Alhagie**, the soldiers hid in the flowers to ambush them and entered their dormitory capturing and beating them before taking them to the old basketball pitch.
125. The witness responded that it was possible since the same men who were capturing students were responsible for beating them but he didn't see it or did not notice any signs of beatings from soldiers although his soldiers were at the basketball pitch, patrolling, hiding behind the shrubs acting together as a single unit, capturing and guiding students and he was supervising

127 Testimony of Major Wassa Camara para 328 -353, 384-392 pages 18-19,20-21  
 128 Testimony of Major Wassa Camara para 392 - 412 pages 21 - 22  
 129 Testimony of Major Wassa Camara para 413 – 450 pages 22-24  
 130 Testimony of Major Wassa Camara para 450 - 483 pages 24-26  
 131 Testimony of Major Wassa Camara para 485 – 515 pages 26-27

- the implementation of the operation together with **Capt. Keita** but he only had command authority over his own men. He would be disappointed if they ignored his orders not to beat and torture. He denied that he turned a blind eye to what happened or was in denial.<sup>132</sup> He said it was a lie that students were made to lie on the road with his men trampling upon them. He still denied it after the witness statement of **Sulayman Mendy** was read to him. He stated that operationally it could be possible that some students were beaten in his absence after he left with the commander after advising the students' but he did not witness it on the ground and the operations were conducted in his presence even though there were areas within the school which were out of plain sight so he couldn't see everything that was going on in the school.<sup>133</sup>
126. However, subsequently after April 11, 2000 a group of soldiers were left there in charge of students who were kept at the girl's dormitory. The soldiers were under the immediate authority of one **Staff Sergeant Jatta** although under the command of the commanding officer. After the operations at Janjanbureh on April 10 and 11 he went to Bansang, then Brikama Ba, Kudang and Kuntaur in relation to the student demonstrations.<sup>134</sup> After his return from Kuntaur to Kundang around April 16 and 17, 2000 during routine patrols he conducted in all of the above areas, students in Janjanbureh were complaining that they were beaten so they advised those in charge not to beat anybody if it had happened. So he was aware of such complaints and he knew that it was violation of their right and a criminal court martial offence in the laws of The Gambia to beat detainees. Although the soldiers were not investigated, charged, prosecuted for their conduct, he did not consider that it is an abdication of his responsibility but rather the responsibility of the leadership and command. He collected information from the areas he visited and passed the information on to his superiors for further direction.<sup>135</sup>
127. **Abdou Njie (Giri)** testified at the public hearing of the TRRC on September 26, 2019 that on April 10, 2000 after early morning prayers, they all left the Brikamaba station and headed to the school to see whether the students would proceed with the planned demonstrations. Not long after that, they saw three tractors coming from the side of the village full of students who were shouting at them saying "*what are you looking for in our School*" and then they began to insult and pelt stones, and demanded the release of their Head Boy and Head Girl who were detained at the station. At this point, **Cpl. Camara** ordered them to withdraw back to the Station. They managed to *leave the* perimeter of the School but they were so overcome by the students that they separated from one another and regrouped back to the side of the perimeter of the school just close by the road side and that was where **Cpl. Camara** ordered them to 'fire. So they were firing all the way to the station to keep the crowd at bay and nothing happened this time.<sup>136</sup>
128. When they got to the Station around the GAMTEL House, he cocked his weapons and realized that his blanks were exhausted, that was when he attached his live rounds shot in the air and two people were shot. *When it was put to him that it was impossible for him to shoot in the air and people died on the ground, he finally admitted that he aimed and shot at two students **Ousman Sabally** and **Sainey Nyabally** who were killed on the spot many*

132 Testimony of Major Wassa Camara para 516 – 711 pages 26-37  
 133 Testimony of Major Wassa Camara para 712 - 903 pages 37-46  
 134 Testimony of Major Wassa Camara para 943 – 979 pages 48-50  
 135 Testimony of Major Wassa Camara para 973 – 1069 pages 50-54  
 136 Testimony of Abdou Njie para 286 - 302

others were injured including **Ebrima Saidu** who was shot in the stomach. He stated that the situation got mixed up and it was not easy for him to confess that he killed two (2) people and injured seven (7) others but he confessed that he did. He admitted that it was wrong to aim his live rounds at those children and fire at them. **Giri Njie** insisted that he fired those bullets at his own discretion and chose to fire live rounds at the students even though his situation was less precarious than the others. He regretted his actions and apologised to those who lost their children because it was not his intention.<sup>137</sup> However he denied that he was involved in the arrest and torture of students on the morning off April 10, 2000. He confessed to participating in the beatings and torture of the students and civilians who were arrested and detained at the Police Station **along with Pte. Paul Mendy, Pte. Lamin Camara and Pte. Aliou Kambi.**<sup>138</sup> He informed the Commission that **Cpl. Lamin Camara** did not participate in the torture.

129. Later in the day, **Lt. Baldeh** arrived with the Basse contingent, fired his pistol in the air and gave orders to his soldiers to beat the students. They alighted from the pickup and started running after the students, capturing them and beating them whilst they were being escorted to the Police Station. When the Station could no longer contain the number of those who were arrested they asked the captives to lay on the tar road and wait for the vehicle that was to transport them to McCarthy (Janjanbureh).<sup>139</sup> None of them was conscious to their duty to uphold the law, *they did whatever they pleased. After the incident, none of his superiors discussed the issue with him* and he was not called to the Commission of Enquiry even though there were causalities <sup>140</sup> At the end of his deployment in Brikamaba, he returned to Barracks in Farafenni where they went to the Armoury to return their rounds. He said when the Corporal informed him of firing thirty one (31) bullets, he brought to the attention of the Corporal that he in fact fired more than ninety (90) bullets as he went with five (5) Magazines with each having thirty (30) bullets. He exhausted three (3) Magazines and one was left with only sixteen (16) bullets.<sup>141</sup>

## L. ACTIONS TAKEN BY THE STATE & NON STATE ACTORS AFTER THE INCIDENT

130. After the incident the government issued a press statement stating that that the shooting emanated from the crowd. There was national and international outcry against the brutal crackdown on the student protestors. The newly formed National Coalition of Human Rights Defenders (NCHRD) took up the matter. The Coalition was created as an umbrella Organization comprising of all those who were working in the areas of human rights but could not effectively do so at the level of their respective offices because of the different mandates their offices had and sometimes they did not want to compromise the independence of their office's neutrality or have their offices put on the spotlight by the authorities".<sup>142</sup>
131. According to **Fatou Njie Senghore** of Article 19, the defining moment in her human rights career *"was April 10 2000, when a group of students protesting against the alleged rape of a*

137 Testimony of Abdou Njie para 318 – 451, 544 -546  
 138 Testimony of Abdou Njie para 483 – 532, 547 - 552  
 139 Testimony of Abdou Njie para 553 -596  
 140 Testimony of Abdou Njie para 664 - 677  
 141 Testimony of Abdou Njie para 678 - 686  
 142 Statement of Mr. Emmanuel Joof to the TRRC, 19th May 2020, page 5, paragraph 26.

*female student in police custody in the Gambia was brutalized and dozens of them killed. The fear of many affected families and the indifference of opinion leaders that followed such a sad incidence made me realized how important the challenges of working in human rights in the Gambia were, but it had increased my resolve to stand up and defend human rights."*<sup>143</sup>

132. The NCHRD tried to support the victims and their families and to hold the government to account and raised concerns on the state of affairs and got involved in some of the court cases. The confusion and pressure in her view pushed the government to pass the indemnity bill to cover up and entrench impunity, instil fear among the public and embolden the security forces. *"Our coalition published a statement to denounce the adoption of the Bill"*<sup>144</sup>
133. Few weeks after the incident, **Fatou Jagne Senghore** then a staff of the IHRDA attended an ACHPR session in Alger, she took part at the Session with the management of the IHRDA and made a public statement about the killings of students in the Gambia, this attracted some attention as it was the first time a statement about the appalling human rights situation in the Gambia before the ACHPR. Even after she left IHRDA and joined Article 19 she paid special attention to The Gambia, using all possible avenues of her work to expose the violations in the international and African media and before regional and international human rights institutions.
134. This statement was corroborated by **Emmanuel Joof**, Chairman of the National Human Rights Commission in his testimony to the TRRC on May 20, 2021, he said the events of April 10 and 11 brought the activities of the NCHRD to prominence<sup>145</sup> He told the Commission that following the April 10 and 11, 2000 Student Demonstrations, when security forces gunned down and killed twelve (14) students, the Coalition decided to convene an emergency meeting to discuss the incident. The actions of the security officers were defended by the then Attorney General and Minister of Justice **Pap Che Yassin Secka** and the **Vice President, Isatou Njie Saidu** who went to the extent of claiming that the shooting started with the students. . The Coalition thereafter held a press conference condemning the actions of the government and demanding that the perpetrators be accountable and victims compensated. Among the demands made by the NCHRD were the government should:

- (i) *have an Independent Commission of Enquiry,*
- (ii) *those who ordered the shooting should be held responsible,*
- (iii) *families of those who were killed should be compensated and*
- (iv) *those who were injured should be given appropriate treatment.*

The Press Conference was well attended by the media and foreign missions present in The Gambia. The Deputy British High Commissioner was a frequent observer at the events of the NCHRD and he was declared persona non-grata soon after and had to leave the country. This was meant to be a strong signal to foreign missions to keep out of the internal affairs of the country.

135. In addition to the demands the Coalition also filed a habeas corpus application before the courts to produce the students that were arrested and detained using top lawyers like **Lawyer**

143 Witness Statement, Fatou Njie Senghore No: 052021 page 2 para 3  
 144 Gambia: Public Condemn Government's Rejection Of Commission Report - allAfrica.com  
 145 EMMANUEL DANIEL JOOF TRRC PT2 20.05.21 - YouTube 7:48-40:44/2:03:49 accessed 19.10.2021

**Ousman Sillah** and **Mariam Denton** current Speaker of the National Assembly, **Awa Sisay Sabally**, **Rachel Mendy**, to put in the application. Justice **Mam Yassin Sey**, then a High Court Judge, granted the application and ordered the release of the students. This decision by Justice **Sey** infuriated **Jammeh's** administration and it was the beginning of her troubles with the authorities. The NCHRD also visited the wounded students in hospital.

136. The government then decided to set up a Commission of Enquiry to investigate the incident. However, however, the security forces set out to mislead the commission and to proffer a false narrative that absolved the state from taking responsibility for the violations that occurred during the incident. It is quite apparent from the evidence that there was a state orchestrated cover of the atrocities committed by the security forces. Thereafter the Indemnity Act was passed. His Justice **Hassan Jallow** declared the Indemnity Act unconstitutional and they attempted to remove him from office. He resigned instead.
137. The activities of the NCHRD were begging to annoy the government and steps were taken to neutralise them. It started with insults by **Jammeh** who called the members ‘*illegitimate sons of Africa*’, ‘*I am tired of you and I will treat you like a double donkey*’, ‘*I will send you six feet deep and even the wind will not see you*’<sup>146</sup> and other insults. Reprisals started against the membership leading to the spokesperson **Muhammed Sillah** of Amnesty International leaving the country. Followed by many others who found employment outside the country.
138. **Gorgui Mboob** admitted that the Police participated in this state orchestrated cover up to minimise their responsibility during the demonstrations and in particular they intended to mislead the Commission of Inquiry into error about the responsibilities of the police in the events of April 10 and 11, 2000. After he was summoned to testify before the Commission of Enquiry, he was threatened by his superior officers not to reveal the names of any of his colleagues. He was ordered to narrate a concocted story which he did at the Commission of Inquiry and also attempted to do at the TRRC after he was caught lying twice. He admitted that his testimony and other police officers including **Inspector Darboe** were fabricated to cover up the extent of role of the police during the April 10 and 11, 2000 demonstrations.
139. **Cpt. Wassa Camara** testified that the first failure was the lack of first line armor to check the veracity of the statements coming from the soldiers. This was indicative of a blatant cover up of what happened.<sup>147</sup> He admitted that the report in Exhibit 83 was part of the government’s cover-up by the Army to falsify facts about the real situation. He confessed to lying in the report to create a false impression that the Military were not involved in shootings, unlawful arrests, detentions and torture. He admitted that he lied to cover up the use of live bullets and suggesting that ammunition was intact even though lots of live rounds were fired on civilians. He agreed that the fact that **Lance Corporal Njie** who was involved in the shooting of civilians was not questioned or even called to testify before the Commission of Inquiry was a deliberate omission and an attempt to ensure that the Commission did not hear the truth and get to the bottom of what happened. The Commission of Enquiry Report into the April 10 and 11, 2000 Disturbance was a complete cock and bull story intended to mislead the public. He admitted that as part of the cover up, the Army failed to investigate crimes and deal with some of its men who committed offences by failing to withdraw them from Brikamaba

146 EMMANUEL DANIEL JOOF TRRC PT2 20.05.21 - YouTube 39:16-42:45/2:03:49 accessed 18.10.2021  
147 Testimony of Major Wassa Camara para 1348 - 1425 pages 67-72, 68-54

where there had been casualties and leaving them there for months to create uncertainty and conceal what really happened. He accepted that Indemnity Act was part of the cover up to prevent further probing into the incident and the actions of the security forces by the police and courts thus resulting in one of the most serious miscarriages of justices.

140. **Baboucarr Jatta** also admitted to the cover up by the GNA of the events that occurred on April 10 and 11, 2000. He testified that prior to the deployment of his forces he sent a fragmentary/warning order exhibited and marked 0083 at page 202 of the Report of the Commission of Enquiry into Public Disturbances (Report) through his Deputy who prepared it, signed it and he countersigned. Which states “*Early the morning of Monday, 10th 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 assemble 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 shot guns. Their moral was very high during the day and rumours is rifling 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’ approach 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 by firemen 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 raised eyebrows and seems to confirm suspicion that the demonstrations were politically motivated*”<sup>148</sup>.
141. Apart from lying before the Commission during his testimony, **Baboucarr Jatta** also admitted to submitting a false report on the activities of the army during the April 10 and 11, 2000, Student Demonstrations. He admitted that page 221 of the report Exhibit 83 prepared by **P. Keita** Commanding Officer on his behalf for The GNA knowingly submitted to the Commission of Enquiry stating that no bullets where shot from the GNA was a deliberate and blatant lie and cover up intended to mislead the Commission into a wrong belief. The position of the government was to really drive falsehood into the minds of the population and from the beginning to cover up the truth about what was happening because the raison d’être for the operation given in the operations order was bogus, based on a lie because he had said earlier that the students were well behaved and now he was saying that the behaviour of the students was wanting and that was a lie. It is indicated in the said report that minimum force was being used by the police which was also a lie. He knew at that time that excessive force was being. He also agreed that the operational order also indicated that the students had shotguns, and that too was a lie. He also admitted that they caused a dangerous situation were soldiers fired live bullets at students and creating the impression through the contents of the operation order that the students were supposedly armed. He admitted that the document was a fabrication and took responsibility for it. He also acknowledged that he did not inform the Commission of Enquiry that his men were involved in killings, arresting and torturing of the students.

148 Report of the Commission of Enquiry into Public Disturbances, page 202

142. **Former Vice President, Isatou Njie Saidy** in her testimony stated that it was not right that the forces that she deployed who went out there and slaughtered students were granted Indemnity. However, she disagreed that government indemnified the perpetrators as part of a Government cover up to cover up her actions and the actions of **Jammeh** because the two of them gave the Military the authority to go out there and slaughter the students. She also denied that she received indemnity because she was not mentioned or even called in that Commission.<sup>149</sup> She further disagreed when it was put to her that because the Act gave immunity for criminal culpability, she failed to challenge its lawfulness because it covered her responsibility for the actions of the Military that she deployed. She insisted that the government did something about the atrocities that occurred during the demonstrations by setting up the Commission and she disagreed when it was put to her that the Government did not implement any of the recommendations and swept them under the carpet.

### M. MEDICAL TREATMENT OF INJURED PERSONS

143. Many of the injured students including **Abdou Karim Jah, Sainey Camara, Sainabou Camara, Oumie Jagne, Yusupha Mbye** and **Musa Kanaji** amongst others were hospitalised. Some with very serious injuries leading to permanent physical and mental disability, loss of limbs or organs.

144. **Abdoukarim Jammeh** testified that one of the nurses called **Fatou Faye**, had written down the name of those injured and those who had died and intended to give it to him for safekeeping in order to avoid the list being tampered by the government. However, before they had the opportunity to do so, soldiers came in from the State House and asked the nurses to hand over the list. The nurses tried to stall them by saying they were not yet ready but the soldiers insisted. The nurses became frightened and eventually handed the handwritten list to the soldiers who left with it and after a while came back with a typed one.<sup>150</sup>

145. **Dr. Mariatou Jallow** the Chief Executive Officer (CEO) of the RVTH at the time of the Students Demonstrations in April 2000 during her testimony at the public hearings on September 19, 2019 told the Commission that her role was the day to day running of the hospital, making sure that patients got the treatment they needed, recruiting appropriate doctors for the hospital dealing with requests from the public, looking at letters that came in and other administrative duties. It also was her responsibility as CEO to implement government policies regarding the Health Sector as far as they related to the hospital. She agreed that she was essentially the head and the final decisions regarding administration of the hospital rested with her and anything that happened in the hospital would be her responsibility during that time.<sup>151</sup> She testified that she learnt about those shot and injured during the incident on April 10 whilst she was at the RVTH.<sup>152</sup>

146. As a result of the serious injuries sustained by patients, the whole hospital was mobilised to put in place the medical staff needed, preparation of theatres and things need for blood transfusions. Administratively, they set up a unit at the duty room where they had twenty

four (24) hour surveillance of the patients. An information centre was provided to help people who were rushing to the hospital looking for their relatives and loved ones to get information and ascertain whether they were dead, in theatre or admitted and then deal with them accordingly.<sup>153</sup> This was to avoid chaos and disorder and they made sure they had all the things they needed.<sup>154</sup> This was regarded as a major disastrous event, difficult to manage and there were negative consequences of such disorderliness on the wellbeing of patients. The crowd had to be kept out and only those who needed to be there retained. In fact she had heard through the TRRC that someone was taken to the mortuary who was not dead (**Yusupha Mbye**) although that information was not known to her at the time she was CEO.<sup>155</sup> She informed the Commission that when a person is presumed dead, there is the scientific process of death certification accompanied by documentation conducted by a Medical Doctor who would do an assessment and give instructions for the deceased to be put on a trolley, wheeled to the mortuary, handed over to the Mortuary Attendant and then put in fridge or freezer. There would be documentation done in that process therefore. She admitted that something very wrong happened in the situation where someone alive was sent to the mortuary because time should have been taken to make sure that they look for all the signs of life in the person and that was a major failure of the hospital.<sup>156</sup> She further explained that when a patient is admitted, a folder is opened and kept in the records office where the person's records containing doctor's notes are kept in. Upon discharge, patients are given access to their records if a request is made in writing to the CEO to ask for a Medical Report and one would then be prepared by the relevant doctor in the department and provided to the patient.

147. However, in this particular instance, government policy varied from the norm just described. This was an unusual situation where they were given instructions or orders from State House which she assumed came from the President not to allow patients to have access to their records. She lamented that she had no option but to comply because they were working under very difficult circumstances and anything could have happened to her for non-compliance. She accepted it was wrong, yet she complied with those wrong or unlawful instructions out of fear because *"anything could have happened to her if she disobeyed those instructions"*<sup>157</sup>. They were under a dictatorship so she could be imprisoned or something bad could happen to her if she was found to be on the wrong side of **Jammeh** so she was afraid he would do something to her if she did not comply with those instructions so she carried on and implemented those unlawful instructions which unfortunately denied certain victims -**Yusupha Mbye, Assan Suwareh, Sainey Senghore, Oumie Jagne** and others- access to their Medical Records.<sup>158</sup> Based on the instructions coming from State house she instructed the nurses and also the Records Office that their records were not to be given out and she believed they complied with her instructions. She agreed that the denial of access to the medical reports of some patients who wanted to go for medical treatment abroad made it impossible for them to seek medical treatment abroad although she insisted that those who needed Medical Treatment abroad were sent abroad for Medical Treatment.<sup>159</sup>

149 Testimony of Isatou Njie – Saidy 3/10/2019 – 1375 – 1400 page 61 -62  
 150 Testimony of Abdou Karim Jammeh; 21st August 2019; Lines 760 – 802; page 35-3  
 151 Testimony of Dr. Mariatou Jallow paras 64-88 page 5-6  
 152 Testimony of Dr. Mariatou Jallow paras 89-104 page 6 –7

153 Testimony of Dr. Mariatou Jallow paras 105-114, 164-181 page 7, 10-11  
 154 Testimony of Dr. Mariatou Jallow paras 175-181 pages 10-11  
 155 Testimony of Dr. Mariatou Jallow paras 182-189 pages 11  
 156 Testimony of Dr. Mariatou Jallow paras 190-207 pages 11-12  
 157 Testimony of Dr. Mariatou Jallow paras 245-208 pages 11-12  
 158 Testimony of Dr. Mariatou Jallow paras 209-296 pages 12-16  
 159 Testimony of Dr. Mariatou Jallow paras 295-320 pages 16-17

148. She could not remember **Oumie Jagne** who testified before the Commission when it was put to her that she was shot twice on the same arm and needed medical treatment abroad but she could not have access to her medical records.<sup>160</sup> The witness stated that even individuals who privately organized themselves for medical treatment abroad would still need copies of their medical records in order to be able to finalize processes for admission for treatment abroad.<sup>161</sup> It was an important omission that access to medical records for the purpose of any medical treatment was refused because it was a political case and that is the reason why they were denied these records and this was unlawful.<sup>162</sup> She narrated that soon after the shootings **President Jammeh** visited the hospital, and she accompanied him on his rounds to the wards with the Doctors who were treating the patients to see the victims themselves. She admitted the visit was a show to make the President believe that all was well when in reality there were big problems. She and the **Egyptian Doctors** assured **Jammeh** that they could handle all the injuries and treatment and even though she was not a surgeon, she could see that the reports they were given were far from truthful.<sup>163</sup> She indicated that they gave a false account of the situation just to make him believe certain facts. She did not want to correct the reports which was an exaggeration of what was possible because she did not wish to deliver bad news to the **President**. She finally agreed that she had a responsibility to patients and to the government which she had failed in.<sup>164</sup>
149. While the CEO, **Dr. Mariatou Jallow** and her team were putting up a show to please **Jammeh** and tell him what he wanted to hear, the students had other plans. **Abdou Karim Jah** and **Sainabou Camara** planned to abuse the former **President Yahya Jammeh** if he came near their beds. He had caused them so much pain that they did not want his visit. As **Jammeh** approached **Abdou Karim Jammeh's** bed he kept quiet and did not implement his part of the plan. As he approached **Sainabou's** bed however she called him by all sorts of names and was saved by the nurse Auntie **Njie** who explained that her illness had affected her mentally and that is why she was acting the way that she did.
150. As time went on, a Medical Board was convened and recommendations were made for three (3) victims who needed further treatment abroad and the RVH did the referral. A directive came from the former **President's** Office choosing three patients (**Yusupha Mbye, Sainey Senghore and Assan Suwareh**) to be sent to Egypt for further treatment since they had Egyptian Doctors in the hospital and they had a bilateral relationship with Egypt. She did not know if the funding for the treatment came from State House or the Egyptian government but it was not the RVTH because there was no allocation in their budget for overseas treatment but the Medical Records would pass through the hospital administration to the hospital in Egypt. As far as she could recall, the payment for this trip was done by State House.<sup>165</sup> She did not know whether any consultations were done with family members of the victims to obtain parental consent since they were children at the time although it would be normal procedure to obtain parental consent for minors.<sup>166</sup>
151. **Dr. Mariatou Jallow** could not recall the duration of treatment Gambia Government paid for. She believed they were there for more than two weeks. She was not aware that they

160 Testimony of Dr. Mariatou Jallow paras 321-329 pages 17 - 18  
 161 Testimony of Dr. Mariatou Jallow paras 330-346 pages 18-19  
 162 Testimony of Dr. Mariatou Jallow paras 347- 382 pages 18-20  
 163 Testimony of Dr. Mariatou Jallow paras 390- 435 pages 20-23  
 164 Testimony of Dr. Mariatou Jallow paras 436- 456 page 23-24  
 165 Testimony of Dr. Mariatou Jallow paras 479-515 page 25-27  
 166 Testimony of Dr. Mariatou Jallow paras 516-523 page 27

were there for three months and that the government had only paid for only one month of treatment. She testified that it was the hospital and the funders' responsibility to coordinate with the Egyptian institution responsible for treatment and to follow up to check on these people to see that everything was going on well.<sup>167</sup> She agreed that another fundamental failing was there was no coordination or follow up or monitoring by the hospital that was supposed to do so and as Head of the hospital at the time the responsibility fell on her and she apologized to the three young boys sent to Egypt whose bill was not paid and they had to be there depending on the largess of other people to fund their treatment. They were also accompanied by a nurse who spent only week with them and they were left there alone. She said she had failed them and their rights were violated by the Government that should have protected them.<sup>168</sup> She agreed that it was a failure that several letters were written to the Government demanding payment but there was no response to those letters. Government should have funded them. It was callous and not proper, unkind, insensitive and regrettable that the Government was very quick to send them air tickets when those were requested for the repatriation of the inadequately treated boys to return to this country. She apologized directly to **Sainey Senghore, Yusupha Mbye and Assan Suwareh** that they could not complete their treatment in Egypt and they had to come back home on their own to Gambia.<sup>169</sup>

152. When they arrived in The Gambia she was informed about their arrival from State house through the Secretary General or Chief of Protocol who instructed her to receive them personally at the airport, and escort them in the ambulance and take their medical records from Egypt from them. The confiscation of the records was part of the initial policy that their cases were regarded as political so they should not be given access to their records.<sup>170</sup> She admitted that she did as instructed knowing fully well that they were being denied records that they are entitled to and the order to confiscate their documents was unlawful because of fear and also as a Civil Servant, she was given instructions that she could not refuse.<sup>171</sup>
153. She later agreed that there was no justification for accepting unlawful orders, however, she repeated that she did so because of the circumstances under which they were working. Despite allegations by the patients concerned that they were not able to get their medical reports from the hospital after being directed back and forth between State House and the hospital, she stated that the medical reports were part of their medical records and she submitted them to the Records Office and they would be found at the Records Office of the hospital if anyone needed to look for them now.<sup>172</sup>
154. In the case of **Yusupha Mbye** who was paralyzed from the neck downward, there was an effort to have him discharged immediately. She said that she was not around in September 2001 when **Mr. Mbye** was to again go for another treatment in Scotland. **Dr. Mariatou Jallow** agreed that even though she was not at the hospital when the arrangements were being made once again they failed **Yusupha Mbye**. He was denied treatment in Scotland because apparently The Gambia Government owed the hospital in Scotland and the money that was paid was set off against the debt owed by the Gambia Government. So **Yusupha Mbye** had to come back home disappointed. She agreed that the system had certainly failed him again.<sup>173</sup>

167 Testimony of Dr. Mariatou Jallow paras 527-541 page 27-28  
 168 Testimony of Dr. Mariatou Jallow paras 542 -567 page 28-29  
 169 Testimony of Dr. Mariatou Jallow paras 568-596 page 29-31  
 170 Testimony of Dr. Mariatou Jallow paras 598- 630 page 31-33  
 171 Testimony of Dr. Mariatou Jallow paras 631 - 659 page 33-34  
 172 Testimony of Dr. Mariatou Jallow paras 660- 676 page 35  
 173 Testimony of Dr. Mariatou Jallow paras 677-716 page 35-37

155. **Musa Kanaji** testified that his medical records were not released to him after he was discharged from the RVH and they were not able to gain access to them since then after several attempts were made to have access to them. He was told that the documents were lost except one which was a photocopy of an X-Ray report slip containing his name and patient no signed by one **Dr. Roberto** consultant radiologist which was admitted to the record as **exhibit 0076** dated June 7, 2000, as the witness's only medical record from the incident of April, 2000 providing details about his X-ray including the information he gave regarding his kidney.<sup>174</sup>
156. These incidents experienced by patients and their relatives further demonstrate the failure of the hospital and by extension the state and its lack of capacity to handle the humanitarian disaster it was faced with on that day leading to dire consequences on the lives and health of patients. Then there are the cases of victims who need on-going psycho-social support. Persons like **Momodou Yahya Bah** and **Abubacarr Hydara** whose trauma has resulted in acute mental disability.

## N. ORDERS TO SHOOT

157. **Lalo Karamo Jaiteh** the ADC to **President Jammeh** in April 2000 testified that <sup>175</sup>as ADC he was the Personal/Military Assistant and Body Guard of the President. He also performed the role of a Protocol Officer and went on his personal errands.<sup>176</sup> During the April 10 and 11, 2000 Students Demonstration he was in Cuba with the President on an official state visit. On the morning of April 10, 2000, he was contacted by the Protocol Officer of former **Vice President Isatou Njie Saidu, Pui Jobarteh**, this was at the time when things were getting out of hand at Westfield between the students and the security forces. He said the **VP** demanded to speak to the President as a matter of urgency because there was a student strike and the situation was almost getting out of hand and the **Vice President** sounded a little bit tense and nervous.<sup>177</sup> The **President** was asleep but he knocked on the door and when he opened he explained what **Jobarteh** had told him and that he was on the line. **The President's** reaction was shock as he handed over the phone to him. When he closed the door, he stood behind the door and he overheard the conversation he was having with the **VP** and what struck him most was when he heard him saying that "*they should take care of these bastards in whatever form*" in an aggressive tone. What he understood by that statement was that they could be killed or beaten in whatever way and form because it was an open ended one.<sup>178</sup> The witness stated that **Jammeh** was a dictator and a student's strike was always a chaotic situation so giving that kind of open ended order to security forces as Commander in Chief was final and could mean killing and shooting them. At that moment **Jammeh** panicked, he was nervous, angry and aggressive. He had never been tested in this way because this had never happened in this country before. Everyone who knew him knew that he had no respect for anybody who challenged his authority or his position as Head of State and he was ready for anything. In such a situation he would be ready to give an order to kill. He couldn't however confirm whether after he handed over the phone to the **President Jobarteh** had handed it over the phone to the **Vice President**<sup>179</sup>

158. After he overheard that conversation, there were continuous consultations with some members of the delegation in particular **Abdoulie Kujabi** who was at the time the Director of the National Intelligence Agency and sometimes travelled with the **President**. The **President** kept making phone calls to unknown persons and strategizing how to go about things. There was a decision to depart and later they changed their departure time so they arrive at a different time. It seemed as though the **President** was suspicious that other people were part of the demonstrations and that is the rumour they heard so there was a lot of uncertainty. It was a chaotic situation because nobody knew what was going on. Nobody was certain about what the future looked like.<sup>180</sup> Instead of arriving in the morning as planned, they arrived on the night of either the eleventh (11) or twelfth (12) and only a few people were present at the airport not like the normal receiving reception party when he travelled and in fact on their way to Banjul, he did not even sit in his car, he was the person who was sitting in the **Presidents** car. They moved the President to his car. **Ousman Sonko** was sitting in front near the driver in case of an attack. They also took a different route through the coastal road came out at Serekunda just to camouflage the situation and then they went to the State House.<sup>181</sup>
159. After his arrival the former **President Jammeh** received information about the demonstration, from telephone calls and meeting with officials and the *Daily Observer* newspaper. There was an interview on the *Daily Observer* newspaper by **Sheikh Lewis** from Bakau, of Amnesty International apportioning blame for the atrocities of April 10 and 11 on the government and when the **President** saw his interview, he quickly consulted with **Ousman Sonko** and the late **Lieutenant Musa Jammeh (Malia mungu)** and<sup>182</sup> ordered **Sonko** to kill **Sheikh Lewis** because he was offended by his interview. After **Jammeh** left he looked at **Sonko** and said "*Sir I am not part of it.*" He explained that it was very risky and if the information went back to **Jammeh**, he could eliminate him, but he also believed that saved the life of **Sheikh Lewis** because **Ousman Sonko** knew that he was aware and had indicated that he was not part of it so it could be that they decided not to do anything further.<sup>183</sup>
160. **Isatou Njie Saidu** the former Vice President denied ever receiving such orders from the former **President**. She stated that she was not involved in issuing any orders to the police or the army and was only aware of the casualties two or three days after the incident.
161. **Demba Njie** Chief of Protocol at Statehouse around April 10, 2000 testified that a few months after the demonstrations on a date he could not remember, **Baba Jobe** burst in and found them in the sitting room upstairs. He came in and went straight to the President, and said "*all the students are about to form another sitting demonstration this time to block the highway, and the situation is getting serious*". It was then that **President Jammeh** said "*den buga ma deff more than lima defun April 10 and 11.*" Meaning they want me to do worse than I did on April 10 and 11. He understood this to mean that he was responsible for the killings of April 10 and 11, 2000 and that was the conclusion he reached from his words. It was there that **Baba Jobe** objected to it and told him "*no, sir*". And he told him "*then demal waha nyum*". He warned him firmly to go and talk to them. <sup>184</sup>**Baba Jobe** was referring to the **GAMSU** students so he went back and spoke to them as instructed. He did not know

174 Testimony of Musa Kanagi; pages 36-37; lines 654-68

175 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 6, 79- 84; page 5

176 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 87 -95; page 5

177 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 457 – 487; pages 20 - 21

178 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 488 - 523; 536 -541; pages 21 – 22, 23

179 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 525 – 566; pages 22 - 24

180 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 567 - 591; pages 22 - 25

181 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 592 - 617 ; pages 25 -26

182 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 618 - 637 ; pages 26 - 27

183 Testimony of Lalo Karamo Jaiteh; 3/10/2019; para 638 - 665; pages 27 - 28

184 Testimony of Demba Njie; 30/09/2019; para 188 - 211 page 11 -13

when he came back to the **President**, but he knew that after that issue, the word GAMSU change to **NAPSA** meaning **National Patriotic Students Association**. **Demba Njie** told the Commission that for **Jammeh**, any good patriot was somebody who was behind him, said “*yes sir*”, does what he wants and never objects to anything he does. That is when the Student’s Union lost its independence and become more political than unionist. **Jammeh** had influence over the organization, it became political and they benefited a lot from him.<sup>185</sup>

162. There is evidence to suggest that **Jammeh** gave the order to shoot although it is not clear to whom to. The evidence from the **IGP Rex King** and **CDS Baboucarr Jatta** at that time is that their forces could not have fired without an order to shoot from the Command although both deny giving orders to shoot on April 10, 2000. Even though there was shooting going on allegedly from both forces. **Jammeh** as Commander in Chief of the armed forces and both the **IGP** and **Baboucarr Jatta** were directly answerable to him even though they were also accountable to their line ministries. The **IGP** was adamant that if indeed his men overstepped his instructions and shot at students then someone instructed them to shoot but he did not know who it was.<sup>186</sup>
163. There is evidence about the political undertone which suggest students being influenced by the opposition. **Lamin Jobe** stated that **Solo Bojang** was shouting and insulting their mothers, accusing them of being opposition children and threatening to kill them when **Jammeh** returned from overseas after over one hundred (100) student demonstrators were arrested, detained and tortured at Yundum Barracks.
164. **Njie Manneh** testified that the demonstrators resulted in the crackdown on opposition members in Brikamaba and other areas of the provinces leading to the unlawful arrest, imprisonment and torture of suspects at Janjangbureh prisons. He was arrested with another student and **Faye Sanneh** a UDP stalwart in Wellingara.
165. After the student’s demonstration the whole affair was politicised and the UDP was accused of using the student’s as a tool to start the disturbances so many of their leaders in that area were arrested because the UDP militants in Brikamaba were linked to the student’s demonstrations.<sup>187</sup>
166. **Alagie Darboe** testified that after the incident **Jammeh** himself made a statement about not allowing themselves to be used by the opposition after the demonstrations at a meeting in Kanilai when he tried to gain some influence over the affairs of GAMSU<sup>188</sup>.

## O. THE LIST OF CASUALTIES

167. In the April 10 and 11, 2000 Students Demonstrations exhibited and marked 26A to G, 27 to 31B and 35 in the Report are contained in several Post Mortem Reports as follows:-

185 Testimony of Demba Njie; 30/09/2019; para 212 - 232 page 13, 14  
 186 Testimony of Rex King 1/10/2019 para 1008 – 1044 pages 45 - 47  
 187 Testimony of Njie Manneh para 637 -711 pages 27-30  
 188 Testimony of Alagie S Darboe 1360-1432

## April 10, 2000

- i. *Reginald Carrol of 7 Grant Street, Banjul*
- ii. *Omar Barrow Red Cross Volunteer of Latrikunda German*
- iii. *Momodou Lamin Chune of Serekunda*
- iv. *Lamin A Bojang of Jambur*
- v. *Perrera Calisco of New Jeswang*
- vi. *Karamo Barrow of Ebo Town*
- vii. *Momodou Lamin Njie of Ebo Town*
- viii. *Mansally Wuyeh of Tallinding Kunjang*
- ix. *Bubacarr Badjie of Tallinding*
- x. *An unknown teenage (found in the Mortuary)*
- xi. *Amadou Sajaw (3 year old boy)<sup>189</sup>*

## APRIL 11 (2000)XII. OUSMAN SABALLY OF KEREWAN SAMBA SIRE

- xiii. *Sainey Nyabally of Dasilameh Village (12 year old boy)  
Died few days later*
- xiv. *Musa Sembene (toddler shot in the head)*
- xv. *Bamba Jobarteh, Student, Armitage High School, Janjanbureh from torture*

168. The number of those seriously injured with gunshot wounds or from beatings and torture are non-exhaustive with those known listed as follows:-

## APRIL 10TH

- Yusupha Mbye*  
*Sainey Senghore*  
*Assan Suwareh*  
*Abdou Karim Jammeh*  
*Oumie Jagne shot in the arm*  
*Anna Jagne shot in the leg*  
*Francis Correa (Fra)*  
*Lamin Touray a student from Gambia High who had a very serious injury on his right leg  
which was amputated immediately he got to the hospital*  
*Bakary Njie a student who was also shot in the leg.<sup>190</sup>*  
*Sainabou Camara torture victim*  
*Ousman Sabally teacher victim of greivous bodily harm*  
*Omar Sosseh St Augustine’s student*  
*Babucarr Jagana St Augustine’s student*  
*Ebrima Darboe St. Augutines student*

189 The name of Amadou rather than Abdoulie was mentioned in the testimony of Muhammad Sajaw his father. The age of the boy and the cause of death are consistent with the testimony confirming that Abdoulie and Amadou are one and the same. Other irregularities in the report is the fact that his father said he was buried on the same day although the report does not suggest that he was exhumed.

190 Testimony of Sainey Senghore para 371 - 410 page 18 - 19

## APRIL 11, 2000 BRIKAMA BA

*Ebrima Saidu*

*Musa Kanaji*

*Sainey Senhore*

*Njie Manneh*

*Modou Bah shot in the shoulder Briakmaba*

*Bun Mbye shot in the back Brikamaba*

169. Although the majority of victims were students, there were reports of Police Officers being assaulted and injured by Students as follows:-

*Ensa Badjie*

*Awa Sanneh Bittaye*

A list of nine (9) names of fire fighters assaulted and injured during the first demonstration at the Brikama Fire Station and April 10, 2000 was submitted by the Gambia Fire and Ambulance Services. Many others were shot, tortured, beaten resulting in serious injuries but unfortunately there are no records of the actual number of victims.

## P. FINDINGS

### The Commission finds that:-

1. The evidence received by the Commission with regards to the Kanifing Municipality (KMC) suggest that all the shootings were done by the PIU officers. However, the commission of enquiry into April 10 and April 11 disturbances and other subsequent evidence indicate that both the PIU and the Army wore the same uniforms. As such, witnesses could have been mistaken as to the security entity that carried out the shooting at that material time. This makes it impossible under the circumstances for the Commission to state exactly which service is responsible for the shooting. However, it is evident that both the PIU and the Army were on the ground. Hence, both outfits are individually and severally responsible for all the human rights violations perpetrated against the students on April 10 and 11 2000.
2. The issue of whether the students provoked the situation is immaterial given the brutal response by security forces. There is overwhelming evidence as to the violations committed by the security forces across the country in response to the protest. One of the students died after their release from Janjanbureh Prison, where they had been detained illegally and tortured. Many of those who survived are still suffering from their injuries and are in need of urgent medical attention.
3. In total, twelve students, two toddlers and a Red Cross volunteer were killed by State Security officers during the April 10 and 11, 2000 incident. One of the children was a three (3) year-old toddler who was shot in the head and the third was a child trampled upon in a stampede when the students were fleeing from the PIU.

4. The evidence revealed that **Yahya Jammeh** instructed Vice President **Isatou Njie Saidu** to “take care of the bastards in whatever way, in whatever form”. The Commission concludes that these instructions were an order to shoot the student demonstrators. In addition, the Commissions notes that:
5. **Isatou Njie Saidu** pursuant to the instructions of **Yahya Jammeh** instructed **Baboucarr Jatta** to deploy the army who complied by deploying soldiers with AK 47 rifles and the live rounds to push the demonstrators out of key installations resulting in the fatal shooting of the student demonstrators. The government also tried to cover up the illegal acts of the Army by saying that the shooting started from the students knowing same to be false.
6. In response to the brutality of the security forces, the students resorted to unruly behavior by engaging in violations against security officers and destroying public installations and private property.
7. **Yahya Jammeh** and **Isatou Njie Saidu** are responsible for the arbitrary arrest, unlawful detention, torture and rape. **Jai Sowe**, Officer Commanding Banjul Police Station, unlawfully authorized the supply of firearms and ammunition to Police Officers including **Gorgui Mboob, Yorro Mballow** and **Ousman Cham**.
8. The following officers: **Gorgui Mboob, Inspector Darboe, Modou Lamin Fatty, Abdoulie Bah, Modou Cham** and **Modou Gajaga** unlawfully entered the premises of St. Augustine’s High School in total disregard for the school authorities and recklessly launched a tear gas canister into a classroom full of students.
9. During the demonstration, **Gorgui Mboob** assaulted teacher **Ousman Sabally** by striking him with his baton and gun butt causing him serious injury.
10. **Gorgui Mboob** and other officers unlawfully shot into a building at St. Augustine’s High School resulting in unlawful damage and injury to three students namely, **Babucarr Jagana, Omar Sosseh** and **Ebrima Darboe**
11. **Gorgui Mboob** and **Inspector Darboe** participated in a conspiracy by state agents to cover up the full extent of the participation of the police by giving false testimony, concealing and fabricating evidence at the ‘Commission of Inquiry into Public Disturbances of 10th and 11th April 2000’ to mislead the Commission.
12. **Momodou Ceesay** and PIU officers under his command violated the fundamental human rights of students by beating, torturing and unlawfully arresting **Alhagie S. Darboe, Omar Joof, Alieu Darboe, Baboucarr Jonga** and two other unknown females.
13. **Baboucarr Sowe** failed in his responsibility as officer commanding operations to ensure that the operational orders were promptly disseminated to the relevant divisional commanders. He also failed in his responsibility by not taking control over the PIU officers on the ground amidst chaos and disorganisation.
14. **Baboucarr Jatta** failed as Army Commander to discipline his men involved in the unlawful shootings and killing of students at Brikamaba as well as the unlawful arrests, detention and torture of these students.

15. **Baboucarr Jatta** and **Wassa Camara** were responsible for giving false testimony and fabricating evidence at the ‘Commission of Inquiry into Public Disturbances of 10th and 11th April 2000’.
16. **Rex King** as IGP failed to ensure operational preparedness of the Police to handle demonstrations of the nature seen on April 10 and 11, 2000. It was a dereliction of duty on the part of **Rex King** for refusing to take the necessary steps to address the situation as legally required.
17. **Abdou Giri Njie** shot at the students in Brikamaba using live rounds which resulted to the deaths of **Sainey Nybally** and **Ousman Sabally**.
18. Corporal **Lamin Camara** and his men including **Private Alieu Kambi**, **Paul Mendy** and **Abdou Giri Njie** also participated in the unlawful arrest and detention of students including **Malick Jallow** and **Hamadi, Sowe** and the beatings and torture of other students.
19. **Isatou Njie Saidy**, **Baboucarr Jatta** and **Ousman Badjie (Secretary of State for the Interior)** tried to cover up their illegal actions that led to the deaths and injuries of the students by providing false and misleading information to the ‘Commission of Inquiry into Public Disturbances of 10th and 11th April 2000,’ and to the TRRC when they stated that the students were carrying banners stating “Sopi” which suggested that the students were advocating regime change.
20. **Baboucarr Jatta** provided false and misleading reports before the ‘Commission of Inquiry into Public Disturbances of 10th and 11th April 2000’ and to the TRRC by stating that the soldiers did not fire their weapons.
21. There were series of inconsistencies and contradictions by state officers in the ‘Report of Commission of Inquiry into Public Disturbances of 10th and 11th April 2000’, as well as a failure to investigate the persons responsible for the violations. This points to the conclusion that there was an orchestrated cover up by the State. Additionally:
22. The indemnity act enacted in 2001 to absolve security officers of all liabilities was intended to protect former **President Yahya Jammeh** who gave the order to shoot the students.
23. The following individuals were killed:

## APRIL 10, 2000

- i. **Reginald Carrol of 7 Grant Street, Banjul**
- ii. **Omar Barrow (Red cross volunteer) of Banjul of Latrikunda German**
- iii. **Momodou Lamin Chune of Serekunda**
- iv. **Lamin A Bojang of Jambur**
- v. **Perrera Calisco of New Jeswang**
- vi. **Karamo Barrow of Ebo Town**
- vii. **Momodou Lamin Njie of Ebo Town**
- viii. **Mansally Wuyeh of Talligding Kunjang**
- ix. **Amadou Ablie Sajaw (3 year old boy)**
- x. **Burama Badjie (10 year old boy) of Talligding**
- xi. **An unidentified corpse in the mortuary**
- xii. **Ousman Sembene (3 year old boy shot in the head)**

## APRIL 11, 2000

- xiii. **Ousman Sabally of Kerewan Samba Sire**
  - xiv. **Sainey Nybally of Dasilameh Village (12 year old boy)**
  - xv. **Bamba Jobarteh (Armitage student tortured and detained at Janjangbureh Prisons and died shortly thereafter)**
24. The RVTH was:
    - (a) *inadequately equipped to deal with emergencies of such nature;*
    - (b) *the hospital personnel were negligent in sending two injured people to the mortuary without verifying whether they were alive.*
  25. As a result of the heavy-handed action of the security forces, some students are still left permanently incapacitated (mentally, physically and emotionally) and require further medical support and continuous assistance. Two student still suffered from mental disability as a result of the psychological trauma.
  26. The victims were unfairly and unlawfully denied access to medical records which were needed for further treatment. The seizure of these documents further limited the possibilities of the victims to seek more expert help abroad.
  26. Three students, **Sainey Senghore**, **Assan Suwareh** and **Yusupha Mbye** were taken to Egypt for further treatment medical treatment by virtue of the severity of their injuries. The State failed to provide the funds needed to take care of their medical bill, resulting in them being prematurely discharged. Consequently the three became permanently disabled.

## RECOMMENDATIONS

1. **Yahya Jammeh** as Commander in Chief of The Gambia Armed Forces should be prosecuted for all the atrocities against students such as arbitrary arrests, unlawful detentions, tortures, assaults causing harm and killings of the demonstrators by reason of:
  - i. *The orders and instructions he had given.*
  - ii. *Failing to investigate and prosecute members of the security forces who committed the violation and for seeking to seal them from responsibility via the Indemnity Act.*
2. **Isatou Njie Saidy**, **Baboucarr Jatta** and **Ousman Badjie** should be prosecuted for the arbitrary arrests, detentions, tortures, injuries and killings of the demonstrators.
3. By the Commissioners present and voting, the majority voted in favour of prosecuting **Isatou Njie Saidy** and imposing a ban on her from holding public office for a period of ten (10) years and **Yahya Jammeh** is banned from holding public office for life for their roles in the massacre of students on April 10 and 11, 2000.

4. **Baboucarr Jatta** should be prosecuted and banned for ten (10) years for the unlawful arrests, detention, torture, injury and killing of the demonstrators.
5. **Abdou Giri Njie** should be prosecuted for the unlawful arrest, detention, torture and for the unlawful shooting resulting in the deaths and injury of two students **Sainey Nybally** and **Ousman Sabally**.
6. **Corporal Lamin Camara** should be removed from office if he is currently employed and banned from holding any public office for five (5) years for knowingly providing false information.
7. All those recommended above for prosecution should be banned from holding public office for a period of not less than 5 years if they have not been prosecuted or if they have been granted amnesty.
8. **Gorgui Mboob** should be prosecuted for the assault and injury of **Ousman Sabally**. He should be banned from holding public office for five (5) years.
9. All those who were with **Gorgui Mboob** at St. Augustine's **High School including Modou Lamin Fatty, Abdoulie Bah, Modou Cham and Modou Gajaga** should be subjected to internal disciplinary mechanisms if they are still occupying public office.
10. **Baboucarr Sowe** and **Momodou Ceesay** should be banned from holding public office for five (5) years.

**11. The government should:**

- a) Provide proper training to the security forces on crowd control (riot management), and all other relevant security and legal issues concerned with the management of violent demonstrations and riots. In addition, the government should provide the security forces with appropriate equipment and materials needed for demonstrations or protests of this magnitude.
- b) The Ministries of Basic and Secondary Education and Tertiary Education should consider:
  - i. *Declaring April 10 or 11 a school holiday or to develop other arrangements to memorialize the sad events and ensure a non-recurrence of what happened in 2000.*
  - ii. *Putting in place mechanisms to (a) meet with student bodies annually to discuss issues of concern to the students, and (b) facilitate and enhance setting up an official channel of communication to deal with student complaints on a timely and effective basis.*
- c) Set up a rehabilitation centre or a fund to provide medical assistance and support for victims who have been left permanently incapacitated (mentally and physically) as a result of this incident.

