



TRUTH,
RECONCILIATION
AND REPARATIONS
COMMISSION

THE GAMBIA

REPORT

VOLUME 12

- **THE KILLING OF
THE WEST AFRICAN MIGRANTS**
- **ENFORCED DISAPPEARANCES**

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**• THE KILLING OF
THE WEST AFRICAN MIGRANTS**

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CONTENTS

KILLING OF THE WEST AFRICA MIGRANTS

INTRODUCTION	1
FACTS OF THE INCIDENTS	1
ARRESTS OF THE MIGRANTS	2
DETENTION AT BARRA AND TRANSFER TO BANJUL	5
THE KILLINGS	6
DISCOVERY OF THE BODIES	14
ACCOUNTS OF VICTIMS/SURVIVORS	18
INVESTIGATIONS, COVER UP AND DESTRUCTION OF EVIDENCE	19
FINDINGS	31
RECOMMENDATIONS	36

INTRODUCTION

1. The Gambia has been a country of destination and transit for economic migrants from the West African sub-region for decades. In the past 20 years, it also became a significant country of origin for migrants and refugees travelling to Europe and North America. Economic hard times have also resulted in persistent migration, and The Gambia is proportionally one of the biggest exporters of economic migrants to Europe.
2. The number of migrants from West Africa seeking asylum in European Union member states almost quadrupled in the last two decades and countless more have taken the perilous journey through North Africa, arriving in Europe on overcrowded boats through the Mediterranean Sea. Perilous journeys on small boats in the rough waters of the Atlantic Ocean for greener pastures became an unprecedented phenomenon in West Africa. African youths from these shores embarked on these dangerous journeys. Many died in transit, while others became stranded in Libya and other countries in and around the Sahara Desert area. The phenomenon became known as the “back way” – a term derived from the irregular nature of the migration.

FACTS OF THE INCIDENTS

- SUMMARY OF WITNESS TESTIMONIES

3. On July 22 2005, about 67 economic migrants from West Africa – a large proportion from Ghana – started their journey with the hope of getting to Europe through the Mediterranean Sea. They were told that they had to come to The Gambia to board a boat that would take them to Europe. Unfortunately, when they arrived, they were abandoned by their agent in The Gambia.
4. **Eric Nana Yao Owusu Ansah**, a Ghanaian national who was among the West African migrants who arrived in The Gambia, recalled in detail the events leading to the massacre of his ill-fated companions. In 2003, this witness left Ghana and went to Senegal to find a route to Europe hoping for a better life.¹ In May or June 2005, **Mark Essien** and **Daniel Amankwa** – both Ghanaians – told the witness that they knew an American man named “**Taylor**” who would arrange for them to be transported to Europe.² Through further intermediaries, the witness met **Lamin Tunkara** who told him that he could arrange a boat and sponsor their journey to Europe.³ Under this arrangement, the witness and two of his companions first needed to take a boat to The Gambia where they would connect to the boat which would take them to Europe.⁴
5. According to the witness’ recollection of the events, it was on 15 July 2005 that their boat departed from Mbour in Senegal and reached a place near Banjul port in the morning of

1 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 4-5, lines 85-93.

2 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 7-9, lines 137-173.

3 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 7-9, lines 137-173.

4 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 9-11, lines 171-214.

15 July 2005.⁵ Once the boat left Mbour, the witness, as instructed by the captain, counted a total of 67 passengers on board.⁶ According to the witness, amongst them were more than 50 Ghanaians, seven Nigerians, two Senegalese, three Ivoirians and two Togolese.⁷ The witness recalled the names of some of the passengers, namely: **Robert Essien, Daniel Osei Amankwa, Martin Kyere Kojo, Yaw Teacher**, a man nicknamed **Primo, Kwame, Victor Oduro** and **Kwabena**.⁸

ARRESTS OF THE MIGRANTS

6. Shortly after the migrants arrived ashore, they were intercepted by state agents who placed them under arrest. The state agents involved in this operation were the Marine Unit, Police, officers from the National Intelligence Agency (NIA) and, eventually, the Junglers. At the initial stage, the security forces treated them as migrants and obtained their details.
7. The witness recalled that when their boat approached the coast, some of the passengers asked him to go to Banjul, buy a sim card and call their agent – **Lamin Tunkara**.⁹ The witness was the first to disembark the boat, at which time some people on the shore saw him and thought he was a thief and started beating him.¹⁰ In the meantime, between five and seven passengers – including **Mark Essien, Daniel Amankwa** and a “Rasta man” – jumped off the boat, swam to the shore and entered Banjul.¹¹ The beating stopped when several gunshots were heard and a police officer who arrived at the scene took the witness to Banjul Police Headquarters.¹² The witness recalled that about half an hour later, **Mark Essien** and **Daniel Amankwa** were also brought to Banjul Police Headquarters.¹³
8. Amongst the police officers at the Police Headquarters, the witness saw the Officer Commanding the Criminal Investigation – **Lamin Cham**, Sergeant **Ndure** and a driver named **Sonko**.¹⁴ During the first two weeks of their detention, on at least two occasions, Sergeant **Ndure** and other police officers took **Mark Essien, Daniel Amankwa** and the witness upstairs and severely beat them while taking their statements.¹⁵ In addition, Sergeant **Ndure** and other police officers tightened the handcuffs of the three detainees.¹⁶ On one occasion, Sergeant **Ndure** and a woman took the witness into a room, undressed him and applied electricity to his genitals.¹⁷
9. The witness further recalled that at one point during his detention, paramilitary soldiers wearing black uniforms came to Banjul Police Headquarters and said that they were taking

5 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 11-12, lines 215-220, 224, 245, 250, pp 23-24, lines 496-548.
6 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 20-21, lines 428-443.
7 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p 14, lines 294-295, pp 21-23, lines 452-493.
8 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 27-28, lines 563-613.
9 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p 11, lines 221-222; pp 13-14, lines 261-290; pp 17-18, lines 367-369.
10 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 11-13, lines 226-237, 247-248, 257-260; p 15, lines 301-303, 19-20; lines 410-418.
11 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 12-13, lines 240-241, 247-248; pp 15-16, lines 304-306, 319-333; p 28, lines 617-621.
12 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 15-16, 306-307, lines 341-342; pp 19-20, lines 405-409, 419-426; p. 23, lines 494-495.
13 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 12-13, lines 253-254, pp 14-15, lines 298-300, p 16; lines 341-342, p. 29, lines 622-634.
14 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p. 30, lines 646-653.
15 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 29-33, lines 641-645, 657-663, 667-701, 733-736.
16 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 30-32, lines 660-662, 667-668, 673, 690, 694-700.
17 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p. 30, lines 664-665; pp 32-33, 703-732.

Mark Essien, Daniel Amankwa and the witness to another location where they were to join the other West African migrants.¹⁸ The three detainees, however, refused to be taken to a new location and so the paramilitary soldiers took away only **Lamin Tunkara** who was at the time also detained by the police.¹⁹

10. Witness **Adama Conteh** is the widow of **Lamin Tunkara** who was the only Gambian arrested together with the West African migrants and later disappeared. She testified before the Commission that on 23 or 24 July 2005, her husband told her that he was going to Banjul.²⁰ On the same day, after 3pm, more than ten men dressed in civilian clothes escorted a handcuffed **Lamin Tunkara** to his house, ransacked it and left, taking away the witness’ husband.²¹ He later explained to his wife the reason for his arrest: *“Some Ghanaians came from Ghana and came to The Gambia here so that I can travel with them through the backway and go to Spain. They had an agent in Senegal but that agent is still based in Senegal, and it was that agent who introduced them to me so that I can go with them”*.²²
11. On the same day, the witness received a telephone call from her husband informing her that he had been taken to Banjul police station.²³ During the first two days of his arrest, the witness and other members of their family were unsuccessful in their attempts to secure his bail.²⁴ On the third day, the witness received another telephone call from her husband – this time informing her that he was going to be transferred to Kairaba police station.²⁵ During the first three days of her husband’s detention at Kairaba Police Station, the witness visited him twice or thrice a day to bring him food.²⁶ At the police station, she also saw the West African migrants all being detained in the same cell, and her husband clarified that the police did not believe that they were intending to travel to Europe through the “back way”.²⁷
12. On the day **Lamin Tunkara** was transferred from Banjul to Kairaba police station, he asked his wife to contact a lawyer named **Neneh Cham Chongan** in order to secure his bail.²⁸ This lawyer filed an application before the Banjul Magistrates’ Court, and **Lamin Tunkara** was granted bail on 1 August 2005.²⁹ When the lawyer and the witness went to the police station to process the bail, the person in charge of signing the bail order was not there and so they decided to return the following day.³⁰
13. In the evening of the same day when the lawyer and the witness went to the police station, **Lamina Tunkara’s** brother came to Kairaba police station to bring him dinner but did not find him and the other West African migrants there.³¹ The witness then rushed to the police station where a police officer on duty informed her that her husband and the migrants

18 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 37-38, lines 818-829.
19 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 38-39, lines 829-857.
20 Testimony of Adama Conteh, 8 March 2021, pp 7-8, lines 130-135; p 11, lines 221-228.
21 Testimony of Adama Conteh, 8 March 2021, pp 8-11, lines 159-188, 198-208.
22 Testimony of Adama Conteh, 8 March 2021, p 12, lines 247-250.
23 Testimony of Adama Conteh, 8 March 2021, p 11, line 210.
24 Testimony of Adama Conteh, 8 March 2021, pp 11-12, lines 212-219, 229-237.
25 Testimony of Adama Conteh, 8 March 2021, p 12, lines 238-242.
26 Testimony of Adama Conteh, 8 March 2021, pp 13-14, lines 275-297.
27 Testimony of Adama Conteh, 8 March 2021, pp 13-14, lines 254-255, 259-262, 286-288.
28 Testimony of Adama Conteh, 8 March 2021, p 15, lines 299-303.
29 Testimony of Adama Conteh, 8 March 2021, pp 15-16, lines 307-334-338.
30 Testimony of Adama Conteh, 8 March 2021, pp 16-17, lines 343-347.
31 Testimony of Adama Conteh, 8 March 2021, p 17, lines 355-358.

had been taken away, without providing further details.³² The witness stated that she was therefore surprised to hear witness **Lamin Cham** testifying before the Commission that **Lamin Tunkara** had been formally released from Banjul Police Station.³³

14. From Kairaba police station, the witness went to Kanifing Police Station and then Jeshwang Prison hoping to get some information about her husband's whereabouts but to no avail.³⁴ **Neneh Cham Chongan** also expressed apprehension about the disappearance of the witness' husband, especially after being granted bail.³⁵ In a letter she sent on 8 August 2005 to the Inspector General of Police, the lawyer stressed that before his disappearance, **Lamin Tunkara** was last seen in the custody of the police and demanded that prompt action be taken in order to determine his whereabouts.³⁶ The witness then went to Mile II Central Prison hoping to find out about her husband's whereabouts but again, to no avail.³⁷
15. It was not until 2018 that **Adama Conteh** met **Martin Kyere**, the sole survivor of the 2005 massacre described below, who narrated to her the gruesome details of the summary execution of the West African migrants.³⁸ That was the moment when she believed that her husband had been killed.³⁹
16. After 11 months of detention at the Police Headquarters, **Ebenezer Ampabeng**, then a Ghanaian teacher in The Gambia, with the assistance of a lawyer who represented **Mark Essien**, **Daniel Amankwa** and the witness in court, obtained their release.⁴⁰ Upon their release, they were to be taken to Barra – a town facing Banjul on the opposite shore of the River Gambia – and from there, to the Ghanaian Embassy in Dakar, Senegal, and subsequently to Ghana.⁴¹
17. After this incident, the witness heard from a group of Nigerians who were not amongst the passengers of the boat that all the other West African migrants had been killed and that eight of them were killed at Brufut Village.⁴² On another occasion during his detention by the police, a man also told the witness that all the other West African migrants were killed.⁴³
18. **Biran Mbye** – former Commander of the Police Intervention Unit – told the Commission that on 22 July 2005,⁴⁴ the Deputy Inspector of Police, **Abou Njie**, called him in the evening and asked to urgently meet him at the Marine Unit offices in Banjul.⁴⁵ The top service chiefs and their deputies were present at the Marine Unit – including **Foday Barry**, **Baba Saho**, **Abou Njie**, **Kawsu Camara** (alias **Bombardier**) from the military, as well as other personnel from

32 Testimony of Adama Conteh, 8 March 2021, pp 17-18, lines 358-368.
 33 Testimony of Adama Conteh, 8 March 2021, p 13, lines 263-269.
 34 Testimony of Adama Conteh, 8 March 2021, p 18, lines 370-375.
 35 Testimony of Adama Conteh, 8 March 2021, p 18, lines 381-386.
 36 Testimony of Adama Conteh, 8 March 2021, p 19, lines 397-410.
 37 Testimony of Adama Conteh, 8 March 2021, p 20, lines 418-428.
 38 Testimony of Adama Conteh, 8 March 2021, pp 23-25, lines 483-544.
 39 Testimony of Adama Conteh, 8 March 2021, p 25, lines 544-547.
 40 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 34-36, lines 737-739, 781-783; pp 36-37, lines 805-817; p 39, lines 868-870.
 41 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, pp 39-41, lines 872-898.
 42 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p 39, lines 858-867.
 43 Testimony of Eric Nana Yao Owusu Ansah, 2 March 2021, p 41, lines 899-906.
 44 Testimony of Biran Mbye, 24 March 2021, pp 8, lines 158-170.
 45 Testimony of Biran Mbye, 24 March 2021, pp 9, lines 171-182.

the NIA, the navy and the State Guard.⁴⁶ While at the Marine Unit, **Abou Njie** explained to the witness that a group of migrants arrested by the police and security forces in Barra were first taken to Barra police station and then transferred to the Marine Unit.⁴⁷

DETENTION AT BARRA AND TRANSFER TO BANJUL

19. Later the same evening, it was decided to divide the arrested migrants into groups and to take one group to **Baba Jobe**'s residence and another to the PIU.⁴⁸ Before this, while still at the PIU, the witness saw **Kawsu Camara** shouting at the migrants and forcing them to comply with his orders to straighten their legs or to sit down.⁴⁹ After, **Kawsu Camara** – who was dressed in traditional Jola clothes – handcuffed them. Afterwards, they were boarded onto buses and taken to Kairaba Police Station.⁵⁰ The witness, together with the service chiefs, boarded their cars and followed the buses to Kairaba Police Station.⁵¹ At the police station, the migrants were disembarked and taken to the charge office where the relief commander took down their details on a plain sheet of paper.⁵² The witness recalled that a copy of that list was provided to the service chiefs, including **Abou Njie**.⁵³ While at Kairaba Police Station, **Abou Njie** told the witness that he believed that the persons arrested in Barra were indeed migrants and that he was trying to set up an investigation into the matter.⁵⁴
20. As instructed by **Abou Njie**, the witness took three other migrants to Kairaba Police Station and put them in the office of his second-in-command officer.⁵⁵ On an unspecified date, **Kawsu Camara** came to Kairaba police station and requested the witness to hand over to him the three detained migrants.⁵⁶ After the witness refused to comply with **Kawsu Camara**'s request, it was the Inspector General of Police, **Ousman Sonko**, who called the witness and ordered him to hand over the migrants to **Camara**.⁵⁷ The witness then recorded in the Kairaba Police Station diary **Kawsu Camara**'s vehicle number and the driver's name.⁵⁸ Three migrants were therefore taken by **Biran Mbye** and handed over to **Kawsu Camara**.
21. One or two days later, the witness received a telephone call from Brufut Police Station in Ghana Town – a Ghanaian settlement along the coast of River Gambia – informing him that dead bodies were found at the Tanji Bird Reserve.⁵⁹ When he called **Abou Njie** and informed him about the discovered bodies, **Abou Njie** told him that he had dispatched Crime Management Coordinator **Pa Amady Jallow** to the scene.⁶⁰ Upon his arrival at the scene, he saw eight bodies.⁶¹ He observed that their necks were broken and that they had blood in their mouths, noses and ears.⁶² Based on the physical appearance of the migrants he saw the

46 Testimony of Biran Mbye, 24 March 2021, pp 9-10, lines 183-187; p 13, lines 254-260.
 47 Testimony of Biran Mbye, 24 March 2021, pp 11-12, lines 210-217, 233-236.
 48 Testimony of Biran Mbye, 24 March 2021, p 11, lines 227-229; p 17, lines 351-352, 359.
 49 Testimony of Biran Mbye, 24 March 2021, p 12, lines 237-249.
 50 Testimony of Biran Mbye, 24 March 2021, p 10, lines 192-198; p 14, lines 292-299.
 51 Testimony of Biran Mbye, 24 March 2021, p 15, lines 303-306.
 52 Testimony of Biran Mbye, 24 March 2021, p 15, lines 312-322.
 53 Testimony of Biran Mbye, 24 March 2021, p 16, lines 326-331.
 54 Testimony of Biran Mbye, 24 March 2021, p 11, lines 218-221; pp 16-17, lines 337-357.
 55 Testimony of Biran Mbye, 24 March 2021, pp 17-18, lines 359-377.
 56 Testimony of Biran Mbye, 24 March 2021, p 18, lines 377-378; p 26, lines 559-570.
 57 Testimony of Biran Mbye, 24 March 2021, pp 26-27, 571-584; p 37, lines 822-827; pp 38-39, lines 850-854.
 58 Testimony of Biran Mbye, 24 March 2021, p 27, lines 582-584.
 59 Testimony of Biran Mbye, 24 March 2021, p 18, lines 386-387.
 60 Testimony of Biran Mbye, 24 March 2021, pp 18-19, lines 389-393.
 61 Testimony of Biran Mbye, 24 March 2021, p 19, lines 397-401.
 62 Testimony of Biran Mbye, 24 March 2021, pp 19-20, lines 409-416.

night before at Kairaba Police Station, the witness concluded that the bodies found at the Tanji Bird Reserve were part of the same group of migrants.⁶³ Later on, officers under his command loaded the bodies on pickup vehicles and took them away.⁶⁴

22. The witness recalled that upon his return to the police station, he deployed a guard to **Baba Jobe**'s residence and saw his officers recording all the activities of that evening in the station diary.⁶⁵ He stated that **Musa Touray** (nicknamed **Sergeant Fry**) who was on duty at Kairaba Police Station at the time confirmed the witness' own observation that it was the Junglers who collected the migrants from **Baba Jobe**'s residence.⁶⁶ The witness recalled that all the activities related to this incident were duly recorded in the station diary until the day the Junglers came to the police station and tore all the pages out of the station diary.⁶⁷
23. The witness denounced as a lie the finding of the government's investigation that the eight discovered bodies bore no relationship to the group of migrants that came to Barra.⁶⁸ The witness went on to say that the Junglers and the Army were deliberately wearing similar or identical black uniforms so that blame for horrific crimes such as the summary execution of the West African migrants would be placed on the police.⁶⁹ The Commission relevantly recalls, in this context, the evidence it received that a Ghanaian man who was arrested at Brufut Police Station in Ghana Town shouted "*They are here*" and "*Do not kill me*" when he saw police officers in black uniforms carrying guns.⁷⁰
24. The witness said to the Commission that the government's failure to properly investigate this case and arrest those responsible for this egregious crime was indeed indicative of the State's involvement in this crime and its efforts to cover it up.⁷¹ This is all the more so, considering that the Junglers admitted before the Commission that they summarily executed the West African migrants and that many people knew about this heinous crime.⁷²
25. The witness denied knowledge of more bodies, in addition to eight aforementioned bodies, being discovered at the Tanji Bird Reserve and as to who issued the orders to bury those bodies in the forest – a claim contradicted by witness **Omar Saidykhan** who testified that the instructions to bury the bodies came directly from **Biran Mbye**.⁷³

THE KILLINGS

26. According to the testimony of **Malick Jatta**, sometime in 2005, while he was in Kanilai, they were asked by the commanders to assemble. The team comprised of **Solo Bojang**, **Tumbul Tamba**, **Sanna Manjang**, **Aliou Jeng**, **Michael Jatta**, **Fansu Nyabally**, **Mustapha Sanneh** and **Malick Jatta** himself. They were all dressed in combat gear as if they were going to war. They headed towards Wonni where Jammeh had land, and they saw a convoy approaching.

63 Testimony of Biran Mbye, 24 March 2021, pp 21-22, lines 460-473.
 64 Testimony of Biran Mbye, 24 March 2021, p 20, lines 422-425.
 65 Testimony of Biran Mbye, 24 March 2021, p 20, lines 430-433.
 66 Testimony of Biran Mbye, 24 March 2021, pp 20-21, lines 433-442; p 25, 530-534.
 67 Testimony of Biran Mbye, 24 March 2021, p 21, lines 444-451.
 68 Testimony of Biran Mbye, 24 March 2021, p 22, lines 474-482.
 69 Testimony of Biran Mbye, 24 March 2021, pp 23-24, lines 493-516, 522-526.
 70 Testimony of Biran Mbye, 24 March 2021, p 24, lines 517-521.
 71 Testimony of Biran Mbye, 24 March 2021, p 25, lines 535-551.
 72 Testimony of Biran Mbye, 24 March 2021, pp 25-26, lines 552-557.
 73 Testimony of Biran Mbye, 24 March 2021, pp 27-29, lines 585-628.

Solo Bojang made a U-turn towards Casamance.⁷⁴

27. **Omar "Oya" Jallow**, on the other hand, testified that their commander, the late **Tumbul Tamba** asked the Guard Commander, **Adama Saidy** to provide him with some men for escort from Kanilai to Banjul. **Buba Jallow** was selected as the driver. **Omar Oya Jallow**, **Solo Bojang**, **Sanna Manjang**, **Aliou Jeng** and **Malick Jatta** were assigned to go with the driver (**Buba Jallow**).⁷⁵ **Sanna Manjang** led the briefings for the second group that was going to Banjul, and this included **Lieutenant Colonel Sarjo Jarju**, **Bai Lowe**, **Musa Badjie** and **Kawsu Camara, aka Bombardier**.⁷⁶
28. **Omar Jallow's** group picked up some of these migrants from a property near Coconut Residence. These individuals were arrested and placed under the temporary detention of the PIU officers.⁷⁷ When the arrested men – about thirty of them, whom he referred to as Ghanaians – were handed over to them, they transported them in two vehicles.⁷⁸ **Aliou Jeng** stated that he could not recall if they were up to thirty, but if **Oya** put the number at thirty. Then, they must have been thirty victims.⁷⁹
29. In terms of **Aliou Jeng's** testimony regarding this issue, he initially stated that he heard about the killings of Ghanaians over the radio and the discovery of ten bodies in Brufut. However, he said that he did not know who killed them and how they were taken there.⁸⁰ When he was informed that he was adversely implicated in the killings of the Ghanaians, derived from the testimonies of other Junglers, he responded that he did not know that the individuals killed were Ghanaians. However, he admitted that he was part of a team that escorted men dressed in civilian clothes.⁸¹
30. According to **Malick Jatta**, when they were joined by the convoy from Banjul, they drove through a bush path further into Casamance and when they reached a certain destination, the vehicles stopped. **Solo Bojang** pulled of a migrant who was in the lead vehicle and walked with him until they got close to an old ditch and ordered him (**Malick Jatta**) to shoot the man. He admitted that he obeyed the order and shot and killed the man. When he got back to the vehicle, he heard voices saying "*Jesus, save us. Jesus, help us.*" Suddenly, he heard people running and shots being fired. He noticed a man hiding by the vehicle but at that time, he was in no mood to shoot, and so he let him escape. The victims were speaking in a foreign language he did not understand. The shootings continued. **Sanna Manjang** and others were at the execution ground, and he was the only one in the vehicle and remained there.⁸² The site of the execution was an old well. The victims were shot and they fell into the ditch. **Malick Jatta** said that after the executions, he asked who the victims were and **Solo Bojang** tol him, "*these are mercenaries that were arrested somewhere in Kombo by the NIA.*"⁸³
31. He stated **Bai Lowe** told him that the other victims were killed and dropped on the road. He added that he had an interaction with **Bai Lowe** in Kanilai and **Bai Lowe** told him

74 Testimony of Malick Jatta, 23 July 2019, lines 185-228
 75 Testimony of Omar Oya Jallow, 23 July 2019 page 36, lines 417-422
 76 Testimony of Omar Oya Jallow, 23 July 2019, page 36, lines 435-438
 77 Testimony of Omar Oya Jallow, 23 July 2019, lines 442-450
 78 Testimony of Omar Oya Jallow, 23rd July 2019, lines 424-428
 79 Testimony of Aliou Jeng 19th August 2019 lines 45-104
 80 Testimony of Aliou Jeng, 8 August 2019, lines 2477-2485
 81 Testimony of Aliou Jeng, 8 August 2019, lines 2498-2504
 82 Testimony of Malick Jatta, 23 July 2019, p 11-16, lines 225-321
 83 Testimony of Malick Jatta, 23 July 2019, lines 398-409

that **Musa Badjie** was negligent in allowing one of the victims to take his rifle from him (**Musa Badjie**), and he (**Bai Lowe**) had to save the situation. **Sanna Manjang** found one of the victims that had escaped and killed him. He said he thought that was the person he allowed to escape,⁸⁴ but eventually met his cruel death in the hands of the Junglers.

32. According to **Omar Jallow**'s account, after picking up the Ghanaians, they drove to Foni in the direction and surroundings of Kanilai, behind the fence of a piece of land owned by **Yahya A.J.J. Jammeh**. Then, they ventured into Casamance. When they arrived at their destination, **Solo Bojang** briefed the Jungler by saying, "*These people are mercenaries. The order from the Head of State and the President Yahya Jammeh is that they are all to be executed.*" He said that **Alieu Jeng** and him were tasked to take the victims from the vehicles and hand them over to **Sanna Manjang** and **Malick Jatta** who shot them and they fell into the pit. While escorting them, he found out that those people were trying to travel to Europe through the "backway".⁸⁵ This was confirmed by **Alieu Jeng** who testified that when they escorted the victims into the forest, they sat them down on the ground. He corroborated **Omar Jallow**'s evidence that the two of them were assigned to take the victims to **Malick Jatta** and **Sanna Manjang** and then they would hear shots.⁸⁶

33. Under cross examination, **Malick Jatta** was confronted with the witness statement of **Omar Jallow** in which it was suggested that about fifteen (15) victims were handed over to him and **Sanna Manjang** and they carried out the executions. He denied that assertion and stated that he shot only one person and that he was a Lance Corporal at the time and the Commanders were there. He further stated that he had a chance to kill the only person that escaped the incident but chose not to.⁸⁷ He stated that he could not tell the exact number of victims killed but they were more than seven (7). He was also challenged the statement that two batches of fifteen (15) victims were brought and handed over to him and **Sanna Manjang**. He denied this account and insisted that he killed only one person⁸⁸

34. **Omar Jallow** stated that one of the victims gave him a \$100 note and asked him to allow him to pray. He allowed the captive to pray. And while he was saying his last prayers, **Sanna Manjang** shot him on the head.⁸⁹ He stated that the assertion by **Malick Jatta** that he shot only one person and he returned to his car and did not participate in any more killing was false. He emphasised that as far as he could recall, they brought about 30 thirty people from the vehicles and handed them over to **Sanna Manjang** and **Malick Jatta** and they were killed by the duo (**Sanna Manjang** and **Malick Jatta**)⁹⁰

35. According to **Alieu Jeng**, **Solo Bojang** was in charge of the operations and he (**Solo Bojang**) was getting his orders from **Tumbul Tamba**. The latter was getting orders from **Yahya A.J.J. Jammeh** and that all orders came from **Yahya A.J.J. Jammeh**.⁹¹

36. A total of eleven soldiers were involved in this mission, namely: **Kawsu Camara – aka Bombardeh, Bai Lowe, Musa Badjie, Landing Tamba, Sanna Manjang, Solo Bojang,**

84 Testimony of Malick Jatta, 23 July, lines 422-437
 85 Testimony of Omar Oya Jallow, 23 July 2019, lines 485-516
 86 Testimony of Alieu Jeng 8 August 2019, lines 2561-2572.
 87 Testimony of Malick Jatta, 23 July 2019, p 16, line 325-359.
 88 Testimony of Malick Jatta, 23 July 2019, p 17-18, lines 361-375.
 89 Testimony of Omar Jallow, lines 531-567.
 90 Testimony of Omar Jallow, lines 566-578.
 91 Testimony of Alieu Jenge, 8 August 2019, line 122-175.

Malick Jatta, Alieu Jeng, Omar A. Jallow and Buba Jallow.⁹²

37. Lamin Sillah – then a warrant officer in the Gambia Armed Forces who joined the Junglers in 2002 – collaborating the testimonies of the other Junglers, said that on 23rd July 2005⁹³ he was on duty as an army driver at Kanilai Village.⁹⁴ The Junglers posted at Kanilai were under the command and control of their commander, **Tumbul Tamba**.⁹⁵ On that night, around midnight, the three most notorious Junglers – **Solo Bojang, Malick Jatta** and **Sanna Manjang** (alias **Alfidie**) – after a meeting with **Tumbul Tamba**, boarded a double cabin Toyota belonging to the army and driven by **Tumbul Tamba** and told the witness that they were going on patrol.⁹⁶ They were armed with AK-47 rifles, pistols and an automatic grenade launcher (PGL).⁹⁷ A second pickup vehicle with Junglers on board drove behind them.⁹⁸

38. Upon their arrival at Bwiam village, **Solo Bojang** received a telephone call from **President Yahya A.J.J. Jammeh**, and the witness heard him saying over the phone, "*Yes Sir. Yes Sir, Your Excellency*", which the witness understood to mean that **Solo Bojang** was agreeing with what the President was saying to him.⁹⁹ When they arrived at Mandinaba, the witness said to **Solo Bojang** that Mandinaba was beyond their area of patrol and asked him where they were going.¹⁰⁰ In response, **Solo Bojang** instructed the witness to drive on.¹⁰¹ After they passed the airport junction, before arriving at **Baba Jobe**'s residence, **Solo Bojang** received another telephone call – this time from **Daba Marena**, then Director General of the NIA.¹⁰²

39. Once at **Baba Jobe**'s residence, the witness saw how **Solo Bojang** took out of the house 20 migrants detained there, tied them together by their hands and legs with ropes and forced them into the back of the two pickup vehicles parked in front of the house.¹⁰³ The witness recalled that the two women who were amongst them were left at the Junglers' base, which was **Baba Jobe**'s former residence.¹⁰⁴ Once they reached Kanilai Village, the two pickup vehicles drove to a place in the forest near a small stadium and a park. According to the witness, the place was about two kilometres away from **Yahya A.J.J. Jammeh**'s Kanilai residence.¹⁰⁵ When the pickup vehicles stopped, the witness saw one of the captives, **Martin Kyere**,¹⁰⁶ jump out of the back of the vehicle, bend down and start to run away, by which time **Solo Bojang** started shooting at and running after him.¹⁰⁷

40. After the migrants disembarked from the pickup vehicle, the witness saw **Solo Bojang** shoot one of the migrants who fell into a well.¹⁰⁸ The man who fell into the well was

92 Testimony of Omar Oya Jallow, 23 July 2019, lines 469-476.
 93 Testimony of Omar Oya Jallow, 23 July 2019, lines 477-483.
 94 Testimony of Lamin Sillah, 22 March 2021, pp 8-9, lines 157-168; p 37, lines 807-809; p 42, lines 938-943.
 95 Testimony of Lamin Sillah, 22 March 2021, p 13, lines 269-271; p 15, lines 304-306; p 17, lines 362-363; p 51, lines 11, 45-1146; p 110, lines 2506-2507.
 96 Testimony of Lamin Sillah, 22 March 2021, pp 37-40, lines 812-844, 861-901; pp 45-46, lines 993-1025; p 109, lines 2462-2466.
 97 Testimony of Lamin Sillah, 22 March 2021, pp 43-44, lines 953-972.
 98 Testimony of Lamin Sillah, 22 March 2021, p 38, line 832; pp 41-42, lines 916-928; pp 107-108, lines 2431-2450.
 99 Testimony of Lamin Sillah, 22 March 2021, pp 44-45, lines 983-990; pp 46-48, lines 1026-1074.
 100 Testimony of Lamin Sillah, 22 March 2021, p 44, lines 980-981; pp 48-49, lines 1077-1089; p 50, lines 1108-1115.
 101 Testimony of Lamin Sillah, 22 March 2021, p 51, lines 1132-1134.
 102 Testimony of Lamin Sillah, 22 March 2021, p 52, lines 1157-1169.
 103 Testimony of Lamin Sillah, 22 March 2021, pp 52-55, lines 1169-1225.
 104 Testimony of Lamin Sillah, 22 March 2021, p 54, lines 1207-1208.
 105 Testimony of Lamin Sillah, 22 March 2021, pp 58-63, lines 1301-1345, 1353-1426.
 106 Testimony of Lamin Sillah, 22 March 2021, p 65, lines 1454-1460, 1465-1469.
 107 Testimony of Lamin Sillah, 22 March 2021, p 65, lines 1454-1460, 1465-1469.
 108 Testimony of Lamin Sillah, 22 March 2021, p 64, lines 1447-1448; p 66, lines 1479-1482.

screaming and wailing, and **Malick Jatta** threw a grenade inside the well and it exploded.¹⁰⁹

Solo Bojang, Malick Jatta and **Sanna Manjang** then shot the other migrants one by one and pushed them into the well.¹¹⁰ The witness stated that although he did not take part in the shooting, he accepted that his culpability for this horrific crime arose from him knowingly and willingly participating in the killings.¹¹¹

41. He further stated that the migrants who were in the other pickup vehicle were also summarily executed and pushed into the well.¹¹² As the killings were happening in the forest, the witness could hear “bukurabou” (Jola drumming) music at **Yahya A.J.J. Jammeh**’s Kanilai residence.¹¹³ The witness stated that **Yahya A.J.J. Jammeh**, who was at his residence that night, must have heard the gunshots and the exploding grenade.¹¹⁴ The witness recalled that after they returned to Kanilai, **Solo Bojang** went to **Yahya A.J.J. Jammeh**’s residence and briefed him on the completed operation.¹¹⁵ Therefore, the witness accepted that **President Yahya A.J.J. Jammeh** had full knowledge that the Junglers, acting on his instructions, carried out the summary execution of 19 West African migrants.¹¹⁶
42. The next day, the witness was again ordered to go on patrol with **Solo Bojang, Malick Jatta** and **Sanna Manjang**. When they reached Mandinaba, the witness told **Solo Bojang** that they were again going outside their patrol area.¹¹⁷ They arrived at **Baba Jobe**’s residence, at which time the witness realised that there was going to be another round of killings.¹¹⁸ Once at **Baba Jobe**’s residence, **Solo Bojang** tied up together with ropes another group of migrants and forced them onto two pickup vehicles.¹¹⁹ When the witness said to **Solo Bojang**, “*what this people [the Junglers] did, this is not correct*” – referring to the killings carried out the day before – he responded, “*these people are mercenaries.*”¹²⁰ **Solo Bojang** later added, “*these mercenaries, they come here to overthrow the government.*”¹²¹ The witness stated that nothing in the captives’ appearance or behaviour indicated or suggested that they were mercenaries.¹²² He relevantly recalled that the day before, when the killings started, he heard some of the migrants saying that they wanted to travel and that they were going to take the “back way”.¹²³
43. The two pickup vehicles arrived at a place in the forest called “*Bunubor*”, garden¹²⁴ located near Kanilai Village.¹²⁵ Once the captives had disembarked from the pickup vehicle, **Solo Bojang** ordered the opening of fire on the migrants, and all the 20 migrants were executed

109 Testimony of Lamin Sillah, 22 March 2021, pp 66-67, lines 1481-1500; p 78, lines 1751-1756.
 110 Testimony of Lamin Sillah, 22 March 2021, p 64, lines 1447-1449; pp 67-70, lines 1514-1524, 1536-1542, 1564-1569.
 111 Testimony of Lamin Sillah, 22 March 2021, p 69, lines 1546-1560; pp 92-95, lines 2081, 2113-2140.
 112 Testimony of Lamin Sillah, 22 March 2021, pp 69-70, lines 1567-1569.
 113 Testimony of Lamin Sillah, 22 March 2021, p 68, lines 1525-1535; p 71, lines 1596-1600.
 114 Testimony of Lamin Sillah, 22 March 2021, p 63, lines 1421-1425; pp 72-73, lines 1620-1641, 1652-1654.
 115 Testimony of Lamin Sillah, 22 March 2021, pp 70-71, lines 1577-1595.
 116 Testimony of Lamin Sillah, 22 March 2021, pp 73-76, lines 1655-1705; pp 79-80, lines 1772-1793, 1800-1803; p 92, 2092-2093.
 117 Testimony of Lamin Sillah, 22 March 2021, p 77, lines 1727-1736, 1739-1743.
 118 Testimony of Lamin Sillah, 22 March 2021, pp 82-83, lines 1863-1873; p 93, lines 2116-2128.
 119 Testimony of Lamin Sillah, 22 March 2021, pp 82-84, lines 1863, 1875-1890; p 85, lines 1913-1916.
 120 Testimony of Lamin Sillah, 22 March 2021, p 84, lines 1894-1895.
 121 Testimony of Lamin Sillah, 22 March 2021, p 84, lines 1908-1909.
 122 Testimony of Lamin Sillah, 22 March 2021, p 84, lines 1896-1897; p 85, 1910-1912.
 123 Testimony of Lamin Sillah, 22 March 2021, p 84, lines 1898-1905.
 124 Testimony of Lamin Sillah, 22 March 2021, p 84, lines 1898-1905.
 125 Testimony of Lamin Sillah, 22 March 2021, pp 85-86, lines 1922-1927, 1939-1942.

and thrown into the well.¹²⁶ From there, they drove straight to **Yahya A.J.J. Jammeh**’s residence in Kanilai. And once there, **Solo Bojang** went to brief the President.¹²⁷ The witness admitted that **Yahya A.J.J. Jammeh** gave the order for the operation and that he had full control and command over the Junglers who executed in cold blood the 39 unarmed West African migrants.¹²⁸ The witness later recalled that he heard that dead bodies were found at Ghana Town near Brufut Village and that it was the team of Junglers under the command **Kawsu Camara** who carried out the killings.¹²⁹

44. The witness conceded that based on the facts and circumstances that emerged from his testimony relating to **Solo Bojang, Malick Jatta** and **Sanna Manjang** and his own implication in the killings of the West Africa migrants, the statement that the Foreign Affairs Minister of The Gambia addressed to the Government of Ghana, the United Nations (UN) and the Economic Community of West African States (ECOWAS) in 2005 that the perpetrators of these killings were “rogue elements” of the Gambia Armed Forces, constituted a blatant lie.¹³⁰ The witness also agreed that the claim that the Gambia Government did not know about any people killed by security forces in the country at that time was also false.¹³¹
45. **Bubacarr Bah** – then a station officer and criminal investigation officer at Barra Police Station – testified that on 22 July 2005, he received information that two men at the beachside near Sajuka were looking for a boat to cross over to Banjul.¹³² He reported this information to his superior officer **Abraham Jawara Demba** and, together with **Mawlud Faal**, an officer of the Drug Law Enforcement Agency (DLEA), they went to the beachside where they found the two men.¹³³ One of them – who was Togolese – explained that they were part of a larger group of people who were looking for two boats to cross over to Banjul where, at the Wharfi Njago ship repair depot, a boat was waiting to take them to Europe.¹³⁴ The witness recalled that when he was at Sajuka, he could see the rest of the group sitting on the shore on the Jinack side across from Barra.¹³⁵
46. The two men were taken to Barra Police Station, and all the activities were recorded in the station diary.¹³⁶ Upon their arrival at the police station, the witness informed the station officer that they were the only two arrested while the rest of the group remained at the beachside.¹³⁷ The witness believed at that moment that they were migrants and, together with other officers and the two men apprehended earlier, they returned with three boats to where the rest of the group was.¹³⁸ At beachside, the group of migrants, except those who ran away, boarded the boats and were taken to the police station.¹³⁹ The witness explained to the Commission that the main reason for arresting the migrants was to prevent them from embarking on the dangerous journey they intended to undertake.¹⁴⁰

126 Testimony of Lamin Sillah, 22 March 2021, pp 86-87, lines 1944-1950, 1954-1964.
 127 Testimony of Lamin Sillah, 22 March 2021, p 85, lines 1930; p 87, lines 1970-1973.
 128 Testimony of Lamin Sillah, 22 March 2021, pp 74-75, lines 1679-1696; p 80, lines 1800-1803; p 92, lines 1842-1845, 1851-1857; p 92, lines 2092-2093; p 93, lines 2101-2103; p 99, 2236-2238.
 129 Testimony of Lamin Sillah, 22 March 2021, pp 88-92, lines 1991-2074; p 103, lines 2329-2336; p 108, lines 2451-2557.
 130 Testimony of Lamin Sillah, 22 March 2021, pp 81-82, lines 1830-1857.
 131 Testimony of Lamin Sillah, 22 March 2021, p 88, lines 1983-1987.
 132 Testimony of Bubacarr Bah, 4 March 2021, pp 4-5, lines 59-78.
 133 Testimony of Bubacarr Bah, 4 March 2021, pp 5-6, lines 78-88.
 134 Testimony of Bubacarr Bah, 4 March 2021, pp 5-6, lines 89-111.
 135 Testimony of Bubacarr Bah, 4 March 2021, pp 6-7, lines 115-116.
 136 Testimony of Bubacarr Bah, 4 March 2021, pp 6-8, lines 107-137, 142.
 137 Testimony of Bubacarr Bah, 4 March 2021, p 5, lines 111-113.
 138 Testimony of Bubacarr Bah, 4 March 2021, p 10, lines 188-206.
 139 Testimony of Bubacarr Bah, 4 March 2021, p 11, lines 213-222.
 140 Testimony of Bubacarr Bah, 4 March 2021, p 11, lines 209-217.

47. At the police station, the witness prepared a list with the names of the 54 migrants.¹⁴¹ The witness recognised his own handwriting on a list showed to him by the Lead Counsel who noted that it contained 51 names.¹⁴² The witness explained the inconsistency by noting that he personally counted 54 migrants upon their arrival at the station.¹⁴³ He stressed that the migrants avoided the writing down of their names as much as possible and does not rule out the possibility that some of them could have escaped before he wrote the list.¹⁴⁴ The witness further recalled that he prepared two copies of the list. The first copy was later destroyed in a fire whereas the second copy, he provided to Immigration Officer **Abdoulie Danso**.¹⁴⁵ The names of the migrants were also recorded in the station diary.¹⁴⁶ The witness and **Abraham Jawara Demba** agreed to hand over the migrants to the Immigration Officer.¹⁴⁷
48. The migrants had only small travel bags in their possession.¹⁴⁸ Upon their arrival at the police station, the migrants were not placed in cells. But when the witness later returned to the station, they had all been placed in cells.¹⁴⁹ The police officers found 3,000,000 CFA Francs in the possession of the two men who were apprehended before the rest of group.¹⁵⁰ This was registered in the prisoner property register and the money was handed over to **Abraham Jawara Demba**.¹⁵¹ Subsequently, the witness, acting on instructions issued by **Abraham Jawara Demba**, took this money to **Abou Njie** who signed the way-book upon receiving the money.¹⁵²
49. When the witness returned to the police station, **Abraham Jawara Demba** told him that the previous order to divide the migrants into two groups and send one group to Amdallai Village had been replaced with another order – namely, to hand over all the migrants to the NIA.¹⁵³ Shortly after, **Ousman Jallow** from the NIA arrived at Barra police station accompanied by more than five soldiers armed with AK-47 rifles.¹⁵⁴ The witness identified one of the NIA soldiers as **Bamba Manneh**.¹⁵⁵ The witness recalled that while the arrival and the handover of the migrants to the NIA was recorded in the station diary, **Abraham Jawara Demba** did not sign the diary, as he stated in his testimony.¹⁵⁶
50. The NIA and soldiers tied the migrants with plastic handcuff strips, took them to a boat called Fatimah and forced them to sit on the deck floor of the boat.¹⁵⁷ The witness recalled that the migrants were taken to Navy Headquarters in more than one trip because they could not all fit

141 Testimony of Bubacarr Bah, 4 March 2021, p 11, lines 221-229.
 142 Testimony of Bubacarr Bah, 4 March 2021, p 11, lines 229; p 13, lines 274-275; p 19, lines 402-404.
 143 Testimony of Bubacarr Bah, 4 March 2021, p 40, lines 885-888.
 144 Testimony of Bubacarr Bah, 4 March 2021, p 40, lines 888-895.
 145 Testimony of Bubacarr Bah, 4 March 2021, p 12, lines 235-236, 239-240; p 14, 288-291.
 146 Testimony of Bubacarr Bah, 4 March 2021, pp 14-15, lines 294-299; p 18, 380.
 147 Testimony of Bubacarr Bah, 4 March 2021, p 15, lines 301-309.
 148 Testimony of Bubacarr Bah, 4 March 2021, p 16, line 322.
 149 Testimony of Bubacarr Bah, 4 March 2021, p 15, lines 315-320; p 17, line 348.
 150 Testimony of Bubacarr Bah, 4 March 2021, p 16, lines 323-333.
 151 Testimony of Bubacarr Bah, 4 March 2021, p 16, lines 335-336.
 152 Testimony of Bubacarr Bah, 4 March 2021, pp 41-48, lines 912-915.
 153 Testimony of Bubacarr Bah, 4 March 2021, p 17, lines 347-357.
 154 Testimony of Bubacarr Bah, 4 March 2021, pp 17-18, lines 358-370.
 155 Testimony of Bubacarr Bah, 4 March 2021, p 18, lines 370-372.
 156 Testimony of Bubacarr Bah, 4 March 2021, p 18, lines 379-386.
 157 Testimony of Bubacarr Bah, 4 March 2021, p 19, lines 395-413; p 39, lines 853-866.

into one boat.¹⁵⁸ Upon their arrival at Navy Headquarters, the migrants disembarked from the boat and were forced to kneel down.¹⁵⁹ The service chiefs present at the Navy Headquarters included then Police Operation Commander **Biran Mbye**, former Navy Commander **Assan Sarr**, **Ngorr Secka** and other NIA senior officials, as well as **Kawsu Camara**.¹⁶⁰ The witness saw **Kawsu Camara** – who was wearing a traditional Jola outfit – beating and stamping on the migrants when they were kneeled down.¹⁶¹ Soon afterwards, **Tumbul Tamba** – a military officer – accompanied by two plain clothes officers, started beating, slapping and stamping on the migrants before they were forced onto a bus.¹⁶²

51. **Abraham Jawara Demba**, then station officer at Barra Police Station and **Bubacarr Bah**'s superior, recalled that on 22 July 2005, police officers apprehended and brought to the police station a group of 54 persons who had been hiding at the forest near Sajuka.¹⁶³ The witness observed that all they were carrying were small bags.¹⁶⁴ The witness informed his superior **Liman Njie** who, in turn, reported the matter to Commissioner of Police **Ousman Gibba**.¹⁶⁵ The witness stated that an entry was made in the police station diary, which comprised the names of each of the 54 persons.¹⁶⁶ Based on the interviews conducted by the police officers and their appearance, the witness concluded that they were indeed migrants.¹⁶⁷
52. **Lamin Cham**, then officer at the Major Crime Unit of Banjul Police Headquarters, recalled that on 22 July 2005, Officer Commanding of the Major Crime Unit, **Malamin Cessay**, informed him that the group of Ghanaians apprehended in Barra were to be moved to the Navy Headquarters in Banjul.¹⁶⁸ Later the same day, the witness escorted **Eric Nana Yao Owosu Ansah**¹⁶⁹ from the Navy Headquarters to the Major Crime Unit and took his statement.¹⁷⁰ He recalled that on 24 or 25 July 2005, **Daniel Amankuwa**, **Robert Essien** and **Lamin Tunkara** were also transferred to the Major Crime Unit, and this was recorded in the Unit's diary.¹⁷¹
53. The witness explained that **Lamin Tunkara** was also detained in connection with case of the West African migrants.¹⁷² The witness read out for the benefit of the Commission several entries made in the diary of the Major Crime Unit indicating that **Lamin Tunkara** was escorted in and out of the Unit on 23 July 2005.¹⁷³ The diary record dated 26 July 2006 stated that instructions were received to release **Lamin Tunkara** from custody.¹⁷⁴ The witness recalled that in his last telephone conversation with **Lamin Tunkara** in July 2005, the latter said that upon his release from custody, three plainclothes men escorted him to his house,

158 Testimony of Bubacarr Bah, 4 March 2021, p 19, lines 401-405; p 41, 900-905.
 159 Testimony of Bubacarr Bah, 4 March 2021, p 20, lines 422-426.
 160 Testimony of Bubacarr Bah, 4 March 2021, p 20, lines 426-433.
 161 Testimony of Bubacarr Bah, 4 March 2021, p 20-21, lines 435-444, 446-450.
 162 Testimony of Bubacarr Bah, 4 March 2021, p 21-22, lines 452-468.
 163 Testimony of Abraham Jawara Demba, 4 March 2021, p 6, lines 96-103; p 7, lines 119, 122.
 164 Testimony of Abraham Jawara Demba, 4 March 2021, p 7, line 125.
 165 Testimony of Abraham Jawara Demba, 4 March 2021, p 6, lines 105-109.
 166 Testimony of Abraham Jawara Demba, 4 March 2021, p 8, lines 144-147.
 167 Testimony of Abraham Jawara Demba, 4 March 2021, p 6, lines 101-103, 108-112; p 7, lines 123-136.
 168 Testimony of Lamin Cham, 4 March 2021, p 4, lines 49-51.
 169 Testimony of Lamin Cham, 4 March 2021, p 4, lines 49-51.
 170 Testimony of Lamin Cham, 4 March 2021, p 4, lines 52-55.
 171 Testimony of Lamin Cham, 4 March 2021, pp 4-6, lines 55-66, 78-104.
 172 Testimony of Lamin Cham, 4 March 2021, pp 6-7, lines 105-119.
 173 Testimony of Lamin Cham, 4 March 2021, pp 7-8, lines 122-141.
 174 Testimony of Lamin Cham, 4 March 2021, pp 8-9, lines 156-157.

searched the house and took away a large amount of money.¹⁷⁵ The witness has not heard from him ever since and, upon his return to The Gambia in 2017, he was informed that **Lamin Tunkara** was deceased.¹⁷⁶

54. The witness told the Commission that he was surprised to hear **Eric Nana Yao Owosu Ansah** testifying that he was tortured while in the custody of the Major Crime Unit.¹⁷⁷ Nevertheless, he did not rule out the possibility that **Eric Nana Yao Owosu Ansah** could have been tortured during the same period he was intermittently transferred into the custody of the NIA.¹⁷⁸ The witness recalled that he did not see any physical marks on him suggesting that he was subjected to torture.¹⁷⁹ He told the Commission that the Ghanaians were not tortured during their stay at the Police Headquarters.¹⁸⁰

DISCOVERY OF THE BODIES

55. On 23 July 2005, **Omar Saidykhan**, then a junior police officer at Ghana Town Police Station, testified that between 9am and 10am, a person reported to the police that dead bodies had been found between the road to the seaside and the Bird Reserve towards Tanji.¹⁸¹ The Commander of Ghana Town Police Station **Biran Mbye**, Commander Inspector **Lamin Drammeh** and other officers were present when the information was received.¹⁸² The witness and other police officers were ordered to go to the location at the Bird Reserve and secure it.¹⁸³ He arrived at the location a few minutes before the ambulance and the journalists.¹⁸⁴ The witness and other officers initially saw three bodies and then discovered another five.¹⁸⁵ The witness noticed that blood was still pouring out of their broken skulls.¹⁸⁶
56. Even before the bodies were discovered, the witness learnt from his colleagues in the police station that some migrants had been arrested and taken from Barra to Banjul and later moved to various locations, including **Baba Jobe**'s residence. The witness therefore assumed that the bodies found at the Tanji Bird Reserve could be those of the killed migrants.¹⁸⁷ The witness and other police officers loaded three or four bodies into a police pickup vehicle and the remaining bodies into an ambulance. All the bodies were taken to the hospital in Banjul.¹⁸⁸
57. In the evening of the same day, the police station received information that another body had been found at the Tanji Bird Reserve.¹⁸⁹ The police officers who arrived at the location found two bodies. Before the witness and other police officers left the police station, Commander Inspector **Lamin Drammeh** ordered them to bury the bodies at the location where they were found. The police officers buried the two bodies at the Tanji Bird Reserve in individual

graves.¹⁹⁰ The witness admitted that the sole purpose of **Lamin Drammeh** ordering the police officers to bury the bodies was to conceal a crime.¹⁹¹ In addition, the witness received an order not to discuss with anyone the eight bodies taken to the hospital in Banjul or the buried bodies at the Tanji Bird Reserve.¹⁹²

58. The witness recalled another episode that occurred at Ghana Town Police Station a few days after the events described above. When a Ghanaian man who was brought to the police station saw the witness and other police officers dressed in black police uniforms, he started shouting, *“Do not kill me. Do not kill me. You people killed my colleagues.”*¹⁹³ The police officers assured the Ghanaian man that he would not be harmed.¹⁹⁴ Concerning the reaction of the Ghanaian man who must have been aware of the events that occurred in the previous days, when he saw black police uniforms, the witness noted that the police uniforms are identical to the black uniforms (also referred to as “black-black” uniforms) worn by the Junglers.¹⁹⁵
59. **Olley Sam** and **Kalilou Jallow**, both police officers at Ghana Town police station, testified that on 23 July 2005, between 1am and 2pm, a person reported to the police that dead bodies had been discovered in the forest on both sides of the road that crosses Tanji Bird Reserve towards Tanji Village.¹⁹⁶ The location was between 100 and 200 metres from the police station.¹⁹⁷ This was recorded in the police station diary and the witness informed their superior, First Class Constable **Omar Fadera**.¹⁹⁸ **Kalilou Jallow**, who arrived at the scene with **Olley Sam** and one other police officer, described the condition of the first body he found: *“He was lying on the ground and his head was broken. We even see the brain was coming out and blood was oozing from all parts of his body.”*¹⁹⁹ Next to the first body, he saw two other bodies with blood oozing from their noses and ears.²⁰⁰ Some of the bodies were with their faces down on the ground, while others were lying on their back.²⁰¹ The witnesses were instructed to return and secure the crime scene.²⁰²
60. When they returned to the scene, they found five more bodies.²⁰³ **Olley Sam** observed that the first body she saw had sand on the feet and assumed that it had been dragged there from the beachside.²⁰⁴ She further stated it looked as if they were searched because their pockets were inside out.²⁰⁵ Based on their physical appearance, including the tribal body marks observed on them, she concluded that they were not from The Gambia.²⁰⁶ The witnesses were instructed to remain at the scene until other senior officers, including Crime Management

175 Testimony of Lamin Cham, 4 March 2021, p 9, lines 161-165, 169-172.

176 Testimony of Lamin Cham, 4 March 2021, p 9, lines 167-168.

177 Testimony of Lamin Cham, 4 March 2021, p 14, lines 281-282.

178 Testimony of Lamin Cham, 4 March 2021, p 14, lines 282-291.

179 Testimony of Lamin Cham, 4 March 2021, p 15, lines 302-304.

180 Testimony of Lamin Cham, 4 March 2021, p 15, lines 305-307.

181 Testimony of Omar Saidykhan, 23 March 2021, p 4, lines 51-57.

182 Testimony of Omar Saidykhan, 23 March 2021, p 5, lines 70-76.

183 Testimony of Omar Saidykhan, 23 March 2021, p 5, lines 78-83.

184 Testimony of Omar Saidykhan, 23 March 2021, p 5, lines 85-87.

185 Testimony of Omar Saidykhan, 23 March 2021, pp 5-6, lines 92-95.

186 Testimony of Omar Saidykhan, 23 March 2021, p 6, lines 95-108.

187 Testimony of Omar Saidykhan, 23 March 2021, pp 6-7, lines 115-134.

188 Testimony of Omar Saidykhan, 23 March 2021, pp 7-8, lines 137-148; p 11, lines 213-215.

189 Testimony of Omar Saidykhan, 23 March 2021, pp 8-9, lines 148-176.

190 Testimony of Omar Saidykhan, 23 March 2021, p 8, lines 151-155; pp 9-10, lines 177-200, 202-203.

191 Testimony of Omar Saidykhan, 23 March 2021, p 11, lines 219-229.

192 Testimony of Omar Saidykhan, 23 March 2021, p 12, lines 236-244.

193 Testimony of Omar Saidykhan, 23 March 2021, pp 12-13, lines 248-254.

194 Testimony of Omar Saidykhan, 23 March 2021, p 13, lines 263-266.

195 Testimony of Omar Saidykhan, 23 March 2021, pp 12-13, lines 245-266.

196 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 7-8, lines 137-156; p 9, lines 171-173; p. 15, lines 302-303.

197 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 10-11, lines 195-196, 205-210.

198 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 8-10, lines 158-186.

199 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 11, lines 217-224; p 12, line 245.

200 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 11, lines 227-228.

201 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 12, lines 236-238.

202 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 12-13, lines 252-254.

203 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 13-14, lines 272-278.

204 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 14, lines 281-282.

205 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 14, lines 28-287.

206 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 14-15, 290-300.

Coordinator **Pa Jallow**,²⁰⁷ arrived there.²⁰⁸ **Kalilou Jallow** stated that after some persons arrived and examined the bodies and the crime scene sometime between 6pm and 7 pm, the bodies were loaded on a pickup vehicle and taken away.²⁰⁹

61. **Kalilou Jallow** recalled another incident which occurred the next day. In the morning, a Ghanaian man had a small altercation with one of the police officers and was taken to the police station.²¹⁰ At the sight of police officers dressed in black uniforms and carrying guns, the Ghanaian man said, “*They are here. They are here.*”²¹¹ The witness understood the words of the Ghanaian man to mean that he believed that he was being placed back into the custody of the people he escaped from earlier.²¹² The Ghanaian man was detained at the police station. When the witness enquired about him in the morning of the next day, he was told that government agents came and took him away.²¹³ The witness could not confirm that this incident was recorded in the station diary.²¹⁴
62. The witnesses further recalled that three days after the discovery of the eight bodies at Tanji Bird Reserve, the police received information that another decomposing body had been found in the forest behind Ghana Town police station.²¹⁵ After **Kalilou Jallow** refused to comply with Corporal **Lamin Camara**’s order to bury the body as he considered it unlawful and improper, he ordered other officers to go to the scene and bury the body.²¹⁶ The witnesses later learnt that the police officers, using some equipment provided by the personnel of the nearby Brufut Health Centre, buried the body.²¹⁷ The witnesses also recalled that their commander instructed them to keep this incident secret.²¹⁸ Both witnesses agreed that the incident itself and the secrecy surrounding it was indicative of the fact that the government was involved in covering up a serious crime.²¹⁹
63. **Osainou Touray**, then a park ranger at Tanji Bird Reserve, discovered eight dead bodies on 23 July 2005. On that day, one of his colleagues called and informed him that people who were fetching firewood saw a body in the forest.²²⁰ By the time he arrived at the indicated location along a small road outside Brufut Village towards Tanji, he was informed that four bodies had been discovered.²²¹ The bodies were lying on their stomach, bleeding from their mouths and noses, and that their skulls and faces were deformed.²²² Some of them were wearing only trousers without shirts.²²³ He observed that one of them had a bullet wound around the neck area.²²⁴ The witness noted that they looked as if they were shot at point-

207 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 14-15, 290-300.
 208 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 15-16, lines 309-332.
 209 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 16, lines 337-344.
 210 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 17, lines 352-359; p 18, lines 380-382.
 211 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 17, lines 362-365.
 212 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 18, lines 370-378.
 213 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 18-19, lines 386-391.
 214 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 19, lines 393-395.
 215 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 19-20, lines 396-416.
 216 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 20-21, lines 418-441.
 217 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, pp 21-22, lines 445-464.
 218 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 22, lines 467-479.
 219 Testimony of Olley Sam and Kalilou Jallow, 11 March 2021, p 23, lines 485-501.
 220 Testimony of Osainou Touray, 10 March 2021, p 6, lines 99-104; p. 7, lines 129-131.
 221 Testimony of Osainou Touray, 10 March 2021, p 6, lines 114-115; p. 8, lines 156-161.
 222 Testimony of Osainou Touray, 10 March 2021, p 7, lines 117-118, 126-127, 133-135.
 223 Testimony of Osainou Touray, 10 March 2021, p 7, lines 125-126.
 224 Testimony of Osainou Touray, 10 March 2021, p 6, lines 133-134.

blank range.²²⁵ The witness then called the police station situated at nearby Ghana Town.²²⁶ The police officers arrived in a blue pickup vehicle.²²⁷ After a short while, three more bodies were discovered on the same side of the park.²²⁸ On 24 July 2005, the witness was informed that an eighth body had been discovered across the main road, on the other side of the park.²²⁹

64. **Ismaila Jagne**, a community leader (Alkali) of Ghana Town in Brufut, testified that on an unknown date in July 2005, between 6:00am and 7:00am, a Ghanaian man walked out of the forest and approached him. The man said that he was looking for the Ghanaians living in Ghana Town.²³⁰ The man explained that together with other people, he had boarded a ship in Senegal and had arrived in The Gambia, but they arrived at a place in The Gambia that they did not know.²³¹ He said that there were mainly Ghanaians but also Nigerians and Senegalese amongst them.²³² The man went on to say that after some people disembarked from the ship, the police arrived, questioned them and brought them to another place.²³³ Soon after, men wearing black uniforms arrived, forced then onto pickup vehicles and took them to a location in the forest.²³⁴ He further related to the witness that aboard one of the pickup vehicles, a strong man attacked one of the guards, jumped off the vehicle and ran towards the beach.²³⁵ He reached the fishing ground at Brufut beach, and from there, he walked to Ghana Town.²³⁶
65. About half an hour later on the same day, a second Ghanaian man arrived at the compound of the witness.²³⁷ He said that he had also escaped from a pickup vehicle and ran away until he reached Tanji, and from there, he walked to Ghana Town.²³⁸ When the two Ghanaian men met each other, they cried.²³⁹ When the Chairman of the Ghanaian community in The Gambia was informed about the two Ghanaian men, he said that he would contact the Ghanaian consul in The Gambia.²⁴⁰ At around 2pm the same day, the witness was asked to report to the police to identify eight dead bodies which were found at the forest near Ghana Town.²⁴¹ At the location, he saw eight bodies with blood coming out of their noses and mouths, and one of them had Ghanaian tribal marks on his body.²⁴² The witness then called the Chairman of the Ghanaian community, who asked him to take the two Ghanaian men to the police station because he believed they would be secure in police custody.²⁴³ The two men were taken to the police and when – in the evening of the same day – the witness and other people arrived at Ghana Town Police Station, they were told that the two men had been taken away.²⁴⁴
66. On 16 August 2005, the then Foreign Minister of Ghana, **Nana Akufo Addo**, soon after a meeting with **President Yahya A.J.J. Jammeh**, issued a press statement which was

225 Testimony of Osainou Touray, 10 March 2021, pp 7-8, lines 138-142.
 226 Testimony of Osainou Touray, 10 March 2021, p 8, lines 150-152.
 227 Testimony of Osainou Touray, 10 March 2021, p 9, lines 181-182.
 228 Testimony of Osainou Touray, 10 March 2021, pp 8-9, lines 161-168.
 229 Testimony of Osainou Touray, 10 March 2021, p 9, lines 171-174.
 230 Testimony of Ismaila Jagne, 10 March 2021, p 4, lines 59-65; p. 5, lines 72-74; p. 12, lines 236-240.
 231 Testimony of Ismaila Jagne, 10 March 2021, p 6, lines 78-84, 86-87; p 6, lines 97-99.
 232 Testimony of Ismaila Jagne, 10 March 2021, p 7, lines 118-119.
 233 Testimony of Ismaila Jagne, 10 March 2021, p 6, lines 91-93, 101-102, 107, 109-112; p 7, line 113.
 234 Testimony of Ismaila Jagne, 10 March 2021, pp 7-9, lines 127-136-141, 155-160.
 235 Testimony of Ismaila Jagne, 10 March 2021, p 9, lines 162-181; 10, lines 182-184.
 236 Testimony of Ismaila Jagne, 10 March 2021, p 10, lines 186-189.
 237 Testimony of Ismaila Jagne, 10 March 2021, p 10, lines 190-193.
 238 Testimony of Ismaila Jagne, 10 March 2021, p 10, lines 195-204; 11, lines 205-215.
 239 Testimony of Ismaila Jagne, 10 March 2021, p 11, lines 215-227.
 240 Testimony of Ismaila Jagne, 10 March 2021, p 12, lines 247-250; 13, lines 251-255.
 241 Testimony of Ismaila Jagne, 10 March 2021, p 13, lines 257-273; 14, line 274.
 242 Testimony of Ismaila Jagne, 10 March 2021, p 14, lines 275-296; 15, lines 297-315.
 243 Testimony of Ismaila Jagne, 10 March 2021, p 15, lines 317-319; 16, lines 320-334.
 244 Testimony of Ismaila Jagne, 10 March 2021, p 16-17, lines 337-349.0

incorporated into the investigation panel report of 9 November 2005. The press statement, *inter alia*, stated: “During the course of the investigations, the Ghanaian Community, on the same day, 24th July 2005, surrendered two strangers namely, **Bright Antwei** and **John Kweku**. The two appeared in the village in the wake of the discovery of the bodies”²⁴⁵ **Ismaila Jagne** noted that the excerpt from the press statement corroborated the Ghanaian men’s accounts that of the ten persons on board the pickup vehicles, two men escaped and went to Ghana Town and that this occurred prior to the discovery of the eight bodies.²⁴⁶

67. On 4 August 2005, **Nana Akufo Addo**, the then Foreign Minister of Ghana, wrote a letter to his Gambian counterpart, in which he stated that the records from Brufut police station showed that on 24 July 2005, the police escorted two Ghanaians to Police Headquarters. However, when the police were asked to allow a visit to the headquarters to check whether any entries were made to that effect, the police stated that no such entries were made. The police indicated that the statements taken from the two Ghanaians were with the Head of Interpol Unit in Banjul.
68. However, the Police Commander indicated that there were no records of the said Ghanaians being brought in and released. The Police Commander explained that he interviewed the two Ghanaians on the same day and released them as he found them to be innocent. But he could not answer why he did not release them to the Ghanaian community or to the forestry officer who brought them to the police. The minister went on to say that just three of the five individuals who were sent to the police were identified as alive and the other two, whom the police claimed to have released, had vanished and no one in the Ghanaian community had made contact with them since they were supposedly released.²⁴⁷ Witness **Ismaila Jagne** observed that what the police told him and the others when they came in the evening to the police station to bring food for the two Ghanaian men was quite different from what they said when the Foreign Minister came there.²⁴⁸

ACCOUNTS OF VICTIMS/SURVIVORS

69. **Kehinde Enagumeh**, a Nigerian whose brother was among the West African migrants killed in The Gambia in 2005, told the Commission that his younger brother, **Paul Omozemoje Enagameh**, travelled around 2003 from Nigeria to Senegal *en route* to Europe and stayed in Dakar until 2005.²⁴⁹ From 2003 to mid-2005, they were in regular contact, and the witness provided his brother with some financial assistance.²⁵⁰ On 21 July 2005, in the last email message the witness received from his brother, he provided him with two telephone numbers on which he (his brother) could reach him.²⁵¹ He responded to that email on 23 July 2005 and, after not having heard from his brother for about three weeks, on 17 August 2005, he sent him another email enquiring as to why he did not call or write to him.²⁵² After this email also remained unanswered, he called one of the numbers mentioned in his brother’s email. He reached a person named **Christ Imhana** who told him that his brother **Paul** was in the company

245 Testimony of Ismaila Jagne, 10 March 2021, p 17, lines 350-363.
 246 Testimony of Ismaila Jagne, 10 March 2021, pp 17-18, lines 364-368.
 247 Testimony of Ismaila Jagne, 10 March 2021, pp 21-22, lines 448-466
 248 Testimony of Ismaila Jagne, 10 March 2021, p 23, lines 481-485.
 249 Testimony of Kehinde Enagumeh, 2 March 2021, pp 5-6, lines 84-104.
 250 Testimony of Kehinde Enagumeh, 2 March 2021, pp 5-7, lines 108-136.
 251 Testimony of Kehinde Enagumeh, 2 March 2021, pp 7-8, lines 137-156.
 252 Testimony of Kehinde Enagumeh, 2 March 2021, pp 8-9, lines 157-175.

of a group of West Africans who had left Senegal by boat on their way to a ship, but before they could get to the ship, they were apprehended by Gambian security forces and later killed.²⁵³ He mentioned to the witness that there was a sole survivor who brought back the news and that a Nigerian consul or someone from the Gambian High Commission interviewed the survivor.²⁵⁴

70. **Christ Imhana** sent to the witness an article from a Senegalese newspaper *L’Ovservateur*, dated 1 September 2005. According to the article, in August 2005, Gambian authorities hailed a ship in its territorial waters, which was transporting illegal immigrants – including 42 Ghanaians, ten Nigerians, two Senegalese and a Togolese woman. Eight passengers of the ship were killed in unknown circumstances. After his visit to The Gambia, the Ghanaian Minister of Foreign Affairs, **Addo Akkufo Ado**, stated that 51 passengers of the ship were declared missing by Gambian authorities. The minister declared that Gambian authorities had submitted the file to Accra to conduct investigations into the killing of the eight passengers. The article went on to state that, according to reliable diplomatic sources, the authorities in Banjul did not believe in the illegal immigrants theory because for **President Yahya A.J.J. Jammeh** and his cabinet, this was a failed military coup.²⁵⁵
71. **Kehinde Enagumeh** and his family were devastated by the news. The witness pursued further efforts to find out what could have happened to his brother. He sent letters to the Gambia High Commissioner, the Nigerian Ambassador in Senegal and the Minister of Foreign Affairs of Nigeria – in which he related the plight of his brother.²⁵⁶ The witness also travelled to Abuja to meet a director in the Nigerian Ministry of Foreign Affairs, who only told him that investigations were ongoing.²⁵⁷ In addition, he sent email messages with similar content to the UN/ECOWAS joint investigation and the Commonwealth West African Initiative.²⁵⁸ Few years later, the witness met with the human right activist **Femi Falana**, who discussed with him the efforts undertaken by international bodies and some Ghanaian activists to seek justice for those killed in The Gambia in 2005, as well as the Commission which was vested with a mandate to conduct investigations into human rights violations committed under the presidency of **Yahya A.J.J. Jammeh**.²⁵⁹

INVESTIGATIONS, COVER UP AND DESTRUCTION OF EVIDENCE

72. **Malamin Cessay**, a former Commissioner of the Gambian Police Force, was the head of the investigation panel created in 2005 by Gambian authorities to conduct an investigation into the killing of the West African migrants.²⁶⁰ On 9 November 2005, the investigation panel issued its report.²⁶¹ The witness was taken through some parts of this report to explain how

253 Testimony of Kehinde Enagumeh, 2 March 2021, pp 9-10, lines 178-215.
 254 Testimony of Kehinde Enagumeh, 2 March 2021, p 11, lines 215-223.
 255 Testimony of Kehinde Enagumeh, 2 March 2021, pp 11-13, lines 228-272.
 256 Testimony of Kehinde Enagumeh, 2 March 2021, pp 14-15, lines 278-309.
 257 Testimony of Kehinde Enagumeh, 2 March 2021, p 15, lines 309-313.
 258 Testimony of Kehinde Enagumeh, 2 March 2021, pp 15-16, lines 317-324.
 259 Testimony of Kehinde Enagumeh, 2 March 2021, pp 16-17, lines 326-351.
 260 Testimony of Malamin Ceesay, 8 March 2021, p 3, lines 33-34; p 60, lines 1455-1456.
 261 Exhibit 206A

- the panel reached its findings. He admitted that the finding of the panel that it was unable to determine the nationality of the eight bodies found at the Tanji Bird Reserve because no members of the public were able to identify them, was false.²⁶² The witness agreed that if the investigation panel was genuinely interested in determining the nationality of the discovered bodies, it could have used the assistance of the Ghanaians who were in the custody of Gambian authorities at the time, to identify the remains of the bodies.²⁶³
73. The witness conceded that the investigation panel’s determination that there was no evidence to support **Martin Kyere**’s claim that the arrests and detention had occurred in Barra, was also deliberately false.²⁶⁴ He insisted that he did not personally witness the arrest at Barra but, nonetheless, accepted that by signing the panel’s report, he knowingly and deliberately partook in the blatant, fraudulent falsehood contained in it.²⁶⁵
74. The witness further admitted that the finding that **Martin Kyere**’s claim that **Kawsu Camara** was dressed in a peculiar traditional Jola outfit was unfounded, constituted other deliberate falsehood.²⁶⁶ The witness accepted that if the panel had properly investigated this issue, it would have found that, as it emerged from a number of testimonies before the Commission, **Kawsu Camara** did in fact wear traditional clothes instead of a military uniform.²⁶⁷ The witness confirmed that the report, in fact, had deliberately focused on attacking **Martin Kyere** and discrediting his claims instead of conducting a comprehensive investigation into the facts.²⁶⁸
75. The witness also conceded that the finding that the investigation panel could not establish a link between the nine persons detained at various police stations and the eight bodies found at Brufut, was entirely concocted falsehood.²⁶⁹ Furthermore, the panel included in the report other false findings, namely, that the persons detained in Bundung and Banjul were released on humanitarian grounds and after due court processes and that **Lamin Tunkara** was released due to lack of evidence.²⁷⁰
76. The witness confessed and accepted full responsibility for having presided over and directly participated in a sham/whitewash investigation and the fabricated report that resulted from it, which formed part of a broader campaign aimed at covering up and exonerating **Yahya A.J.J. Jammeh**’s government from its responsibility for the brutal killing of the West African migrants.²⁷¹
77. Following a meeting between the then president of Ghana and Vice-President of the Gambia, a joint ECOWAS and UN technical team in collaboration with the two governments was set up in August 2008 to investigate the incident. The report that resulted from this investigation concluded, *inter alia*, that while there were some “rogue elements” within the Gambian

262 Testimony of Malamin Ceesay, 8 March 2021, p 59, lines 1431-1442, exhibit 206A

263 Testimony of Malamin Ceesay, 8 March 2021, pp 59-60, lines 1448-1451.

264 Testimony of Malamin Ceesay, 8 March 2021, p 60, lines 1457-1468, exhibit 206A

265 Testimony of Malamin Ceesay, 8 March 2021, p 61-62, lines 1480-1500.

266 Testimony of Malamin Ceesay, 8 March 2021, p 62, lines 1503-1524, exhibit 206A

267 Testimony of Malamin Ceesay, 8 March 2021, p 63, lines 1525-1532.

268 Testimony of Malamin Ceesay, 8 March 2021, p 63-64, lines 1539-1565.

269 Testimony of Malamin Ceesay, 8 March 2021, p 65, lines 1589-1592, exhibit 206A

270 Testimony of Malamin Ceesay, 8 March 2021, pp 65-66, lines 1593-1609, exhibit 206A

271 Testimony of Malamin Ceesay, 8 March 2021, p 57, lines 1392-1394; p 65, lines 1585-1588; pp 66-67, lines 1612-1618, 1620-1632, 1639-1647.

- security services that were to blame for the deaths and disappearances of the Ghanaians, the state of The Gambia and its leadership were not to blame in any way for the incident. The investigation, however, was based, at least in part, on information from Gambian authorities that covered up the involvement of the government and security services of The Gambia.
78. **Ebrima Jim Drammeh** testified before the Commission about his role in the systemic cover-up of the killing of West African migrants in 2005. At the time of these events, the witness was Director for Internal Security and Operations at the NIA. The witness was a member of the task force that was set up to assist the ECOWAS/UN investigative mission into the incident.
79. He told the Commission that **Aziz Hydar**a and himself were ordered one day by the Director General of the NIA, **Lamin Bo Badjie**, to report to the Ministry of the Interior. They were received in the office of the Minister, **Ousman Sonko**.²⁷² The Inspector General of Police, **Ensa Badjie**, Director General of the NIA, **Lamin Bo Badjie**, the Crime Management Coordinator of the Gambia Police Force **Yankuba Sonko**, **Malamin Cessay** of the Gambia Police Force, **Numo Kujabi** of the Gambia Police Force and **Nfally Jabang** of the State Guard were also present.²⁷³ The witness estimated that the briefing meeting in the minister’s office lasted less than an hour.²⁷⁴ He further stated that he had never been afraid until that day.²⁷⁵
80. The witness recalled that there was another member of the task force, **Hawa Bah**, but he could not recall whether she attended the meeting in the minister’s office. When confronted with the fact that **Hawa Bah** did not attend any of the meetings of the task force, the witness stated that she would not be called to the meetings because she was seen as a civilian. He conceded that the members of the task force suspected that she would, unlike the other members, refuse to cooperate in maintaining the government’s lies.²⁷⁶
81. The witness recalled that initially, it was decided that the task force would be housed at the NIA Headquarters. However, after the witness and the Director General of the NIA raised concerns about this decision and since all the information pertaining to the issue at hand rested with the Gambia Police Force, it was agreed to house the task force at the Police Headquarters.²⁷⁷ The witness further recalled that the task force held meetings only outside regular working hours, because of the need for secrecy. He conceded that this secrecy was suggestive of an effort by the government to hide the facts concerning the work of the task force.²⁷⁸ The witness also stated in this regard that no paper work was made up regarding the task force. The mandate of the task force was communicated only orally at the meeting in the minister’s office.²⁷⁹
82. The witness testified that the mandate of the task force was to serve as a focal point for

272 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 6, lines 111-114

273 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 7, lines 121-131.

274 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 11, lines 216-218.

275 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 11, line 221.

276 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 7, lines 131-138; pp 27-28, lines 587-604.

277 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 8, lines 145-150.

278 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 8-10, lines 153-192.

279 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 10, line 195.

the UN investigative mission.²⁸⁰ If the UN investigators would have questions or requests to the Gambia Government, the task force would be the one answering these questions or facilitating these requests in collaboration with relevant government institutions.²⁸¹ The witness emphasized that the task force did not have any investigative tasks.²⁸²

83. The witness stated that the official line of the government was that eight Ghanaians had been killed and that the international investigation was centred on these eight deaths.²⁸³ The witness admitted, however, that although he did not know at the time that 51 persons had in fact been killed in the incident, there were rumours circulating widely that the number was much higher than eight.²⁸⁴ The witness conceded that the NIA had been privy to these rumours and that he himself knew that the rumours had some elements of truth in them but stated that the rumours pointed to an involvement of the person that he was supposed to report to at the NIA and that therefore he did not report these rumours.²⁸⁵
84. In response to the question whether the task force was told to genuinely assist the international investigators or to create a smokescreen aimed at misleading or misdirecting the investigators, the witness, in particular, recalled a question that was asked by the UN investigators. The question concerned a man dressed in a particular way, wearing *chaya* trousers and juju tight all over his body, who at the time of the incident was at the Marine Unit holding a machete. The description fitted former Colonel **Kawsu Camara**. The witness recalled that in the meeting of the task force, the members were told by the **Lamin Bo Badjie** and **Ensa Badjie** that “*Gambian soldiers do not dress like that*” and therefore it should be denied that this person was **Kawsu Camara**. The witness added that every decision of the task force was coordinated by and reported to the minister.²⁸⁶ The witness confirmed that at this time it was known to the members of the task force that the information in fact did pertain to **Kawsu Camara**, aka **Bombardier**.²⁸⁷
85. The witness agreed that it was the Gambia Government’s position that the group of West African migrants never set foot in Gambia and that to be able to maintain this position, they denied the incident with **Bombardier**. He added, however, that at the time he was a member of the task force, he did not know that a total of 51 persons had been killed.²⁸⁸ However, he did have a suspicion that the government was lying about what had happened to the migrants.²⁸⁹ He added that this suspicion pertained to eight migrants.²⁹⁰
86. The witness recalled several times that he himself was not in town at the time of the killings and therefore had no direct knowledge of the events and the role the NIA played in them.²⁹¹ Similarly, the witness stated that he did not know about the investigation report that the

280 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 8, lines 157-160.
 281 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 10, lines 197-204.
 282 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 8, lines 153-156; p 10, lines 202-204.
 283 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 11, lines 211-213.
 284 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 11-13, lines 227-258.
 285 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 13-14, lines 263-283.
 286 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 14-15, lines 284-300.
 287 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 15, line 305.
 288 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 15-17, lines 317-346; p 21, lines 451-454.
 289 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 17, lines 350-355.
 290 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 17, lines 358-360.
 291 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 17-18, lines 363-369.

Gambia Government drafted in 2005.²⁹² He conceded that the report contained lies and that the task force was set up in 2007 to carry on these same lies.²⁹³ One of these lies was that only eight persons had been killed when in fact there were 51. The witness conceded that the task force was to help limit the investigations to just eight.²⁹⁴

87. The witness admitted that all the members of the task force were cautioned and told to be careful. Reading between the lines he understood that this meant that the members should be careful not to provide any information to the international investigators that would not be helpful to the government.²⁹⁵ The witness reiterated in this regard that he had never been afraid in his life to conduct any security operations, except for this time around. He stated that if he had the choice, he would have “pulled out”.²⁹⁶ This fear was rooted in the fact that he had knowledge about the rumours that were circulating and realised that any slight mistake – in the eyes of the government – of the task force would mean that the witness would not have survived.²⁹⁷ The witness provided the Commission with clarifications on this last statement: the rumours that he had knowledge of were those eight Ghanaians had been killed, that the government had been involved in these killings but denied having knowledge about them.
88. **Martin Kyere** had spoken and, in addition, several media outlets reported on the disappearance of 48 additional persons.²⁹⁸ The witness felt, however, that he could not share these suspicions with the international investigators.²⁹⁹ He recognised that by denying the involvement of the Gambia Government in these disappearances, the task force participated in the cover-up by the government.³⁰⁰ He admitted in this regard that the task force was set up to serve as an obstacle for investigations, instead of as a facilitator.³⁰¹ Similarly, he admitted that when the task force repeated the statement that Gambian officers do not dress in the manner **Kawsu Camara** was dressed at the time of the incident, this was a deliberate lie to continue the government’s deception.³⁰²
89. Later on in his testimony, the witness added that the task force was to provide answers to the questions of the international investigators and that most of these answers would be ready-made answers taken from the previous investigations. He admitted that he knew that most of the information that was provided to the international investigators was not true.³⁰³ He later added that it was clear to him that the task force, of which he was a member, provided false information to the international investigators. This made him, unwittingly, according to the witness, part of the cover-up by the Gambian authorities. In response to the allegation that he was not unwittingly but deliberately and wilfully part of the cover-up, the witness agreed

292 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 19-20, lines 414-416.
 293 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 20, lines 424-428; p 23, lines 487-494.
 294 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 22, lines 468-470.
 295 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 23-24, lines 504-510.
 296 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 24, lines 516-518.
 297 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 24, lines 523-527; p 50, lines 1121-1124.
 298 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 25, lines 533-547.
 299 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 25, lines 540-542.
 300 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 26, lines 564-569.
 301 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 26, lines 570-574.
 302 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 26-27, lines 575-579.
 303 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 35, lines 762-775.

but stated that he was not at liberty to do otherwise.³⁰⁴

90. As to the position of **Nfally Jabang** in the task force, the witness clarified that **Jabang** had a leading role, despite the fact that he was a Lieutenant and was thus outranked by several other members, including the himself (witness). The witness recalled in this respect that **Nfally Jabang** would report to the Commanding Officer of the State Guard and functioned as the eyes and ears of the President in the task force.³⁰⁵
91. Regarding the composition of the task force, the witness agreed that the members were deliberately chosen to organise the cover-up. High-ranking officers of all the institutions involved in the events concerning the migrants, who had little or no personal knowledge of the events, were selected for this purpose.³⁰⁶
92. As for the allegation that the task force did not only provide false answers to the international investigators but also organised the doctoring of diaries, the witness recalled that the diary to be handed to the international investigators was brought in during a weekend by **Nfally Jabang** and **Numo Kujabi**. According to the witness, he did not look into the diary.³⁰⁷ The witness claimed that at the time, he suspected that it was the diary of Barra Police Station because the international investigators had asked to see the Barra diary.³⁰⁸ The witness stated that he did not realise the diaries were doctored at the time. He claimed that he purposely did not attend all the meetings of the task force.³⁰⁹ He recalled that he in fact attended only two meetings at the Police Headquarters.³¹⁰ According to the witness, he did not want to get involved with the lies and he knew what the task force was doing was wrong.³¹¹
93. On the issue of an NIA investigation into leaked of information regarding the Gambia Government's alleged involvement in the killing of the Ghanaians, the witness testified that in 2007, he was the Director of Operations at the NIA. However, he stated that he was not aware of such an investigation. When the witness was confronted with a letter dated 13 November 2007, he recognised that it was addressed to the Secretary General Office of the President and signed by the then Acting Director General of the NIA, Captain **Ma Lamin Jarju**. He stated that the letter consisted of a report on alleged leakage of information to the Ghanaian Embassy in Dakar, Senegal about the alleged murder of some Ghanaians on Gambian territory.³¹² The witness conceded that it would be possible or even plausible that the letter and the report emanated from his unit at the NIA but repeated that he had no knowledge of the report or the letter.³¹³ The witness further conceded that the statement in the letter that allegations from the Ghanaian authorities about foul play involving Gambia Government agents were without substance, was false.³¹⁴ The witness agreed that the letter aimed to downplay a national shame but was not in the interest of national security as it

304 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 41-42, lines 903-930.
 305 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 29-30, lines 631-655.
 306 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 44-45, lines 983-994.
 307 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 32-33, lines 710-715.
 308 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 42, lines 936-941.
 309 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 42, lines 932-934.
 310 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 47, line 1052.
 311 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 42, line 936; p 45, lines 1001-1004.
 312 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 35-37, lines 776-814.
 313 Testimony of Ebrima Jim Drammeh, 23 March 2021, p 37, lines 815-825.
 314 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 37-38 lines 827-837.

stated.³¹⁵

94. Witness **Aziz Hydara**, then Head of the Investigation Unit at the NIA, testified before the Commission about his involvement and that of others in this cover-up. The witness recalled that some time before the delegation of the UN and ECOWAS visited The Gambia, he was told by his superior, **Ebrima Jim Drammeh**, Director of Operations at the NIA, to attend a meeting at Police Headquarters.
95. The witness recalled that the meeting took place in the office of **Yankuba Sonko**, at the time the Crime Management Coordinator. In addition to **Yankuba Sonko** and the witness himself, **Ebrima Jim Drammeh**, **Malamin Cessay**, **Numo Kujabi** and **Nfally Jabang** were in attendance.³¹⁶
96. The witness testified that this group of persons were told that they would be assisting the UN/ECOWAS investigation team. They would form a support team to facilitate the UN/ECOWAS investigation by providing witnesses or documents to them as requested. According to the witness, he later came to understand that the task of the support team was to contribute to a cover-up.³¹⁷
97. In his testimony before the Commission, the witness recalled that the support team would be meeting regularly at Kairaba Police Station.³¹⁸ The meetings took place during weekend or on weekdays after work for a period of approximately a week.³¹⁹ According to the witness, the whole support team, headed by **Yankuba Sonko**, was present during these meetings, i.e. **Yankuba Sonko**, **Ebrima Jim Drammeh**, **Malamin Cessay**, **Numo Kujabi**, **Nfally Jabang** and the witness himself.³²⁰ During these meetings, several junior police officers would rewrite police station diaries under the supervision of the support team.³²¹
98. The witness recalled that diaries that contained entries on or records of the movement of the migrants involved in the incident were copied but leaving out these specific entries or records.³²² The witness recalled that at the least the diaries of Kairaba and Bundung Police Stations were rewritten in this manner.³²³
99. When confronted with the testimony of **Yankuba Sonko** before the Commission, who denied knowing about the doctoring of the diaries, witness **Aziz Hydara** insisted that **Yankuba Sonko** was present during the doctoring and indeed was the head of the team that supervised it. The witness claimed that he did not have an "iota of doubt" about his testimony in this respect.³²⁴

315 Testimony of Ebrima Jim Drammeh, 23 March 2021, pp 39-40 lines 873-875.
 316 Testimony of Aziz Hydara, 20 March 2021, p 5, lines 78-86.
 317 Testimony of Aziz Hydara, 20 March 2021, p 7, 132.
 318 Testimony of Aziz Hydara, 20 March 2021, p 7, lines 136-137.
 319 Testimony of Aziz Hydara, 20 March 2021, p 9, lines 179-180; 12, line 275.
 320 Testimony of Aziz Hydara, 20 March 2021, pp 7-9, lines 147-152, 189-192.
 321 Testimony of Aziz Hydara, 20 March 2021, p 8, lines 152-153.
 322 Testimony of Aziz Hydara, 20 March 2021, p 8, lines 155-168.
 323 Testimony of Aziz Hydara, 20 March 2021, p 8, lines 157-162.
 324 Testimony of Aziz Hydara, 20 March 2021, pp 9-10, lines 193-205.

100. Equally, when he was confronted with the statement of **Ebrima Jim Drammeh** before the Commission, in which the latter stated that he was not present when the diaries were doctored and that he had attended only two sessions at Karaiba Police Station, the witness stood by his previous statement. According to the witness, **Ebrima Jim Drammeh** was present when the diaries were being rewritten.³²⁵
101. The witness further testified that the members of the support team, under the leadership of **Yankuba Sonko**, were actively participating in this process, at least partly because they feared **Nfally Jabang**. According to the witness, **Nfally Jabang** “reports people to the President.”³²⁶
102. When the UN investigators arrived in The Gambia to conduct the investigation, it was based in the UN House at Cape Point, Bakau. The witness testified that at this time, the support team no longer met at Kairaba Police Station but instead used to “hang around the corridor of the UN House.” In case the UN/ECOWAS investigation team needed assistance, the support team could, for example, go and collect witnesses for them.³²⁷ The witness himself was not aware that any such requests were forwarded by the international delegation to the support team.³²⁸
103. After the international delegation left The Gambia, the witness recalled that he was told by his superior, **Ebrima Jim Drammeh**, that they had been called to a meeting at the Ministry of the Interior. At the ministry, the support team, *i.e.* **Yankuba Sonko**, **Ebrima Jim Drammeh**, **Malamin Cessay**, **Numo Kujabi** and the witness himself were led into the minister’s office by the Inspector General of Police, **Ensa Badjie**.³²⁹ The minister, **Ousman Sonko**, thanked the support team for their activities prior to the arrival of the international delegation. The witness understood this as appreciation of the task force for participating in the cover-up, *i.e.* the rewriting of the police station diaries leaving out the records of the migrants involved in the incident.³³⁰
104. The witness further testified that everybody in the room, including **Ensa Badjie**, knew what they were being thanked for.³³¹ The witness specifically recalled that **Ensa Badjie** also spoke during the meeting and thanked the support team for their activities. He also insisted on the confidential nature of these activities and called on the persons in the room to show loyalty to their country.³³² Furthermore, the minister told the persons present that he would be talking to the President so that the members of the support team could be compensated for their work.³³³ The witness recalled that soon afterwards, **Numo Kujabi** became Director General

325 Testimony of Aziz Hydara, 20 March 2021, p 10, lines 206-214.
 326 Testimony of Aziz Hydara, 20 March 2021, pp 10-11, lines 223-226; p 12, line 257.
 327 Testimony of Aziz Hydara, 20 March 2021, p 13, lines 288-289.
 328 Testimony of Aziz Hydara, 20 March 2021, p 30, lines 722-723.
 329 Testimony of Aziz Hydara, 20 March 2021, pp 14-15, lines 316-326.
 330 Testimony of Aziz Hydara, 20 March 2021, p 15, lines 328-343.
 331 Testimony of Aziz Hydara, 20 March 2021, p 15, lines 346-350.
 332 Testimony of Aziz Hydara, 20 March 2021, p 16, lines 359-364.
 333 Testimony of Aziz Hydara, 20 March 2021, p 16, lines 370-371.

- of the NIA and **Yankuba Sonko** became Inspector General of the Police.³³⁴ The witness himself did not obtain a promotion.³³⁵
105. The witness also testified on events that happened sometime after the international investigation. One evening, he was called to meet his superior **Ebrima Jim Drammeh** at Jeswang cemetery. At the cemetery, an exhumation of remains was ongoing, and the witness saw blue nylon bags lying in graves.³³⁶ The witness was informed that he would be travelling to Ghana that same evening escorting the exhumed remains.³³⁷ The delegation that travelled to Ghana was headed by the Minister of Health at the time, **Mariatou Jallow**.³³⁸ In addition to the witness himself, the Permanent Secretary of the Ministry of Foreign Affairs, **Mawdo Touray**, and **Malamin Cessay** were the other members of the Gambian delegation.³³⁹ According to the witness, the delegation travelled to Accra, Ghana in some sort of cargo plane.³⁴⁰ On arrival, the delegation was welcomed by Ghanaian authorities.³⁴¹
106. The witness recalled that the next day, the delegation visited the Ghanaian Ministry of Foreign Affairs. In the presence of the other members of the delegation,³⁴² the Gambian Minister of Health spoke to the Ghanaian Minister of Foreign Affairs and informed him that the Gambian delegation had travelled to Ghana with four dead bodies. According to the witness, the Ghanaian Foreign Minister responded that Ghana would not accept these bodies as it had been informed that only two bodies would be delivered.³⁴³
107. The witness recalled that after negotiations between the two authorities, the Ghanaian authorities accepted the four bodies. The Gambian delegation returned to The Gambia on the next available flight.³⁴⁴ The trip lasted three days in total.³⁴⁵ The witness testified that he never saw the bodies – neither on the plane, nor in Ghana.³⁴⁶
108. **Lamin Kaba Bajo**, former Minister of Foreign Affairs under **Yahya A.J.J. Jammeh**, testified about his interaction with his Ghanaian counterpart in in 2005. The witness explained that his responsibilities included overseeing Gambian diplomats and implementing the country’s foreign policy by managing and maintaining relationships between The Gambia and other countries.³⁴⁷ During their several informal discussions concerning the investigation into the killing of the West African migrants, the Ghanaian Foreign Minister at the time expressed his interest in expediting the investigation and sent him a letter or two letters enquiring about the state of investigation.³⁴⁸

334 Testimony of Aziz Hydara, 20 March 2021, pp 16-17, lines 374-378.
 335 Testimony of Aziz Hydara, 20 March 2021, p 34, line 815.
 336 Testimony of Aziz Hydara, 20 March 2021, p 18, lines 406-407.
 337 Testimony of Aziz Hydara, 20 March 2021, p 17, lines 385-397.
 338 Testimony of Aziz Hydara, 20 March 2021, p 19, lines 428-430.
 339 Testimony of Aziz Hydara, 20 March 2021, p 19, lines 432-442.
 340 Testimony of Aziz Hydara, 20 March 2021, p 19, line 448.
 341 Testimony of Aziz Hydara, 20 March 2021, pp 20-21, lines 471-476.
 342 Testimony of Aziz Hydara, 20 March 2021, p 21, line 499.
 343 Testimony of Aziz Hydara, 20 March 2021, p 21, lines 478-488.
 344 Testimony of Aziz Hydara, 20 March 2021, p 22, lines 517-523.
 345 Testimony of Aziz Hydara, 20 March 2021, p 22, line 525.
 346 Testimony of Aziz Hydara, 20 March 2021, pp 22-23, lines 510-515, 539-545.
 347 Testimony of Lamin Kaba Bajo, 11 March 2021, p 4, lines 69-73.
 348 Testimony of Lamin Kaba Bajo, 11 March 2021, p 5, lines 87-90.

109. In the response the witness sent to his Ghanaian counterpart on 2 December 2005, he wrote, among other things, that the migrants were “*Cautioned and released on humanitarian reasons.*”³⁴⁹ He explained that he included in the response the information he received from the Ministry of Interior without ever seeing the government’s investigative report dated 9 November 2005.³⁵⁰ He added that since it was the Ministry of Interior that provided the information included in the letter, he did not need to read the report.³⁵¹ In another example, the response letter stated, “*In the absence of physical witnesses or forensic evidence on the murder of eight nationals on the 23rd day of July 2005, the facts gathered during investigation could not established the identity of the perpetrators.*”³⁵² The witness acknowledged that numerous paragraphs from his response letter, which were read out to him, were blatantly inconsistent with the corresponding paragraphs of the report of 9 November 2005.³⁵³
110. The witness recalled that he discussed the killing of the West African migrants with **President Yahya A.J.J. Jammeh**. He told the President that investigations should be expedited as the Foreign Minister of Ghana was constantly asking him about it in several meetings. In response, the President instructed the witness to tell his Ghanaian counterpart that the investigation was ongoing and that he would be informed of the outcome.³⁵⁴ The witness stated that he did not discuss the contents of the letter either with the Secretary-General³⁵⁵ or the President and observed that the killing of the West African migrants was never discussed in the cabinet meetings he attended.³⁵⁶
111. The witness admitted that the information in his response letter, as per the testimonies before the Commission, was false and untruthful and its purpose was to contribute to the Gambia Government’s efforts in covering up this egregious crime.³⁵⁷ He conceded that he signed the letter without knowing whether the information contained therein was accurate.³⁵⁸ The witness accepted after knowing what had transpired in the Commission’s hearings that he had failed to exercise due diligence in exercising his professional responsibilities and added that the Gambia Government was indeed involved in a sustained cover-up of this heinous crime, which could not have happened without the consent of and directions by **President Yahya A.J.J. Jammeh**.³⁵⁹
112. **Biran Mbye** recalled that it was **Ebrima Jim Drammeh** and **Yankuba Sonko** from the investigation panel who requested him to provide the station diary from 2005, which contained the entries, indicating that **Kawsu Camara** collected the three migrants.³⁶⁰ When the diary was returned to the witness, he observed that the incriminating entries related to

349 Testimony of Lamin Kabo Bajo, 11 March 2021, p 7, lines 138-15; p8, lines 151-156; p. 9, lines 191-194.
 350 Testimony of Lamin Kabo Bajo, 11 March 2021, p 5, 78-81; p 7, lines 130-137, 145-149; p 10, lines 209-212.
 351 Testimony of Lamin Kabo Bajo, 11 March 2021, p 10, lines 203-204.
 352 Testimony of Lamin Kabo Bajo, 11 March 2021, p 10, lines 215-217.
 353 Testimony of Lamin Kabo Bajo, 11 March 2021, p 7, lines 132-137; p 8, lines 161-173 p 10, lines 215-22; p. 11, lines 226-228.
 354 Testimony of Lamin Kabo Bajo, 11 March 2021, p 14, lines 312-322.
 355 Testimony of Lamin Kabo Bajo, 11 March 2021, p 14, lines 312-322.
 356 Testimony of Lamin Kabo Bajo, 11 March 2021, p 13, lines 290-292; p 15, lines 327-335.
 357 Testimony of Lamin Kabo Bajo, 11 March 2021, p 6, lines 111-123.
 358 Testimony of Lamin Kabo Bajo, 11 March 2021, p 12, lines 259-275; p 13, lines 276-289.
 359 Testimony of Lamin Kabo Bajo, 11 March 2021, p 12, lines 254-255; p 16, lines 370-375; p 17, lines 376-386.
 360 Testimony of Biran Mbye, 24 March 2021, pp 29-30, line 629-636, 646-656.

the migrants were removed from the diary.³⁶¹ Furthermore, when **Ebrima Jim Drammeh**, **Yankuba Sonko** and **Nfally Jabang** – who was the Commander of the State Guard – visited the witness at Kairaba Police Station, **Nfally Jabang** threatened the witness and his officers by saying that they did not want to hear the “lies” about the presence of the Ghanaians at the police station and that they all should keep quiet.³⁶²

113. **Nfally Jabang** threatened the witness and his officers with death if they disclosed the details of the incident.³⁶³ The witness agreed with the proposition that **Nfally Jabang**, who was under **President Yahya A.J.J. Jammeh**’s direct authority and who was posted at the State House, was deliberately brought into the investigation of this case to be the President’s ears and eyes in all that occurred in relation to it.³⁶⁴ The witness stated that **Yankuba Sonko** lied to the Commission when he denied that the station diaries that contained the names of the arrested migrants were not tampered with and that **Ebrima Jim Drammeh**, who denied knowledge of this tampering, also lied.³⁶⁵
114. **Abraham Jawara Demba** recalled that on an unidentified date, **Bubacarr Bah** informed him that the Inspector General of Police, **Ousman Sonko**, instructed him to copy the records of the original diary of Barra Police Station, which was in **Bubacarr Bah**’s care, into a new diary.³⁶⁶ The witness supervised **Bubacarr Bah** when he copied the records from the original station diary into the new diary. **Bubacarr Bah**, as instructed by the witness, then took the original diary to **Ousman Sonko**.³⁶⁷ The witness denied that he was the addressee of **Ousman Sonko**’s order to falsify the station diary and insisted that the instructions were issued directly to **Bubacarr Bah**.³⁶⁸ He denied that the Inspector General of Police contacted him directly because all the information he received emanated from the Commissioner of Police and that the Inspector General of Police never called him directly.³⁶⁹
115. The witness, however, accepted knowledge of transferring everything in a new diary, except the incriminating information concerning the West African migrants.³⁷⁰ The witness admitted that as corroborated by **Bubacarr Bah**’s testimony, he received through his superiors direct instructions to copy the records of the original station diary into a new diary, excluding the records and information about the West African migrants.³⁷¹ The witness also admitted that the purpose of falsifying the diary was to cover up the fact that the West African migrants had been arrested in Barra.³⁷²
116. **Bubacarr Bah** recalled that in December 2005, as instructed by **Abraham Jawara Demba**, reported to **Ousman Sonko** and brought along the Barra Police Station diary covering July 2005.³⁷³ After **Ousman Sonko** looked up the entries in the diary for 22 July 2005, he returned it to the witness and instructed him to copy all the entries from the old diary into a new diary leaving out the entries concerning the migrants.³⁷⁴ When the witness said that he

361 Testimony of Biran Mbye, 24 March 2021, pp 30, lines 654-660.
 362 Testimony of Biran Mbye, 24 March 2021, pp 30-32, lines 662-703, 33-34, 735-738, 36-37, 794-816.
 363 Testimony of Biran Mbye, 24 March 2021, p 37, lines 814-816.
 364 Testimony of Biran Mbye, 24 March 2021, pp 32-33, lines 708-734.
 365 Testimony of Biran Mbye, 24 March 2021, pp 34-35, lines 749-765.
 366 Testimony of Abraham Jawara Demba, 4 March 2021, pp 9-10, lines 165-187.
 367 Testimony of Abraham Jawara Demba, 4 March 2021, pp 16-17, lines 353-378.
 368 Testimony of Abraham Jawara Demba, 4 March 2021, p 9, lines 179-183; p 10, lines 194-196; p 11, Lines 209-225.
 369 Testimony of Abraham Jawara Demba, 4 March 2021, p 14, lines 276-294.
 370 Testimony of Abraham Jawara Demba, 4 March 2021, p 16, lines 327-331, 342-343
 371 Testimony of Abraham Jawara Demba, 4 March 2021, p 15, lines 312-324; pp 17-18, lines 366-378
 372 Testimony of Abraham Jawara Demba, 4 March 2021, p 13, lines 267-275; pp 16-17, lines 342-349; p 18, lines 377-378.
 373 Testimony of Bubacarr Bah, 4 March 2021, p 23, lines 490-505.
 374 Testimony of Bubacarr Bah, 4 March 2021, pp 23-24, lines 505-519.

did not understand his instructions, **Ousman Sonko** called **Abraham Jawara Demba** on the telephone and gave him the same order, namely, to transfer all the entries into a new diary except the activities concerning the migrants.³⁷⁵

117. Once back at the police station, **Bubacarr Bah** returned the diary to **Abraham Jawara Demba** who said that the relief commander and the officers from the charge office should copy the diary.³⁷⁶ Once the police officers finished copying the diary, the witness, as instructed by **Abraham Jawara Demba**, brought the authentic old diary to **Ousman Sonko**.³⁷⁷ Before the witness left his office, **Ousman Sonko** threatened him by saying that he should not talk to anyone about the falsified diary.³⁷⁸ The witness authenticated the diary of Barra Police Station – which the Commission obtained from the late **Mamour Jobe (former Inspector General of Police)** – by identifying and reading out some of the diary entries, including those relating to his activities in July 2005.³⁷⁹ The witness confirmed that in the authenticated diary, there were no entries for 22 July 2005 and that, in fact, the diary started as of 31 July 2005, one week after the incident.³⁸⁰ The witness agreed that the only purpose for falsifying the diary was to cover up the incidents related to the migrants.³⁸¹
118. About two months after the witness handed over the diary to **Ousman Sonko**, he was transferred to Gunjur Police Station.³⁸² After he talked about the diary with someone from the police, he was detained for 40 days without charge.³⁸³ Further, the witness fled The Gambia and stayed in Dakar, Senegal until his reinstatement in 2010.³⁸⁴ In 2008 or 2009, while he was in Dakar, his wife who lived in The Gambia told him over the telephone that **Yankuba Sonko**, then Crime Management Coordinator, was looking for him.³⁸⁵ When the witness came to **Yankuba Sonko**'s office, he asked him about the whereabouts of the original Barra Police Station diary from July 2005.³⁸⁶ The witness replied that the diary was with **Ousman Sonko**, then Minister of Interior.³⁸⁷ In **Yankuba Sonko**'s office, the witness met **Nfally Jabang** – a then notorious Jungler – who asked the witness whether he came to see **Sonko** in connection with the station diary.³⁸⁸ At a later date, when the witness met **Nfally Jabang** at Kololi Clinic, he (**Nfally**) said that **Ousman Sonko** tried to cover up the killing of the West African migrants and warned the witness to stay away from **Sonko**.³⁸⁹
119. During the same meeting with **Yankuba Sonko**, the witness was directly instructed not to cooperate with the UN investigators who had arrived in The Gambia to investigate the killings of the West African migrants. He said to the witness, *“these UN people are coming here. So make sure if you are called, make sure you do not say anything. They were here but then we took them to bars, give them alcohol and women.”* He continued, *“they drink*

375 Testimony of Bubacarr Bah, 4 March 2021, p 25, lines 538-546.
 376 Testimony of Bubacarr Bah, 4 March 2021, pp 25-26, lines 549-551, 553-554.
 377 Testimony of Bubacarr Bah, 4 March 2021, pp 26-27, lines 553-563, 566-580.
 378 Testimony of Bubacarr Bah, 4 March 2021, p 31, lines 667-675.
 379 Testimony of Bubacarr Bah, 4 March 2021, p 27-29, lines 589-642.
 380 Testimony of Bubacarr Bah, 4 March 2021, p 30, lines 643-645.
 381 Testimony of Bubacarr Bah, 4 March 2021, p 24, lines 520-525; p 27, lines 583-588; p 30, lines 659-664.
 382 Testimony of Bubacarr Bah, 4 March 2021, p 31, lines 676-687.
 383 Testimony of Bubacarr Bah, 4 March 2021, pp 31-32, lines 688-701.
 384 Testimony of Bubacarr Bah, 4 March 2021, p 33, lines 713-723.
 385 Testimony of Bubacarr Bah, 4 March 2021, p 33, lines 723-728.
 386 Testimony of Bubacarr Bah, 4 March 2021, pp 33-34, lines 729-736.
 387 Testimony of Bubacarr Bah, 4 March 2021, p 34, lines 736-743.
 388 Testimony of Bubacarr Bah, 4 March 2021, pp 34-36, lines 743-784, 796-797.
 389 Testimony of Bubacarr Bah, 4 March 2021, p 38, lines 829-849.

*alcohol, dance, get women and then left. I think everything is okay now, but this is our country. In case they are going to come back, do not talk to them.”*³⁹⁰

120. **Lamin Cham** explained to the Commission that after the diary of the Major Crime Unit of Banjul Police Headquarters was filled to the last page, he kept it for himself because he knew that the government was covering up all the traces of this incident.³⁹¹ He stated that he was aware that state agents had been sent to Barra Police Station to search for any records in connection with the incident.³⁹² He suspected that the diaries from Barra, Brusubi and Fatoto Police stations were kept at the office the Crime Management Coordinator, **Lamin Sanyang**, to cover up the killings of the West African migrants and other cases.³⁹³ The witness further stated that after he informed **Malamin Cessay** that **Lamin Sanyang** kept the diaries, **Malamin Cessay** confirmed to the witness that he saw those diaries at the office the Crime Management Coordinator.³⁹⁴
121. **Osainou Touray** stated that his colleague from the Wild Life Department, **Demba Kassama**, attended two or three meetings of an investigation panel.³⁹⁵ Four or five months later, **Demba Kassama** informed the witness that it was all related to the migrants who had arrived in The Gambia to travel further to Europe.³⁹⁶ When he stopped attending those meetings, **Osainou Touray** was told to keep quiet about the whole matter and refrain from discussing it with anyone outside the panel.³⁹⁷ From the beginning of their involvement in this matter, both **Ousainou Touray** and **Demba Kassama** realised that this was a government cover-up.³⁹⁸
122. **Adama Conteh**, after her unsuccessful attempts in 2005 to find out about her husband's whereabouts at Jeshwang and Mile II Central Prison, went to the office of the NIA in Banjul. After the duty officer at the gate told her to wait outside, a man approached her and asked her who she was looking for. He then said, *“Oh! Lamin Tunkara is your husband?”*³⁹⁹ The man then drove her in his car until the junction near her house, gave her 200 or 300 Dalasi and said, *“stop looking for Lamin. Go and sit at home with your baby.”*⁴⁰⁰

FINDINGS

123. The Commission underscores the consistency of the witnesses in relating the details of the arrest, enforced disappearance, and extrajudicial execution in The Gambia of over 67 unarmed West African economic migrants who the Jammeh regime perceived as mercenaries. All the witnesses who testified about this incident provided consistent accounts of the events which occurred in July 2005 and the subsequent period with a great degree of similarity. The Commission thus concludes that the witnesses' testimonies in general ought to be believed

390 Testimony of Bubacarr Bah, 4 March 2021, pp 36-37, lines 788-804; p 42, line 917.
 391 Testimony of Lamin Cham, 4 March 2021, p 5, lines 67-77; pp 9-10, lines 178-186.
 392 Testimony of Lamin Cham, 4 March 2021, p 10, lines 188-190.
 393 Testimony of Lamin Cham, 4 March 2021, pp 10-14, lines 195-272.
 394 Testimony of Lamin Cham, 4 March 2021, pp 12-13, lines 248-255.
 395 Testimony of Osainou Touray, 10 March 2021, p 10, lines 194-196; p 10, lines 225-227.
 396 Testimony of Osainou Touray, 10 March 2021, p 11, lines 228-230.
 397 Testimony of Osainou Touray, 10 March 2021, p 12, lines 232-236, 244-245, 248-249; p 13, lines 253-256.
 398 Testimony of Ousainou Touray, 10 March 2021, p 13, lines 257-258.
 399 Testimony of Adama Conteh, 8 March 2021, 20-21, lines 429-440.
 400 Testimony of Adama Conteh, 8 March 2021, 21-22, lines 441-476.

and that they are credible.

124. The Commission is aware that economic migrants from various parts of West Africa embark on dangerous journeys by small boats with the hope of getting to Europe through the Atlantic Ocean and Mediterranean Sea, a phenomenon which became known as the “back way”. The incident concerned begins in July 2005, when a group of economic migrants from West Africa, predominantly from Ghana, were told that they had to come to the Gambia to connect to a boat that would take them to Europe.
125. On July 21, 2005, their boat set off from Mbour in Senegal and reached a place near Barra in the morning of July 22, 2005. Between five and seven passengers jumped off the boat, swam to the shore and entered Banjul. The rest of the group tried to make contact with their agent in Gambia, but to no avail. When the migrants started looking for boats to cross over to Banjul to connect to the boat that would take them to Europe, police officers arrested and took them to Barra police station, where the names of the arrested migrants were recorded in the police station diary. The arrested migrants were not told why they had been arrested.
126. By late night on the same day, the arrested migrants were transferred by boat from the Barra police station to the Navy Headquarters in Banjul. Numerous high-ranking officials gathered on that night at the Navy Headquarters, including Police Operation Commander Biran Mbye, former Navy Commander, Assan Sarr, Deputy Inspector General of Police Abou Njie, Ngorr Secka, Foday Barry, Baba Saho, Saddy Gassama and other senior NIA officials. The notorious Jungler Kawsu Camara (Bombardier) was also there. Many of these officials subsequently participated in the cover-up of the massacre.
127. The Commission received evidence that this incident coincided with the 22 July “Revolution Day” celebration, the anniversary of the military takeover on July 22 1994 led by Yahya Jammeh. President Jammeh and other high-ranking officials were attending the festivities at the July 22 Square in Banjul when he was informed that migrants had been apprehended. Yahya Jammeh was a paranoid leader because of the reoccurrence of attempted coups. In each of those failed coups, he dealt brutally with the coupists. All throughout his presidency, President Jammeh was on guard and determined to crush any form of threat to his rule by all means necessary and in the most brutal manner for reasons of deterrence. It may be concluded that when on July 22 2005 he was informed of migrants ashore, the fear and paranoia about a new possible coup gripped him, leading him to make a rushed decision, believing that the migrants were mercenaries or coup-plotters, led him to give direct orders to the Junglers to summarily execute the defenseless harmless migrants.
128. Multiple witnesses testified that nothing in their appearance or behavior suggested that they were more than migrants. The police officers who initially arrested them treated them as migrants and obtained their details. They were carrying small travel bags and it was obvious to the authorities that they were not mercenaries and not a threat to Gambia’s security. The Commission observes that even if they were criminals or in any other way breached Gambia’s laws, due process ought to have been followed. However, Yahya Jammeh and the state apparatus under his control had already made up their minds, namely to extra-judicially execute them without any regards for the law and human life.

129. Numerous witnesses testified that when more officers and members of the Marine Unit, police, the NIA and the Junglers arrived at the Navy Headquarters, they started beating and brutalizing the detained migrants. The handcuffed migrants were then forced onto buses and taken to various locations, including Kairaba police station and Baba Jobe’s residence. Upon arrival at Kairaba police station, the names of the migrants were similarly recorded in the station diary.
130. Some of the apprehended migrants were taken to the Police Headquarters in Banjul. Among those detained in Banjul and later at Kairaba police station was Lamin Tunkura, the Gambian agent that was linked to the migrants and who disappeared without a trace. Another migrant detained in Banjul told the Commission that, on one occasion, he had electricity applied to his genitals to force him to confess that he was a mercenary.
131. Later that night, three of the most notorious Junglers, Solo Bojang, Malick Jatta and Sanna Manjang, drove to Baba Jobe’s residence, tied 20 migrants up with ropes, forced them onto two pickup trucks and took them to a place in the forest approximately two kilometers away from Yahya Jammeh’s Kanilai residence. The evidence shows that Solo Bojang was that night in regular communication with Yahya Jammeh who directly ordered him to execute the migrants. When the pickup trucks stopped in the forest, one of the captives, Martin Kyere, the sole Ghanaian survivor of the massacre, jumped off the back of the pickup truck and ran away. The Junglers shot the other migrants one by one and pushed them into a well. When they returned to Kanilai, one of the Junglers went to Yahya Jammeh’s residence and debriefed him.
132. The following day, the Junglers returned to Baba Jobe’s residence, tied up another group of 20 migrants and forced them onto the same pickup trucks and took them to a place in the forest named Bunubor Garden near Kanilai village. One of the Junglers said that their captives were mercenaries who came to overthrow the government, even though during the execution that occurred the day before, some of the ill-fated migrants were saying that they merely wanted to travel by taking the “back way”. The Junglers executed all the 20 migrants and threw them into a well. From there, they drove straight to Yahya Jammeh’s residence in Kanilai to brief the President on the completed operation.
133. On July 23 2005, the bodies of eight migrants were found near Brufut village and the Tanji Bird Reserve and it was reported to the police. Multiple witnesses testified that when the bodies were discovered they were still bleeding from their mouths, noses and ears, and their skulls were fractured and faces were had injuries consistent with hacking. In order to conceal this egregious crime, two police officers from the nearby Ghana Town police station, acting on instructions from their Commander (Inspector), buried two bodies at the Tanji Bird Reserve, without any investigation into the cause of their death or their identities. The Commission received evidence that two of the Ghanaian migrants managed to escape during this time and sought refuge in Ghana Town near Brufut village but were turned over by local leaders to the police. They have not been heard from since.
134. One migrant managed to escape from the execution and reported the matter to the Ghanaian

authorities. The Ghanaian authorities wrote to the Gambia requesting a joint investigation of the case. Even though the Gambian authorities promised to investigate the matter, they covertly set out to cover up the evidence prior to the arrival of the Ghanaians. This was calculated and deliberate to mislead and conceal evidence so as to exculpate the culpability of Jammeh's regime.

135. The brutal killing of the innocent migrants sparked considerable national outrage and an international outcry for justice and accountability for these victims in The Gambia, Ghana and in the international community. The state-sanctioned massacre was followed by an extensive state-manufactured cover-up campaign. Knowing that the massacre would be investigated, the authorities decided to destroy and conceal the diaries of the police station where the migrants had been detained.
136. The Commission received credible evidence that high-ranking officials, such as Inspector General of Police Ousman Sonko and Crime Management Coordinator Yankuba Sonko, issued direct instructions to police officers of Barra and Kairaba police stations, Navy Headquarters and Police Headquarters in Banjul to copy the entries from the old diaries into new diaries leaving out all the entries concerning the migrants. The officials accordingly withheld the authentic old diaries. Moreover, they threatened with death the agents who falsified the diaries if they were to disclose the details of what they did.
137. In 2005, soon after the incident, the Gambian authorities, in their attempts to create their own alternative truth on the events, set up an investigation panel, which was primarily, engaged in cover-ups and debunking the public statement about the massacre made by Martin Kyere upon his return to Ghana. Witness Malamin Cessay confessed before the Commission that he presided and directly participated in a sham and whitewash investigation and the fabricated panel's report that resulted from it. He admitted that it was all part of a collective and massive statewide campaign aimed to cover up and exonerate Yahya Jammeh's regime from its responsibility for these brutal killings.
138. In August 2008, at the request of the governments of Gambia and Ghana, the UN and the ECOWAS set up a joint investigative team to investigate this crime, which resulted in a report issued in April 2009 which was never made public. The Commission received credible evidence that, shortly before the ECOWAS/UN fact-finding mission arrived in the Gambia, high-ranking officials, such as Yankuba Sonko, who had been involved in the case since 2005, warned the members of the task force set up to facilitate the foreign investigation team against revealing anything that would incriminate Jammeh's regime. Yankuba Sonko directly instructed witnesses to not cooperate with the UN investigators who were about to arrive to The Gambia. Furthermore, under the supervision of the members of the task force, police officers re-wrote more station diaries leaving out the incriminating information concerning the migrants.
139. The Commission finds that the national task force was created and tasked to deliberately mislead and manipulate the ECOWAS/UN investigation. The members of the task force knew fully well that their objective was not to assist the ECOWAS/UN investigation but rather to mislead and manipulate the investigation by reinforcing the government systematic cover up. They were fully aware of the purpose of the mission with which they were entrusted

and they all became willing tools of a massive scheme to cover up a national shame.

140. Their efforts paid off when the report that resulted from the ECOWAS/UN investigation, which was inevitably based at least in part on falsehoods and fabrications provided by the task force, concluded inter alia that while there were some "rogue elements" within the Gambian security services that were to blame for the deaths and disappearances of the migrants, the Gambian government was not to blame in any way for the incident.
141. Once the task force completed its devious mission, some of its members were rewarded by being promoted, such as Numo Kujabi who became Director General of the NIA and Yankuba Sonko who became Inspector General of the Police, while a junior police officer from the Barra police station who had been involved in copying diaries told the Commission that to keep him quiet, he was detained without charges and transferred to a remote police station.
142. The Commission concludes that Yahya Jammeh is responsible for the killings, enforced disappearance and torture of more than 67 West African economic migrants by giving direct orders to the Junglers to summarily execute them in July 2005. Yahya Jammeh is also responsible for subsequently organizing and coordinating, through the state apparatus under his control, a massive and systematic cover-up campaign in order to exonerate himself from responsibility for these crimes. Yahya Jammeh is responsible for these crimes on the basis of the following:
 - i. The confessions by the Junglers, who were under **Yahya Jammeh's** direct command and control, that they carried out the extrajudicial killings of the West African migrants on his direct orders.
 - ii. The Junglers' confession that they had directly briefed **Yahya Jammeh** shortly after they executed 39 migrants at Kanilai and Bunubor.
 - iii. **Yahya Jammeh's** failure to take any measure within his power to prevent or repress the commission of the crimes or to submit the matter to the competent authorities for investigations and prosecution, as well as the failure of the government to genuinely investigate and prosecute these crimes.
 - iv. **Yahya Jammeh's** substantial efforts to ensure that relevant parts of the state apparatus and security forces under his control were involved in a massive and systematic cover-up of the incident.
 - v. The scale of the cover-up for crimes of such gravity and the extent of senior officials' and state agents' involvement therein could not have been done without instructions from **Yahya Jammeh**.
143. All these factors taken together and in conjunction with other acts establish clear and sufficient indicia by which responsibility for these crimes can be placed squarely on the shoulders of **Yahya Jammeh** and the **Junglers**.

144. Furthermore, the Commission concludes, based on the credible evidence it received, that state officials, civil servants and state agents from the relevant parts of the state apparatus and security forces bear responsibility as accomplices who contributed to and facilitated the completion of these crimes. This includes responsibility for their individual and collective roles in destroying, tampering with and concealing evidence and eliminating traces of the crimes committed by the principal perpetrators to shield them from justice. It is noted that the station diaries presented by the IGP to the Commission were in dilapidated conditions as a result of poor data and information storage system.

RECOMMENDATIONS

145. The Commission underscores the need for accountability and importance of bringing to justice those who bear responsibility for the crimes committed against the West African migrants who landed on the shores of The Gambia on July 22, 2005. The Commission, therefore, recommends as follows:

146. To ensure that Yahya Jammeh and his enablers and accomplices be prosecuted for their roles in the unlawful killings of the West African Migrants and the cover up of these killings. These enablers and accomplices include the following:

- (a) **Yahya Jammeh**
- (b) **Ousman Sonko**
- (c) **Solo Bojang**
- (d) **Malick Jatta (Alfidie)**
- (e) **Sanna Manjang**
- (f) **Kawsu Camara (Bombardier)**
- (g) **Tumbul Tamba**
- (h) **Bai Lowe**
- (i) **Nuha Badjie**
- (j) **Landing Tamba**
- (k) **Alieu Jeng**
- (l) **Omar .A. Jallow (Oya)**

(m) **Buboucarr Jallow**

(n) **Lamin Sillah**

147. Yankuba Sonko and Malamin Ceesay be banned from holding public office with the Gambia government for ten (10) years for their roles in covering up of the killings of the West African migrants.

148. To establish an international joint investigation team (Joint Forensic Investigation Team) based in The Gambia, which will comprise forensic investigators and scientists from The Gambia, Ghana, Senegal and Nigeria, with the relevant skills, training and background to carry out the following tasks:

- a. *To without delay identify the exact locations where the victims were buried, including the wells and graves mentioned by the witnesses that are located in both The Gambia and also in Cassamance, Senegal.*
- b. *Take all reasonable steps to ensure the security and full protection of all the sites where the remains were buried and yet to be exhumed for the purposes of protecting the human remains therein and from tampering with the evidence.*
- c. *Be given the mandate to exhume and conserve the remains of the victims that may be found in those wells or graves.*
- d. *Be given the full cooperation of the Gambian authorities, including full access to all documentary, testimonial and physical information and evidence in their possession that the Joint Forensic Investigation Team deems relevant to the inquiry;*
- e. *The Government of The Gambia to undertake without delay the steps, measures and arrangements necessary for the speedy establishment and full functioning of the Joint Forensic Investigation Team, including recruiting impartial and experienced staff with relevant skills and expertise.*

The Government of the Gambia to establish procedures for carrying out the activities of the Joint Forensic Investigation Team taking into account the Gambia's relevant laws and judicial procedures.

149. Provide training to the members of the security forces on the relevance of ECOWAS human rights instruments and their applicability.

150. Put in place modern mechanisms, procedures and facilities for all security institutions to ensure that all vital data and information collected by the police in the course of investigations are properly maintained and preserved.

151. Put in place modern mechanisms, procedures and facilities for all security institutions to ensure that all vital data and information collected by the police in the course of investigations are properly maintained and preserved.

CONTENTS

ENFORCED DISAPPEARANCES

A.	INTRODUCTION MANDATE	41
C.	CASES OF ENFORCED DISAPPEARANCE:	43
	<i>Identity of persons, Circumstances leading to their disappearance, Investigative steps and findings to the commission</i>	<i>43</i>
	<i>DISAPPEARANCE OF THE FOLLOWING GNA OFFICERS:</i>	<i>43</i>
	<i>DISAPPEARANCE OF DAWDA NYASSI</i>	<i>47</i>
	<i>DISAPPEARANCE OF HARUNA JAMMEH</i>	<i>49</i>
	<i>DISAPPEARANCE OF MODOU LAMIN KUJABI (JASAJA)</i>	<i>50</i>
	<i>DISAPPEARANCE OF DABA MARENA, EBOU LOWE, ALIEU CEESAY, ALPHA BAH AND MANLAFI CORR, MASIREH JAMMEH AND JULIA</i>	<i>51</i>
	<i>DISAPPEARANCE OF MAMUT CEESAY AND EBOU JOBE</i>	<i>53</i>
	<i>DISAPPEARANCE OF MAHAWA CHAM AND SULAYMAN (SAUL) NDOW</i>	<i>55</i>
	<i>DISAPPEARANCE OF COLONEL NDURE CHAM</i>	<i>56</i>
	<i>DISAPPEARANCE OF TUMANI JALLOW AND ABDOULIE GAYE</i>	<i>58</i>
	<i>DISAPPEARANCE OF NDONGO MBOOB</i>	<i>59</i>
	<i>DISAPPEARANCE OF KAJALI JAMMEH, YAMA COLLEY, BAI DAM AND SHEIKH FAAL (Both Senegalese) AND TWO UNNAMED SENEGALESE MEN (ONE HAD HAIR IN A PONYTAIL AND THE OTHER IS HEAVILY BUILT AND LIGHT SKINNED), THREE SUSPECTED CATTLE RUSTLERS AND PA OUS JENG</i>	<i>60</i>
	<i>DISAPPEARANCE OF FIFTY-EIGHT WEST AFRICAN MIGRANTS</i>	<i>63</i>
D.	CONCLUSION	83
E.	FINDINGS	84
F.	RECOMMENDATIONS	84

A. INTRODUCTION

MANDATE

1. The Truth, Reconciliation and Reparations Commission (TRRC) Act, 2017 mandates the Commission to investigate human rights violations and abuses, including cases of enforced disappearances of persons whether committed in isolation or as part of a crime against humanity; whether committed individually or in concert with others, including the ordering, instigation, incitement, aiding and abetting, counselling or procuring act intended forcefully to disappear persons.¹ According to the International Convention for the Protection of All Persons from Enforced Disappearance, “Enforced Disappearance” is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State; followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.²
2. Under the same section, the TRRC Act defines a “victim” to include - (a) persons who, individually or together with one or more persons, suffered harm in the form of physical or mental injury, emotional suffering, pecuniary loss or a substantial impairment of rights - (i) as a result of a violation or abuse of human rights, or (ii) as a result of the commission of a crime; (b) persons who, individually or together with one or more persons, suffered harm in the form of physical or mental injury, emotional suffering, pecuniary loss or a substantial impairment of rights, as a result of such person intervening to assist persons contemplated in paragraph (a); and (c) the relatives or dependents of such victims as may be determined by the Commission.³ Apart from creating an impartial historical record of cases of enforced disappearances, the Commission is also mandated to respond to the needs of victims of enforced disappearances by establishing the fate or make known the whereabouts of disappeared victims.⁴
3. In July 1994, **Yahya Abdul Aziz Jemus Junkung (Yahya A.J.J Jammeh)** took over the Presidency through a Military Coup and hijacked The Gambia’s long standing democracy. The *coupists* set up a military governing body called the Armed Forces Provisional Ruling Council (AFPRC). The Junta had promised the Gambian population that they are ‘*soldiers with a difference,*’ and they will be guided by the principles of transparency, probity and accountability. However, it was not long before the Junta would demonstrate to Gambians that their words did not matter, because their actions contradicted the principles they propagated. During former President **Yahya A.J.J Jammeh’s** 22-year autocratic rule, “*The Gambia became a country where mothers feared that midnight knock on their doors will take away their sons and husbands forever;*” where civil servants went to work every morning saying goodbye to their families, as if it was the last time they would see them ever again, because coming back home to them was never a certainty; where torture was widespread and routine; where enforced disappearances of political opponents became a norm.⁵

¹ Section 2 of the TRRC Act interpretation Section

² Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance

³ Ibid

⁴ Section 2 of the T.R.R.C Act

⁵ Gambia’s Initial report on the international convention for the protection of all persons from enforced disappearances 2021, Page 5-6

4. Between July 1994 to when he finally left office in January 2017, many Gambians and non-Gambians alike had either been forcibly disappeared or extra-judicially killed. The rights of families to know the whereabouts of persons that were forcibly disappeared were violated, because the government concealed and refused to disclose information. Most of those “disappeared” were critics of the government, opposition activists, journalists those believed to be witches, those former **President Yahya A.J.J Jammeh** was scared of, and those he believed wanted to overthrow him. To date, no one has been brought to account for these abuses. The disappearances were characterized by arrest or abduction by law enforcement officials including officials of the Police, National Intelligence Agency (NIA), the Military, the Prisons and the National Drug Law Enforcement Agency (NDLEA). The abductions were followed by prolonged detentions before they were finally made to disappear in clandestine ways designed to cover-up and to prevent the family members to know the fate and whereabouts of their loved ones.
5. The complicity of the government in these crimes made it risky, if not impossible, for an effective investigation to be carried out, because the government took every effort to conceal the whereabouts of the victims. Investigations into enforced disappearances rarely took place, and perpetrators escaped justice. The government secretly carried out these disappearances to place the victims outside the protection of the law, and this was evident in many instances when the State refused to disclose the fate and whereabouts of the victims, after their disappearance. The Commission was deeply concerned about the location of burial sites and the manner in which burials were carried out. From the November 11 1994 incident to the 2016 cases of disappearance, the Commission found out that most of the burials were done at Military Barracks, State-protected areas, at former **President Yahya A.J.J Jammeh’s** farms, and in old and dis-used wells in The Gambia or near the border with neighbouring Senegal. Burials were done usually at odd hours of the night designed to make discovery of the locations and remains difficult.

B. INVESTIGATIONS OF THE TRRC

6. Investigating cases of enforced disappearance is one of the thematic issues that the TRRC is mandated to investigate. The TRRC has a Research and Investigations Unit which is composed of three sub-units namely, the Statement Taking Unit, the Research Unit and the Investigation Unit. The functions of the three units intersect to a certain extent, but the Statement Taking Unit is typically responsible for taking the statements and information of victims and witnesses of enforced disappearance. The Research Unit conducts preliminary research on human rights violations as per the mandate of the Commission; collecting, storing and retrieving information (including evidence), collaborating with investigators and legal officers to build cases and identify victims and perpetrators. They make use of statements from victims, witnesses and perpetrators to substantiate their research, and produce reports for the use of investigators and other relevant parties.⁶ In the course of its investigation, the victims, witnesses and leads disclosed that following persons to have disappeared at the instance of the State or agents of the State. This list is a combination of direct evidence and

⁶ Section 24 of the TRRC Act empowers the Executive Secretary to appoint other staff of the Commission and determine their conditions of service.

accumulation of circumstantial evidence showing that the following persons disappeared through the direct participation of the State or detained at State detention centers (e.g. NIA, Police Stations and Prisons) which became the last point where they were seen; and, since the disappearance occurred, the State failed in its duty to investigate. During the course of investigation, the Commission observed the prevalence of enforced disappearance as revealed under the themes of November 11, 1994; The Operations and Activities of the Junglers (a paramilitary hit squad operating under the orders of the former **President Yahya A.J.J Jammeh**); the disappearance of the West African Migrants; the 2006 attempted *coup d'état*; and, selected persons former **President Yahya A.J.J Jammeh** perceived as threats or in opposition to his rule. Investigations showed that in all these incidents, enforced disappearance was systematically used by the former **President, Yahya A.J.J Jammeh**, to silence people permanently.

C. CASES OF ENFORCED DISAPPEARANCE: *Identity of persons, Circumstances leading to their disappearance, Investigative steps and findings to the commission*

NOVEMBER 11, 1994

7. The November 11, 1994 reported counter coup attempt witnessed the alleged summary execution of officers and soldiers within the ranks of the Gambia National Army (GNA) under very mysterious circumstances, and on the orders of the AFPRC Junta’s leadership. The Commission received evidence that before their execution, the arrested soldiers were stripped naked, tortured, humiliated and executed in various locations, including Fajara Barracks, Yundum Barracks and the Brikama Firing Range; and, then their bodies disposed in mass graves (pits) at Yundum Barracks, in total violation of the law. Since their execution, the Government of The Gambia did not take any deliberate actions to establish the nature, causes and magnitude of the incident; no individual was arrested or prosecuted for the gross violations of human rights committed against these victims; and, the victims’ families were not informed of the whereabouts of their family members since.

DISAPPEARANCE OF THE FOLLOWING OFFICERS OF THE GNA:

1. **Lieutenant Basiru Barrow. Lt. Basirou Barrow** was a serving member of the GNA who was executed on November 11, 1994 by the Junta. In the first week of November 1994, **Lt. Basirou Barrow** was transferred from Yundum Barracks to Fajara Barracks by the Junta. He was replaced in Yundum by **Captain Momodou Marong** as Commander. Testifying before The Commission, **Edward Singhatey** stated that they had a meeting at the State House before they left for Fajara Barracks; and, that they were ordered by the former **President, Yahya A.J.J Jammeh**, ‘not to take any prisoners’ – meaning they should “crush” (kill) them.⁷ On November 11, 1994, around midnight, all the Junta members, except the former **President Yahya A.J.J Jammeh** (then Chairman) -comprising **Captain Sanna B. Sabally**, **Captain Edward Singhatey**, **Captain Sadibou Hydara** and **Captain Yankuba Touray** along with their bodyguards, as well as **Peter Singhatey** and **Alhagie Kanyi**⁸ attacked the Fajara Barracks through the back gate, where they arrested, beat and shot Basirou Barrow

⁷ Testimony of Edward Singhatey 525-739

⁸ (594) SANNA SABALLY TRRC SITTING 24TH APRIL 2019 PART 3 - YouTube 1:21:22-1:57:55/2:09:43

near the armory; who was seriously injured and incapacitated, before they put him in a truck and took him to the State Central Prison Mile II.⁹ **Lt Basirou Barrow** and others were brought to the State Central Prison Mile II in the night of November 11, but taken back to Fajara Barracks two hours later in a military truck. They were finally executed and their bodies dumped in a pit at the Yundum Barracks.¹⁰ No efforts were made to take them before a court of law. The day after the execution of Lt. Basiru Barrow and his colleagues, **Capt. Sanna B Sabally** read a brief statement on national radio that the Armed Forces had crushed a coup attempt by some disloyal elements within their own ranks. He further claimed that the coup leaders, including **Lt. Basiru Barrow**, had been killed in the shoot-out with the loyal forces of the military Junta.

Lt. Basirou Barrow's family last saw him on the evening of November 10, 1994 when he informed them that he was on night shift at the camp with the promise that he will return the following day. However, the family received on the streets news of his execution. When the family requested to have his dead body with a view to give him a decent burial, the army refused.¹¹ In essence, from the time **Lt. Basirou Barrow** was arrested up to the time he was made to disappear, the Junta did not only place him outside the protection of the law, but also refused to give information about his whereabouts. Based on the information received from family members and witnesses, the Commission issued an exhumation warrant for the exhumation of the area where the burial pit is located. After excavation of the site and based on the evidence provided to the Commission, the skeletons found are believed to be the remains of the executed soldiers.

2. **Sergeant Fafa Nyang.** **Sergeant Fafa Nyang** was also executed on November 11, 1994 following a disagreement with Junta members over the duration of the Transition Period from military rule to civilian rule, and conditions of service of military personnel.¹² On November 10, when Sgt **Fafa Nyang** arrived at the Fajara Barracks to meet Lt. **Basirou Barrow** and Lt. **Abdoulie Faal (Dot Faal)**, he was seriously tortured following an attack led by **Sanna B Sabally and Edward Singhatey**. He too was put in a truck to Mile II where he was briefly detained and later taken to Yundum Barracks. He was buried alive in a pit by soldiers including **Regimental Sergeant Major (RSM) Babucarr Sanyang** on the orders of the **Sanna Sabally**.¹³ It is important to mention that when **Fafa Nyang** arrived in Yundum, he was still alive, but before being dumped into a pit, a group of soldiers threw stones at him whilst he was trying to get up.¹⁴ **Fafa Nyang** was first shot in the stomach and his intestines were coming out and as **Nyang** “was struggling”, **Lamin Colley** shot him in the head deliberately.¹⁵ **Fafa Nyang** just like **Basirou Barrow** and **Abdoulie Dot Faal** was not taken to court to be tried, before being executed and their bodies dumped in the pit; and, even after that, family members were not informed about his whereabouts. When the Commission conducted an exhumation in 2019, remains believed to be these executed soldiers were recovered; and this happened in 2019, after more than 25 years of suspense.

9 Testimony of Sait Darboe 287-384
 10 Ebrima Chongan in his manuscript “The Price of Duty – Balangbaa” at page 97-98
 11 Testimony of Sunkary Yarboe and Mariama Baldeh, the Second Wife of Basirou Barrow
 12 Testimony of Sait Darboe, 397-772
 13 Ibid
 14 Ibid
 15 Testimony of Essa Mendy, 543-558

3. **Lieutenant Abdoulie Dot Faal (Dot Faal):** **Lt. Dot Faal** was arrested and seriously tortured by soldiers on the orders of **Edward Singhatey and Sanna B. Sabally**. **Lt. Dot Faal** and others were loaded on to a military truck and taken to the State Central Prison Mile II where they were kept at the Remand Wing. At Mile II, **Dot Faal** and his colleagues were also made to crawl while being kicked and hit with rifle butts in an open space in the presence of other detainees. Approximately two hours later, the detainees were taken from the State Central Prison Mile 2 to Yundum Barracks under a heavily-armed military escort led by **Sanna B. Sabally**. When they arrived at the Yundum Barracks, the first person who was killed was **Abdoulie Dot Faal**. He was pulled out of the line, and **Peter Singhatey** was the first person to shoot him before his body was thrown into a pit. All the other soldiers who were armed with weapons at the time fired as well.¹⁶ **Dot Faal's** family last saw him on November 10, 1994 around midnight, when he informed them that he was going to the field. It was **Ndey Mbaye**, a police officer, who confirmed to the family that **Abdoulie Dot Faal** had been killed.¹⁷ Investigations revealed that he was buried behind the cook house at Yundum Barracks. The Junta never disclosed publicly or to the family members the whereabouts of the victim. Based on the information received from the family, the Commission conducted an exhumation at the presumed site of disposal of the body, and some remains were found. The Commission is awaiting identification.
4. **Lieutenant Bakary Manneh (Nyancho).** **Lt. Bakary Manneh (Nyancho)** was arrested and detained at Yundum Barracks, following suspicion by the Council members of his alleged involvement in a coup plot. In the afternoon of November 11, 1994, following the execution of **Basirou Barrow, Dot Faal and Fafa Nyang**, the Junta members, including **Edward Singhatey, Sanna B. Sabally, Sadibou Hydara, Baboucarr Jatta** and military police officers returned to Yundum Barracks. There, detainees from the rank of lieutenant to sergeant, including **Lt. Bakary Manneh**, were brought out of the cells in their underwear, taken to a truck covered with a tarpaulin, and the truck headed towards **Brikama**. When they arrived at the Nyambai Forest, Council members parked their vehicles and the captured soldiers were lined up with their backs facing **Sanna B. Sabally, Yankuba Touray, Sadibou Hydara, Edward Singhatey, Peter Singhatey, Baboucarr Jatta, Lamin Fatty, B.A Njie, Baboucarr Njie (Ponkal), J.C.B Mendy, Lamin Fatty, Buba Jammeh (Kanilai) and Alhagie Kanyi, all standing** in an extended line. **Sanna B Sabally** asked the soldiers to say their last prayers, and then gave the order to fire. All the soldiers (including **Sanna B. Sabally**) fired killing all the captured soldiers. After the executions, their bodies were loaded in a Land Rover and headed back to the Yundum Barracks, where all the junior officers in the team participated in the burial, while the Council members left to brief **Yahya Jammeh in Banjul**.¹⁸ The Council members did not inform the family members about the whereabouts of the victims. At the time of these executions, those executed were not armed and did not present an imminent threat to the Council. As Edward Singhatey stated, it was a collective decision ‘to take no prisoners’ and there was a common intention to achieve the desired result.

16 Testimony of Mafuji Sonko, 252-331
 17 Testimony of Awa Njie, 92-124
 18 Testimony of Alagie Kanyi, 376-549

5. **Lieutenant Gibril Saye:** Lt. Gibril Saye was also arrested and detained at Yundum Barracks, following his suspected involvement in the planned coup. He left his family home on November 10, 1994 only to be arrested at the gate by the guards on duty. They started kicking him and took him to the guardroom where they also forcibly undressed him and locked him up in the cell.¹⁹ He and others were also tied with electric cables with their hands behind them to prevent escape. On November 11, 1994 after the execution of **Basirou Barrow** and others, **Sanna B. Sabally** called a list that included Lt. Gibril Saye, and they were taken to the Brikama Firing Range on board a Land Rover only to be executed, on the orders of **Sanna B. Sabally** in concert with other Council members. His body was later taken to Yundum Barracks and dumped in a burial pit. The evidence received by the Commission disclosed that being the last man to be thrown in the pit, **Alhagie Kanyi** rushed, collected an axe from the cook house, and cut **Gibril Saye's** dangling legs before his body was fully pushed into the pit.²⁰ This Kanyi denied, but the fact is that Lt. Gibril Saye was summarily executed, and not charged or brought before a court of law. His family members were not informed of his whereabouts.
6. **2nd Lieutenant Momodou Lamin Darboe.** 2nd Lt. Modou Lamin Darboe was also arrested by officers at the guard room, tied with an electric cable and detained. In the afternoon of November 11, 1994 at around 1-2pm, **Sanna Sabally, Yankuba Touray, Sadibou Hydara, Edward Singhatey, Peter Singhatey** and **Babucarr Jatta** came to Yundum Barracks and held a meeting at the Officers Mess, after which they informed other soldiers that the detained soldiers were to be killed. **Momodou Lamin Darboe** and others were taken on board a Land Rover and escorted by **Alagie Kanyi** and **Buba Jammeh (Kanilai)**, while the Council members joined another vehicle and led the team to the Brikama Firing Range where he was executed. His remains were taken back to Yundum Barracks and buried in a pit by junior officers under the orders of the Council members. Before his execution, **Momodou Lamin Darboe** and colleagues were not presented before a court of law. His body's disposal in a pit at Yundum Barracks under the protection of the military was designed to conceal his whereabouts to the family. There was no forensic information about the results of the November 10-11 carnage until an exhumation exercise was conducted by the Commission in 2019.
7. **Cadet Officer Amadou Sillah.** Cadet Amadou Sillah was a serving member of the GNA who left his family home to resume duties at Yundum Barracks. However, on November 11, 1994 he was arrested at the Barracks, tied with a cable and later told to join a military Land Rover. Unknown to him, this would be the last time he would leave Yundum Barracks alive, as he was taken to the Firing Range at Brikama and executed extra-judicially on the orders of the Council members. His remains were taken back to Yundum Barracks and buried without the knowledge of his family.
8. **Sergeant (Sgt.) Ebrima M Ceesay.** Sgt. Ebrima M Ceesay, unlike the rest of the soldiers that were executed at the range, was executed at Yundum Barracks after the Council members had returned from the Brikama range. Based on the evidence received by the Commission, upon the return of Council members from the range, **Sanna B. Sabally** called **Ebrima M.**

19 Ibid
20 Testimony of Sait Darboe, 388-776

9. **Sergeant (Sgt.) Basiru Camara.** Sgt. Basirou Camara was executed at Yundum Barracks by **Alagie Kanyi** on the orders of the Council members. Based on the evidence received by the Commission, **Sanna B. Sabally, Yankuba Touray, Sadibou Hydara, Peter Singhatey** and **Baboucarr Jatta** were present at this point, and did not attempt to stop the firing. After the killing of **Basirou Camara** and **Fafa Nyang** by **Alagie Kanyi**, their bodies were carried behind the Officers' Mess where other soldiers, including **Batch Samba Jallow, J.C.B. Mendy, B.A Njie (Baba Njie)** and **Baboucarr. Njie (Njie Ponkal)** buried their remains in a pit. His family was not informed about his whereabouts, and no investigation was done to establish the circumstances surrounding their death.²²
10. **Lieutenant Abdoulie Bah (Chopin)** The family of Lt. Abdoulie Bah last saw him on November 10, 1994 which coincided with his son's (Omar) birthday. He promised to go for duties and return, but since then his family have not formally heard of his whereabouts until the revelations made at the TRRC. The Commission received evidence that he was arrested, stripped naked and taken on board a military Land Rover to the Brikama Firing Range, where he was executed on the orders of the Junta.²³ His remains were returned to Yundum Barracks and disposed off in a pit with the intention to hide his whereabouts from family members, and the general public.
11. **Lieutenant Buba Jammeh: Lt. Buba Jammeh** was also arrested, detained and stripped naked before he was taken on board a military Land Rover to the Brikama Firing Range. His remains were later taken to Yundum Barracks and buried in a pit under the orders of the Junta.²⁴ His family did not know his whereabouts until the revelations were made at the Commission by witnesses, and those involved in the killings.
12. **Disappearance of Lieutenant Almamo Manneh.** In January 2000, the government responded to another reported attempted coup d'état by cracking down violently against the alleged plotters. Lieutenant Almamo Manneh was shot and killed by soldiers who were trying to apprehend him. The evidence received by the Commission indicated that he was set up by **Ousman Sonko**, who called him in the middle of the night and informed him that he had a message to deliver from the former **President, Yahya A.J.J. Jammeh**. He left his home to meet with **Ousman Sonko**, and was killed by **Musa Jammeh**.²⁵ **Ismaila Jammeh** testified that sometime in the year 2000, when he was an orderly to the President, **Abdoulie Kujabi**, the deputy director of the NIA, came to Kanilai to see the President. They called **Musa Jammeh** alias *Malia Mungo* and him (Ismaila Jammeh) to listen to a voice recording. He joined **Musa Jammeh** and some other members of the presidential bodyguards. These included **Lalo Jaiteh, Buba Jammeh** and **Seedy Baldeh**. They left Kanilai with their personal AK47 weapons and live rounds. They planned the operation for Stink Corner

21 Ibid
22 Testimony of Matty Sallah, 278-282
23 Testimony of Alagie Kanyi 113-578
24 Ibid
25 Pa Nderry M'BAI, *The Gambia, The Untold Dictator Yahyah Jammeh's Story*, November 2012, p. 36.

in the Greater Banjul Area and set up an ambush for **Almamo Manneh** at the mangrove swamps. **Ousman Sonko** called **Almamo Manneh** on his phone and put it on speaker. He told him that he wants to discuss issues with him, and **Almamo Manneh** agreed to meet him. They hid in the mangroves, and **Ousman Sonko** parked his car on the highway. As soon as **Almamo Manneh** appeared, they told him he was under arrest. He insulted their mothers and opened fire on them. Then Sonko dived to the ground, as they opened fire and killed Almamo²⁶. They put his body in the booth of **Ousman Sonko's** official vehicle and headed toward **Landing Sanneh's** residence at Mile 7. **Ismaila Jammeh** said in his testimony that the body was finally handed to the Military Police.²⁷ The family of Almamo Manneh was not informed of his whereabouts.

DISAPPEARANCE OF DAWDA NYASSI

13. **Dawda Nyassi:** In 2006, **Dawda Nyassi** was killed by the Junglers. He was reportedly taken to a place near the Banjul International Airport, tied to a tree near the fence, and shot at close range. The Junglers dug a hole and buried his remains near a tree. **Malick Jatta** told the Commission that **Tumbul Tamba** briefed him, **Sanna Manjang** and **Alieu Jeng** in Kanilai that there were some dissidents from Liberia, who Jammeh brought back to the country, but they were not grateful. He informed them that these dissidents were planning an insurgency that must be stopped. After the briefing, **Tumbul Tamba** travelled to the Kombos on a reconnaissance patrol²⁸. When **Tumbul Tamba** came back, he told them that they were going for a mission, but did not brief them about the mission.²⁹ They boarded **Tumbul Tamba's** vehicle and drove to Serrekunda behind the Plaza Cinema, where they parked the vehicle. **Tumbul Tamba** got out of the vehicle and called someone on the phone. Soon after, a man appeared from the darkness and **Tumbul Tamba** ordered him to enter the vehicle. At the time of his abduction, he was without arms and this shows that there was a deliberate intention to kill him. According to **Malick Jatta**, they drove through Serrekunda to the airport road and stopped at a forest in Bafuloto village. During those days, the place was bushy and there were no people living around that area³⁰. **Tumbul Tamba** got out of the vehicle, pulled the man by his shirt and said to them: “Gentlemen, this is the idiot”³¹. He pushed the man down, released a shot and asked them to shoot the man. *All four of them shot the victim to death*³².

14 **Alieu Jeng,** a Jungler, also admitted to the killing of **Dawda Nyassi**. He told the Commission: “I was called upon by the late **Tumbul Tamba** through his orderly. Upon my arrival, he informed me that he had an Executive mission to be carried out, but at the time he never disclosed the type of mission. In the evening around 19:00 hours, he picked myself, **Malick Jatta** and **Tumbul** himself drove us to Serrekunda. Reaching at Brikama garage in Serrekunda, **Tumbul** took his phone and was communicating with someone I do not know. While we were still in the car waiting for him; after some minutes, he drove towards Serrekunda Primary School, and still continued communicating. Then, all of a sudden, we saw a man coming and, upon his arrival, **Tumbul** greeted the man and asked him to enter the car. He drove the car

26 Testimony of Ismailia Jammeh 5th August 2019 line 1612-1847
 27 Testimony of Ismailia Jammeh Line 2054
 28 Testimony of Malick Jatta 22 July 2019 line 566-507 page 23
 29 Testimony of Malick Jatta 22nd July line 530-531 / Testimony of Alieu Jeng 8th August line 497-593
 30 Testimony of Malick Jatta 22 July 2019 line 539-557 page 25- 26 / Testimony of Alieu Jeng 8th August line 531 -533
 31 Testimony of Malick Jatta 22 July 2019 line 561—562 page 26
 32 testimony of Malick Jatta 22 July 2019-line 572-579 page 27

via Churchill's Town and, finally, to a place behind the airport, where he stopped and asked the man to come down the vehicle. He asked the man to stand in front of him and he gun shot him down, and equally ordered **Malick Jatta** to shoot in the same direction. And then **Malick Jatta** said “in the interest of the State,” then he opened fire”.³³

15. **Malick Jatta** testified that on their way back, he asked who the man was and that **Tumbul** told him that it was one **Dawda Nyassi**, a rebel from Liberia³⁴. He confirmed that the people that participated in this mission were himself, **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang** and **Alieu Jeng**³⁵. Until the revelations at the TRRC, the family of **Dawda Nyassi** did not know the fate and whereabouts of the victim; and the government did not investigate neither acknowledge the involvement of military officers in the killing of **Dawda Nyassi**. The Commission could not visit the area, because the specific area where the execution and disposal of the body were done could not be independently verified.

DISAPPEARANCE OF HARUNA JAMMEH

16. **Haruna Jammeh.** **Haruna Jammeh** was the brother of the former **President Yahya A.J.J. Jammeh**. He was arrested on July 14, 2005³⁶ by the NIA in Kanilai and detained at the NIA headquarters in Banjul for about two to three months³⁷. According to **Omar Jallow (Oya)**, the commander of the patrol team, **Tumbul Tamba**, ordered **Solo Bojang**, **Sanna Manjang** and **Alieu Jeng** to pick up **Haruna Jammeh** from the NIA headquarters³⁸. When **Haruna** was handed over to them, **Omar Jallow** and **Alieu Jeng** sandwiched him at the back seat, while **Solo** drove the vehicle.³⁹

17. According to **Omar Jallow (Oya)**, he knew **Haruna Jammeh** very well as he used to eat at his home in Kanilai. During their journey, **Haruna** asked him where they were going and he responded “Kanilai”.⁴⁰ They drove through the back road leading to Kanilai, and into the bush, and stopped. He described the execution as follows: “**Sanna Manjang** came down to bring out a rope to give it to us, and told me and **Jeng** that we should tie it at the neck of **Haruna** and wrestle him down. And, we tied the rope at the neck, but at that time I was not informed that this was the mission; that we are getting **Haruna** killed; he did not tell us. So we take the rope and round it over **Haruna's** neck.” He stated that he thought they were threatening him, at that point. Then each held one side of the rope and tied the knot to strangle him.

18. He went on to say: “**Sanna Manjang** told us to fall him down, and we fell him down. He asked us to pull the rope, we pulled. Then he was just sitting on top of the car, he jumped from that place and stamped on the neck of **Haruna**, and he died.” He admitted that the three of them killed **Haruna** in cold blood, and that he was close to **Haruna**, whom he considered as a friend.⁴¹

33 Testimony of Alieu Jeng 8th August 2019 line 1307-1376
 34 Testimony of Malick Jatta 22 July 2019-line 603-635 page 29
 35 Testimony of Malick Jatta July 2019 line 634-635 page 30
 36 <http://www.kaironews.com/why-jammeh-killed-his-brother-sister/>
 37 Testimony of Malick Jatta 23rd July 2019 line 935- 959
 38 Testimony of Omar Oya Jallow, 23rd August 2019 line 674-678
 39 Testimony of Omar Oya Jallow, 23rd August 2019 line 680-685
 40 Testimony of Omar Oya Jallow, 23rd August 2019 line 686-689
 41 Testimony of Omar Oya Jallow, 23rd August 2019 line 689-715

19. **Alieu Jeng** admitted that they picked up **Haruna** from the NIA and wanted to take him to his house, but on the way, the command changed. **Solo Bojang** was in the vehicle. On their way, they took a turn into the bushes and the vehicle stopped. **Sanna Manjang** told them to get hold of **Haruna** and force him on his knees. And he gave them a rope to put round **Haruna's** neck. They were hesitant, so **Manjang** got down from the vehicle, grabbed **Haruna's** throat and pressed the throat until he died⁴². He admitted that he participated in the killing of **Haruna Jammeh**.⁴³
20. **Omar Jallow (Oya)** testified that after killing **Haruna Jammeh**, they dumped the body in the same well where they dumped the killed **Ghanaians**⁴⁴. On their way home, **Solo Bojang** informed him that former **President Yahya A.J.J. Jammeh** gave an Executive order for **Haruna Jammeh** to be killed, because **Haruna** connived with **Jasaja**, a native of *Dobong*, to kill his shopkeeper. He confirmed that himself, **Alieu Jeng** and **Sanna Manjang** killed **Haruna Jammeh**, while **Solo Bojang** sat in the vehicle.⁴⁵ Since his disappearance, the government neither made a public acknowledgement of its involvement in the killing nor were the family members informed about the fate and whereabouts of their loved one. It was observed that the location of the burial site formed part of the fenced garden of the former **President Yahya A.J.J. Jammeh** in *Bunubor*.
21. The Commission visited the area on May 21, 2021 and noted that the area is difficult to identify even by those who did the operation; and, moreover, the thickness of the forest and vegetation cover makes identification of the specific site difficult.

DISAPPEARANCE OF MODOU LAMIN KUJABI (JASAJA)

22. **Modou Lamin Kujabi (Jasaja Kujabi)**, In July 2005, **Jasaja Kujabi**⁴⁶ was arrested at his farm in Foni Dobong⁴⁷ by officers of the NIA and detained.⁴⁸ This was followed by his abduction by the Junglers led by **Solo Bojang** on the same day at around 2:00 AM.⁴⁹ **Omar Jallow** testified that three days after the killing of **Haruna Jammeh**, **Sanna Manjang** called him and said to him: “*Today, we are going for Jasaja*”, and that he said: “okay”. That evening, he told **Adama Saïdy**, his guard commander, that if they asked for him, he should tell them that he had an emergency. He then turned off his phone, and went into hiding in Kanilai until he saw the vehicle going for **Jasaja**. On the following day, **Sanna Manjang** asked where he was and he gave an excuse that he had an emergency involving his brother's wife. **Sanna Manjang** then told him: “*We went for Jasaja. I have taken him to my well,*”⁵⁰ meaning that he had killed **Jasaja** and dumped his body in the well where they also dumped **Haruna's** body⁵¹.

42 Testimony of Alieu Jeng 9th August 2019 line 239-259

43 Testimony of Jeng 9th August 2019 line 289-410

44 Testimony of Omar Oya Jallow, 23rd August 2019 line 717-718

45 Testimony of Omar Oya Jallow, 23rd August 2019 725-730 line

46 Freedom Radio, Interview with Bai LOWE (Jungler) by Pa Nderry M'BAI, 24 February 2013

47 Statement of Oumie Kujabie, a daughter to Modou Lamin Kujabi

48 Babucarr Kujab, the son of Jasaga Kujabi stated in his statement that the father was arrested by Ousman Tamba, NIA officer on the 30th of July, 2005.

49 Ibid

50 Human Rights Watch, State of fear: Arbitrary arrests, torture and killings, 16 September 2015, p. 23; Freedom Radio, Interview with Bai LOWE (Jungler) by Pa Nderry M'BAI, 24 February 2013.

51 Testimony of Omar Oya Jallow 23rd August 2019 line 749-760

DISAPPEARANCE OF DABA MARENA, EBOU LOWE, ALIEU CEESAY, ALPHA BAH AND MANLAFI CORR, MASIREH JAMMEH AND JULIA

23. On March 22, 2006, five (5) men, including former NIA Director General **Daba Marena**, **Ebou Lowe**, **Alieu Ceesay**, **Alpha Bah** and **Manlafi Corr** all serving members of The GNA were arrested on suspicion of plotting a coup d'état. Before their arrest, **Daba Marena** was with the former **President Yahya A.J.J. Jammeh** in Mauritania on an official trip. During the trip, he received a call from **Tumbul Tamba** that there was a rumour about a planned coup d'état. As he was trying to verify the authenticity of the information before informing the **President**, **Tumbul Tamba** relayed it directly to the former **President Yahya A.J.J. Jammeh**. This created distrust on the part of the former **President, Yahya A.J.J. Jammeh**, towards **Daba Marena** as **Jammeh** believed that he had something to hide. Upon his return from Mauritania, **Daba Marena** was arrested alongside the others and taken to the State Central Prison Mile 2 without charge.
24. In July 2005, **Masi Jammeh**, a sister to **Haruna Jammeh** and the former **President Yahya A.J.J. Jammeh**, was arrested by the NIA and detained for a prolonged time.⁵² **Masi** and **Julia** whose identity could not be independently verified, but who is believed to be one of the West African migrants, were killed together with **Daba Marena**, **Ebou Lowe**, **Alieu Ceesay**, **Alpha Bah** and **Manlafi Corr**.
25. **Ismaila Jammeh** testified that in 2006, things were quite tense because of the **Ndure Cham** foiled coup attempt. During that period, they were reporting to the State House daily. One day **Tumbul Tamba** briefed members of the patrol team that they were going on another patrol mission.⁵³ **Tumbul Tamba** was the commander and his team members included **Ismaila Jammeh**, **Sanna Manjang**, **Alieu Jeng**, **Nfansu Nyabally** and **Malick Jatta**. At around 12 midnight to 1:00 am, they boarded their vehicles and drove to the State Central Prison Mile II.⁵⁴ According to **Alieu Jeng**, they converged at the NIA where **Tumbul Tamba** informed them that they were going “*to Mile II*.” They departed from the NIA in a convoy and headed straight for Mile II. Upon arrival, he remained in the vehicle because he was the “gunner” (person handling the big weapon). They brought out some individuals and put them in the vehicles; he did not see the prisoners clearly because his back was turned towards them as he was manning the gun.⁵⁵ **Tumbul Tamba** and some of the soldiers entered the prison, while the others remained outside.⁵⁶
26. **Ismaila Jammeh** stated: “*As we were waiting, the electricity suddenly went off and for a moment the light was off at the Mile II, the outside light was off, for a moment. I saw two (2) people coming with certain people which had something put on their face like nylon bags, but I cannot remember who and who*” the individuals were. They were boarded in his vehicle with **Malick Jatta**; he did not have any interaction with them.⁵⁷ According to

52 Human Rights Watch, State of fear: Arbitrary arrests, torture and killings, 16 September 2015, p. 23; Freedom Radio, Interview with Bai LOWE (Jungler) by Pa Nderry M'BAI, 24 February 2013.

53 Testimony of Ismaila Jammeh 5th August 2019 line 3617 -3636

54 Testimony of Ismaila Jammeh 5th August 2019 line 3730

55 Testimony of Alieu Jeng 19th August 2019 line 463-479

56 Testimony of Alieu Jeng 19th August 2019 line 523-533 /Testimony of Ismaila Jammeh 5th August 2019 line 3686-3698

57 Testimony of Ismaila Jammeh 5th August 2019 line 3707-3714

Ismaila Jammeh, this was quite abnormal as it was around midnight.⁵⁸ He also indicated that the prisoners' hands were cuffed in front.⁵⁹

27. **Alieu Jeng** recalled about four to five vehicles in which they put the prisoners.⁶⁰ He also confirmed that the prisoners had plastic bags over their heads.⁶¹ And, that when he saw the prisoners' head covered in a plastic bag, he became suspicious. He admitted that at that point, he knew that they were going to be executed.⁶²
28. **Malick Jatta** testified that the two commanders that were involved in these operations were **Tumbul Tamba** and **Solo Bojang**. The bodyguards were **Saihou Jallow**, **Sainey Jammeh**, **Yusupha Sanneh**, **Omar Jallow (Oya)**, **Bora Colley** and **Michael Correa** who escorted the prisoners. **Malick Jatta's** team mates were **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang**, **Michael Jatta**, **Nfansu Nyabally**, **Mustapha Sanneh**, **Ismaila Jammeh** and **Alieu Jeng**.
29. They met the escort group on the way, who brought the following prisoners: **Daba Marena**, **Alpha Bah**, **Ebou Lowe**, **Alieu Ceesay**, **Manlafi Corr**, **Masi Jammeh**, and the lady called **Julia**.⁶³
30. **Malick Jatta** testified that **Solo Bojang** led them into the bushy place where **Sanna Manjang** had killed **Ndongo Mboob** and stopped there. The place was dark, but he was able to make out the location. They brought the victims down from the vehicles, which was when he knew that the people brought were going to be executed. He stated that he was not in the mood to participate in the operation, on that day; and, so he started complaining saying: *“Why are we to be used against our people instead of rendering them service”*. He stood by with his subordinates, **Nfansu Nyabally** and **Alieu Jeng**, and folded his hands. He said they were present, but did not participate in the killing. He described the execution in the following terms:
31. *“I saw **Manjang** coming with **Masi** first; he was pushing her. At a point, he just knocked the lady's legs down. And the woman since from inside the vehicle was praising God's name, saying ‘Alhamdulillah Rabil Alamein’, and she was mentioning this continuously until the time she was just brought down. In her attempt to get up from the ground, **Manjang** put the pistol on the head and give her a shot in the head at point blank. Next the others were just moved, they passed us. If I may be correct in my estimation, it may be about five (5) to seven (7), eight (8) meters, but yet still it was in the darkness but it was in the shrubs. When I said thick shrub, not a thick bush, a light bush. So, they were seated down. **Sainey Jammeh** came with this other lady from the back”. He stated that the lady's name was **Julia**, and that he picked up the name when they asked the lady her name. **Alieu Ceesay** tried to escape and was shot by one of the bodyguards, and it is probable that the shooter was **Omar Jallow (Oya)**. The other victims that were shot are **Daba Marena**, **Alpha Bah**, **Ebou Lowe**, **Manlafi***

58 Testimony of Ismaila Jammeh 5th August 2020 3721- 3741
 59 Testimony of Ismaila Jammeh 5th August 2020 3783- 3789
 60 Testimony of Alieu Jeng 19th August line 538-542
 61 Testimony of Alieu Jeng 19th August 2019 564- 571
 62 Testimony of Alieu Jeng 19th August 2019 line 592-613
 63 Testimony of Malick Jatta 23rd July 2019 line 992 -1071page 45-48

Corr. After the shooting, he saw them dump the bodies in a well.⁶⁴ **Malick Jatta** believed that former **President Yahya A.J.J. Jammeh** ordered the execution of the prisoners.⁶⁵

Alieu Jeng admitted that he knew that the prisoners were going to be executed, and that an order was given for them to be executed. He insisted that he did not hear a gun shot. He stated that one could hear a sound from an AK47, at a distance. When it was suggested to him that he must have been 7 km away, he said “maybe they used a different weapon”. He, however, admitted that each of the Junglers was issued an AK 47. He also admitted that he contributed in the execution by transporting the prisoners to the execution grounds, knowing that they will be executed⁶⁶.

32. None of their family members were informed about their whereabouts, instead, on the April 6, 2006, the Government of The Gambia issued a press release stating that on their way to Janjanbureh Prison -**Daba Marena**, **Alpha Bah**, **Ebou Lowe**, **Manlafi Corr** and **Alieu Ceesay** - a car accident occurred, during which the men managed to escape.⁶⁷ The Commission observed that the location of the burial site forms part of the fenced garden of former **President Yahya A.J.J. Jammeh** in *Bunubor* Garden. The Commission visited the area on May 21, 2021, and noted that the area is difficult to identify even by those who did the operation and, moreover,, the thickness of the forest and vegetation cover makes identification of the specific area difficult.⁶⁸

DISAPPEARANCE OF MAMUT CEESAY AND EBOU JOBE

30. **Mamut Ceesay and Ebou Jobe**: On June 21, 2013 two Gambian-Americans namely, **Alhagie Mamut Ceesay** and **Ebou Jobe**, went missing in The Gambia. They were last seen in the resort area of **Kololi**, where they were staying.⁶⁹ The Junglers searched the house where they were staying, but they did not find anything. **Ceesay** and **Jobe** were taken to the President's house in **Kanilai** where former **President Yahya A.J.J. Jammeh** gave the order to kill them. **Alhagie Mamut Ceesay** and **Ebou Jobe** were taken to a village called **Alla Kunda**, and killed. Their bodies were buried in the **President's garden**.⁷⁰ **Omar Oya Jallow** who admitted to participation in the killing said that sometime in 2013⁷¹, members of the patrol team converged at their **Kololi** base for a mission. The following men were present: **Major Nuha Badjie**, **Capt. Momodou Jarju (Rambo)**, **Lt. Mustapha Sanneh**, **Lt. Michael Jatta**, **WO2 Fansu Nyabally**, **WO2 Pa Sanneh**, **Staff Sgt. Amadou Badjie**, **Staff Sgt. Sulayman Sambou** and **Corporal Saikouba Jarju**⁷².

64 Testimony of Malick Jatta 23rd July 2019 line 10 74- 1174
 65 Testimony of Malick Jatta 23rd July 2019 line 1199-1215 Page 54
 66 Testimony of Alieu Jeng 19th August 2019 line 761- 1124
 67 Amnesty International, *Gambia: Fear Rules*, November 2008, p. 9; *Allafrica*, « *Gambia: Ex-Intel. Chief Daba Marena and 4 others executed* », 26 August 2006. The article is accessible here: <https://allafrica.com/stories/200608280228.html> (last time accessed on 22.11.2018).
 68 Ibid.
 69 Human Rights Watch, *State of fear: Arbitrary arrests, torture and killings*, 16 September 2015, p. 27; *The Standard*, « *Junglers Explain How Two Gambian-Americans Were Killed* », 5 January 2018. The article is available here: <http://standard.gm/site/2018/01/05/junglers-explain-2-gambian-americans-killed/> (last time accessed on 15.11.2018).
 70 *The Standard*, « *Junglers Explain How Two Gambian-Americans Were Killed* », 5 January 2018. The article is available here: <http://standard.gm/site/2018/01/05/junglers-explain-2-gambian-americans-killed/> (last time accessed on 15.11.2018); *Freedom Radio*, Interview with **Malick MANGA (Jungler)** on Disappearance of Gambian-Americans **Alhagie Mamut Ceesay** and **Ebou Jobe** by **Pa Nderry**, March 2018.
 71 Testimony of **Pa Ousman Sanneh** 7th August 2019 line 634
 72 Testimony of **Omar Oya Jallow** 24th of July 2019 line 226-305 / Testimony of **Pa Ousman Sanneh** 7th August 2019 line 646-650/ Testimony of **Amadou Badjie** 25th July 2019 line 1254-1259

31. **Nuha Badjie** briefed them that there were some Americans from Guinea Bissau who had come to topple former **President Jammeh**'s government, along with some members of the army⁷³. According to **Omar Jallow (Oya)**, **Nuha Badjie** briefed them saying: *“There is an assignment which we have to do that. There were two (2) Gambian Americans who came here, with the intention of toppling the government of **Yahya Jammeh**. And, at that moment, they were in a hotel, but that **Michael Correa** was there also monitoring their ins and outs. And, that “if they were going out, we will be called so we could go and arrest them”*.⁷⁴
32. He said that after the briefing, **Nuha Badjie** was communicating with **Edrissa Jobe (Alagie Morr)**, an NIA officer. Thereafter **Michael Correa** told **Omar Jallow (Oya)** he was to go with him to a Chinese restaurant.⁷⁵ The others set up a checkpoint 100m away from Petroleum House whilst **Pa Ousman** and **Michael Correa** and **Edrissa Jobe (Alagie Morr)** trailed the men who were spotted at a Chinese restaurant in Senegambia with two ladies. When their targets left in a taxi, they alerted the others at the checkpoint and gave them a description of the men and the taxi. The two Gambian-Americans were arrested at the checkpoint, and the ladies and the taxi driver were asked to go.⁷⁶
33. **Amadou Badjie** testified that they took the men back to their lodge, where they found a truck containing hay in the premises and some foreign currency in their room. The foreign currency was handed over to **Nuha Badjie**, and they went back to their base in Kololi at around 3 – 4 am. Afterwards, the NIA Director, **Yankuba Badjie**, and General **Saul Badjie** came to interrogate the two men.⁷⁷ **Amadou Badjie** believes that the men were beaten during interrogation because, according to him, that was the norm⁷⁸. The officers that were interrogating the men later came out, and informed them that the victims confessed that they had come to overthrow the government, and that the hay was to be used to conceal some weapons they had shipped.⁷⁹
34. At around 5 pm **Nuha Badjie** informed **General Sulayman (Saul) Badjie** over the phone that the President wanted to see the two Gambian-Americans in Kanilai.⁸⁰ And, at around 6pm, they left for Kanilai with them.
35. Upon arrival in Kanilai, two vehicles drove into **Jammeh**'s compound, while some of them remained at the training school. According to **Omar Jallow (Oya)** and **Amadou Badjie**, thirty minutes later, **Nuha Badjie** came and informed them that, *“**Yahya Jammeh** has given the order that the men were to be killed, and they should be chopped into pieces”*.⁸¹
35. **Amadou Badjie** further testified that they put the men in their vehicle, and left in a convoy driving towards Mayork, and took the road leading to **Alla Kunda**. The soldiers that were in the convoy were: **Major Nuha Badjie**, **Captain Momodou Jarju** alias **Rambo**, **Lt.**

73 Testimony of Omar Oya Jallow 24th of July 2019 line 307-312/ Testimony of Pa Ousman Sanneh 7th August 2019 663-665
 74 Testimony of Omar Oya Jallow 24th of July 2019 line 307-311
 75 Testimony of Pa Ousman Sanneh 7th August 2019
 76 Testimony of Pa Ousman Sanneh 7th August 2019 line 669-712 / Testimony of Omar Oya Jallow 24th of July 2019 line 314-335/ Testimony of Amadou Badjie 25th July 2019 line 1076-1021
 77 Testimony of Amadou Badjie 25th July 2019 line 1076-1120
 78 Testimony of Amadou Badjie 25th July 2019 line 1130-1157
 79 Testimony of Omar Oya Jallow 24th of July 2019 line 348-334 / Testimony of Amadou Badjie 25th July 2019
 80 Testimony of Omar Oya Jallow 24th of July 2019 line 348-367
 81 Testimony of Amadou Badjie 25th July 2019 line 1169-1204/ Testimony of Omar Oya Jallow 24th of July 2019 line 396-333

Mustapha Sanneh, Lt. Michael Jatta, WO2 Fansu Nyabally, WO2 Pa Sanneh, Staff Sgt. Malick Manga, Sgt. Amadou Badjie, Sgt. Sulayman Sambou, Corporal Saikouba Jarju and Staff Sgt. Omar Oya Jallow.⁸²

36. They drove into the **President**'s garden located on the road leading to Alla Kunda, and stopped at a spot identified by **Solo Bojang**. **Solo Bojang** brought digging tools and asked **Amadou Badjie**, **Omar Jallow**, **Fansu Nyabally**, **Pa Sanneh** and **Saikouba Jarju** to dig a hole. **Malick Manga** and **Fansu Nyabally** cut off the heads of **Mamut Ceesay** and **Ebou Jobe**, while the others assisted in holding their bodies, which were buried in a single grave at the former **President Yahya A.J.J Jammeh**'s garden.⁸³ The Commission did an exhumation at the site sometime in 2020, but none of the remains were found because identifying the exact site proved to be difficult. The government never made an investigation into these killings nor were the family members informed about the fate and whereabouts of their loved ones.
37. The Commission visited the area on May 21, 2021 and noted that the area is difficult to identify even by those who did the operation, because the general area where the reported burial took place was excavated in 2014.⁸⁴ The Commission went further to do an exhumation, but no remains were found.

DISAPPEARANCE OF MAHAWA CHAM AND SULAYMAN (SAUL) NDOW

38. In April 2013, **Mahawa Cham** a former National Assembly Member for the APRC, and **Sulayman Ndow (Saul Ndow)**, a businessman and close associate of the former **President Yahya A.J.J. Jammeh**, were abducted while in Senegal's southern Casamance region.⁸⁵ The men were transferred to The Gambia where **Malick Manga**, **Ousman Sanneh**, and **Sulayman Sambou** were waiting for them. They were killed and buried by the Junglers in Alla Kunda about 200 metres away from the burial site of **Ebou Jobe** and **Mamut Ceesay**. **Omar Jallow (Oya)** who admitted to his participation in the killing said that **Malick Manga** called him and told him to report to their base in Kololi. The individuals present were **Nuha Badjie**, **Momodou Jarju (Rambo)**, **Lt. Mustapha Sanneh**, **Lt. Michael Correa**, **Lt. Michael Jatta**, **WO2 Fansu Nyabally**, **Staff Sgt. Manga** and **Sulayman Sambou**⁸⁶.
39. **Nuha Badjie** briefed them that they were going to meet **Solo Bojang** at Kanilai for a mission, there were two (2) Gambians that had weapons and were looking for people who would join them in toppling the government of former **President Yahya Yahya A.J.J. Jammeh**. The two were lodged in a hotel at Ziguinchor, and **Solo Bojang** had planned to meet them at a particular village.⁸⁷ When they got to Kanilai, he saw two civilians in **Solo**'s car. Those two (**Lawu Jarjue** and **Suwandi Camara**) worked as spies for former **President Yahya A.J.J. Jammeh** in the army.

82 Testimony of Omar Oya Jallow 24th of July 2019 line 406-410 / Testimony of Pa Ousman Sanneh 7th August 2019 line 744-750
 83 Testimony of Omar Oya Jallow 24th of July 2019 line 427-444 / Testimony of Pa Ousman Sanneh 7th August 2019 line 767-772/ Testimony of Amadou Badjie 25th July 2019 line
 84 Information received from the Soldiers Stationed at Kanilai Military Post.
 85 Human Rights Watch, State of fear: Arbitrary arrests, torture and killings, 16 September 2015, p. 27.
 86 Testimony of Omar Oya Jallow 24th of July 2019 line 810-820
 87 Testimony of Omar Oya Jallow 24th of July 2019 line 824-833

37. **Omar Jallow (Oya)** stated that he once had a meeting with the two at Bonto village. For this operation, they were dressed in civilian clothing because they were the ones in touch with Mahawa Cham and Saul Ndow, and their weapons were concealed in their bags⁸⁸.
38. According to **Omar Jallow (Oya)**, there were about four vehicles in the convoy. So **Solo Bojang** asked Manga's vehicle to stay behind where he **Omar Jallow (Oya)** was. He said they waited for about four (4) hours, and at around 5pm - 6pm, **Solo Bojang's** vehicle arrived and they joined the convoy to Kanilai. When the vehicles stopped, he saw two dead bodies with plastic bags over their heads. He believed that they were suffocated with plastic bags. Manga later told him that one of the victims was **Jeck Cham's** husband⁸⁹.
39. Later, **Solo Bojang** led **Nuha Badjie, Rambo, Fansu Nyabally, Lt. Mustapha Sanneh, Lt. Michael Jatta,** and **Sulayman Sambou** to bury the bodies in the bush. He emphasised that the government knew about the killings, because **Yaya Jammeh** always gives the orders, and that during their briefing, **Solo** told them that "*the President said to use whatever means to apprehend them, bring them into The Gambia and kill them*"⁹⁰. On the following day, **Manga** told him that he was asked to give the sum of CFA 125,000,000 to the Senegalese intelligence officer that led them to the victims. When he was asked about his share, **Manga** responded: "*Yahya Jammeh is just killing us, he is using us in vain. Not even one Butut did we get from that*"⁹¹.
40. The Commission did an exhumation at the site in 2020, but none of the remains were found because identifying the exact site proved to be difficult. Neither did the government make a public announcement or investigation in these killings nor were the family members informed about the fate and whereabouts of their loved ones. The Commission visited the area in May 2021, and noted that the area is difficult to identify even by those who did the operation and, moreover, the thickness of the forest and vegetation cover makes identification of the specific area difficult.

DISAPPEARANCE OF COLONEL NDURE CHAM

41. **Colonel Ndure Cham.** **Colonel Ndure Cham** was the Chief of Defence Staff of the Gambia Armed Forces in 2006. He fled to Senegal after a coup plot was foiled in March 21, 2006.⁹² In August 2013, **Colonel Ndure Cham** was arrested in Farafenni after returning to The Gambia. After **Colonel Ndure Cham** was arrested, the Junglers took him to the NIA Training School in Tanji. **Colonel Ndure Cham** was detained there for almost three weeks. During his detention, he was severely beaten and eventually killed and disappeared.
42. According to **Ismaila Jammeh**, who participated in the operations, after receiving information on the whereabouts of **Ndure Cham**, the patrol team converged at their base in Kololi for the mission. He said they were asked to board their vehicles and headed to Farafenni; and, during the journey, **Lt. Col. Nuha Badjie** was communicating with **Musa Johnson**, a former orderly of **Ndure Cham**. **Musa Johnson** led them to **Ndure Cham's** garden where they arrested and took him to the NIA complex (Training School) in Tanji⁹³.

88 Testimony of Omar Oya Jallow 24th of July 2019 line 839-8655

89 Testimony of Omar Oya Jallow 24th of July 2019 873-892 line

90 Testimony of Omar Oya Jallow 24th of July 2019 line 908-924 was arrested

91 Testimony of Omar Oya Jallow 24th of July 2019 line 926-956

92 Human Rights Watch, State of fear: Arbitrary arrests, torture and killings, 16 September 2015, p. 27.

93 664-710 Testimony of Pa Ousman Sanneh 6th August 2019/ Testimony of Amadou Badjie, 6th August 2019 line 634-690

- The men that participated in the arrest of **Ndure Cham** were: **Lt. Col. Nuha Badjie, Capt. Momodou Jarju (Rambo), Capt. Mustapha Sanneh, Capt. Michael Jatta, WO 1 Nfansu Nyabally, WO2 Malick Manga, Staff Sgt. Sulayman Sambou, Sgt. Amadou Badjie, Corporal Saikouba Jarju and Pa Ousman Sanneh**⁹⁴.
43. **Pa Ousman Sanneh** testified that **General Saul Badjie** along with the former **NIA Director General Yankuba Badjie** came to see **Ndure Cham** that evening. Himself, **Lamin Badjie, a PIU officer, Omar Jallow (Oya), Malick Manga, Amadou Badjie (chairman)** and **Lamin Sambou** were on guard duties at the premises. He stated that he did notice that **Ndure Cham's** face was swollen, and that **Ndure Cham** told him that **Sulayman Sambou usually beats him**⁹⁵. This was corroborated by **Omar Jallow (Oya)** who testified that **Ndure Cham** was beaten severely by **Sulayman Sambou** in his presence.
44. According to **Omar Jallow (Oya)**, after about two weeks of detention, **Gen. Saul Badjie** with the former **NIA Director General, Yankuba Badjie**, came to the NIA Tanji Training School. They picked up **Ndure Cham** from the NIA Tanji premises. The men were briefed by **Nuha Badjie** that the **President** gave an order for **Ndure Cham** to be killed⁹⁶. **Omar Jallow (Oya)** told the Commission that one day, at the end of his guard shift, three vehicles arrived at the training school, and Cham was taken away.⁹⁷
45. **Ndure Cham** was put in the vehicle with **Omar Jallow (Oya)** and **Malick Manga** sitting on each side next to the door, while he (**Ndure Cham**) sat in the middle. **Capt. Rambo** sat in the front seat and **Sulayman Sambou** was driving the vehicle. When they drove up to the intersection of the airport road heading towards Brikama, **Capt. Rambo Jarju** brought out four (4) plastic bags and gave them to **Malick Manga** saying: "*Finish him*". At that point, **Ndure Cham's** hands were cuffed behind his back. **Malick Manga** put the plastic bags over **Ndure Cham's** head and **Omar Jallow (Oya)** and **Momodou Jarju** assisted in suffocating him to death⁹⁸.
46. The body was buried in the bushes of *Kanfenda*, in Foni (WCR) at a place where the Iranians had trained some Gambian soldiers called *Tintinba* Forest.⁹⁹ **Lt. Col. Nuha Badjie, Capt. Momodou Jarju (Rambo), Lt. Mustapha Sanneh, Lt. Michael Jatta, WO2 Fansu Nyabally, Malick Manga, Sulayman Sambou, Saikouba Jarju, Michael Jatta and Omar Jallow (Oya)** participated in the killing of **Ndure Cham**.
47. The government neither made a public acknowledgement of its involvement in the killing of **Ndure Cham** nor were the family members informed about his fate and whereabouts. The Commission visited the area on May 21, 2021 to have first-hand understanding of the environment. It was observed that the location of the burial site formed part of the fenced "*Bunubor Garden*" belonging to the former **President Yahya A.J.J. Jammeh**.

94 646-661 Testimony of Pa Ousman Sanneh 6th August 2019/ Testimony of Amadou Badjie, 6th August 2019 line 628-632

95 Testimony of Pa Ousman Sanneh 6th August 2019 716-760

96 Testimony of Omar Oya Jallow 24th of July 2019 line 526-536

97 The Standard, « Jungler Explains How Ndure Cham Was Captured, Killed », 19 January 2018. The article is available here: <http://standard.gm/site/2018/01/19/jungler-explains-ndure-cham-captured-killed/> (last time accessed on 15.11.2018).

98 Testimony of Omar Oya Jallow 24th of July 2019 line 543-563

99 Testimony of Omar Oya Jallow 24th of July 2019 line 582-991

DISAPPEARANCE OF TUMANI JALLOW AND ABDOULIE GAYE:

48. On August 18, 2016, **Tumani Jallow**, a 24 year old soldier of the State Guard Battalion¹⁰⁰, was picked up at the State House and taken to the NIA Headquarters in Banjul. **Abdoulaye Gaye**, on the other hand, was abducted on September 20, 2016 from his shop in Kanifing South by a group of men in plain clothes. **Gaye** was then taken to the NIA Headquarters in Banjul. While **Tumani Jallow** was alleged to have participated in the burning of the APRC Political Bureau in *Kanifing South*, **Abdoulie Gaye** on the other hand was accused of transmitting information to **Pa Nderry M’bai** of the Freedom Newspaper.
49. **Omar Jallow (Oya)** admitted that **Tumani Jallow** and **Abdoulie Gaye** were arrested and detained at the NIA in connection with the burning of the APRC head office at Kanifing South. According to him, on December 22, 2016 members of the patrol team were assembled at their base in Kololi for a mission. **Lt. Mustapha Sanneh** who was in charge of the operation briefed the men that there were two Gambians, one of them a soldier and the other a rebel leader, who were involved in the arson attack at the APRC bureau. He further informed them that **President Jammeh** had given an order that they should be killed, and that the NIA will hand over the two to them.¹⁰¹
50. At around 9 to 10 pm, the team met up with **Sheikh Omar Jeng**, an NIA operative and two other NIA officers somewhere around *Wullingkama* Junction with the two men in their custody.¹⁰² One of the men, **Tumani**, was handed over to **Omar Jallow (Oya)**, **Pa Sanneh** and **Saikouba Jarju**, while the other **Abdoulie Gaye**, was handed over to **Sulayman Sambou**, **Lt. Michael Jatta**, **WO2 Fansu Nyabally** and **Malick Manga**¹⁰³. They put the two men in their vehicles and drove off. Along the way, they met up with **Nuha Badjie** close to Brikama junction and he joined the convoy. **Nuha** had picked up **Amadou Badjie** on the way, because he was at his village during that time¹⁰⁴.
51. According to **Omar Jallow (Oya)**, when they drove past Mandina Ba, **Momodou Jarju (Rambo)** handed him a rope. By then, he and **Saikouba** had sandwiched **Tumani**. So, they wrapped the rope round **Tumani’s** neck and pulled. **Tumani** started wriggling and struggling with them, then **Momodou Jarju** leaned over and blocked **Tumani’s** nose and they suffocated him to death.¹⁰⁵ **Pa Ousman Sanneh** testified that he was driving when **Tumani** was being killed in the vehicle, and that he heard **Tumani** saying: *My senior you are taking me to kill me*” and **Omar Jallow (Oya)** responded: *“well, that is the order I have received”*.¹⁰⁶

100 The Point, « Intelligence service under pressure over enforced disappearances », 24 October 2018. The article is available here: <http://thepoint.gm/africa/gambia/article/intelligence-service-under-pressure-over-enforced-disappearances> (last time accessed on 16.11.2018).

101 Testimony of Omar Oya Jallow 24th of July 2019 line 1209-1211

102 Ibid

103 Testimony of Omar Oya Jallow 24th of July 2019 line 1092-1139 / Testimony of Pa Ousman Sanneh 7th August 2019 line 824-848

104 Testimony of Omar Oya Jallow 24th of July 2019 1185-1201 line 1185-1187/ Testimony of Amadou Badjie 25th July 2019 line 764-784

105 Testimony of Omar Oya Jallow 24th of July 2019 1185-1201 / Testimony of Pa Ousman Sanneh 7th August 2019 line 824-834

106 Testimony of Pa Ousman Sanneh 7th August 2019 line 836-843

52. **Sanna Manjang** joined the convoy somewhere just before Bwiam, and he led them to the former **President’s** garden around *Santaba* Forest. **Amadou Badjie (Chairman)** was asked to bring the digging tools from **Sanna’s** vehicle and they started digging the grave. **Amadou Badjie (chairman)**, **Sanna Manjang**, **Nfansu Nyabally**, **Omar (Oya) Jallow** and **Saikouba Jarju** dug the grave, and two corpses were removed from the vehicles and buried in a single grave.¹⁰⁷ The members of the patrol team that participated in this mission were **Lt. Col. Nuha Badjie**, **Capt. Momodou Jarju (Rambo)**, **Capt. Mustapha Sanneh**, **Capt. Michael Jatta**, **W.O. Nfansu Nyabally**, **W.O. 2 Malick Manga**, **Staff Sgt. Sulayman Sambou**. **Sgt. Omar Jallow (Oya)**, **Sgt. Amadou Badjie (chairman)** and **Corporal Saikouba Jarju**¹⁰⁸.
53. The government did not make a public acknowledgement of its involvement in or investigate these killings nor were the family members informed about the fate and whereabouts of their loved ones.
54. The Commission visited the area on May 21, 2021 and noted that the area is difficult to identify even by those who did the operation and, moreover, the thickness of the forest and vegetation cover makes identification of the specific site difficult. The Commission observed that the location of the burial site formed part of the fenced garden of the former **President Yahya A.J.J. Jammeh** in *Santanba* Forest.

DISAPPEARANCE OF NDONGO MBOOB

55. In 2006, three people, including **Momodou Lamin Nyassi**, **Ndongo Mboob** and **Bubai Sanyang**, were arrested. According to **Malick Jatta**, this was his second mission. He did not participate in the killing, but he was present. **Tumbul Tamba**, **Solo Bojang**, **Sanna Manjang**, and **Alieu Jeng** were also part of the group. He testified that while in Kanilai, **Tumbul Tamba** informed them that they were going for a normal patrol. On their way, they drove along the Trans-Gambia Highway through the villages of Mandinaba, Bullock, Sibanor and Bwiam. At some point in Bwiam, a car approached them from Kombo and stopped. He was in **Solo’s** vehicle, and the commanders got out and met with some people dressed in civilian clothes.
56. From their appearance and the vehicle they were in, he believed that they were from the NIA. He stated that, at that point, he did not know that there was a handing over and taking over of a civilian. **Solo** boarded the vehicle, and they made a u-turn back to Bwiam, near where they took another turn into the bush and stopped. From the side signal, he could see that someone was being taken into the bush, and he recognized **Manjang** going with the person. They went into the bush for some time, and then he heard a shot. Then **Manjang** came back alone and entered the vehicle. **Manjang** was in the lead car with **Tumbul Tamba**. When they turned back, **Solo’s** vehicle led the way, and **Solo** told him that the place is *Bunubor Garden* and the person that was taken into the bush was **Ndongo Mboob**. He confirmed that **Manjang** must have killed the man, since he heard a shot and that the man did not come back.¹⁰⁹

107 Testimony of Amadou Badjie 25th July 2019 line 789-810/ Testimony of Omar Oya Jallow 24th of July 2019 line 1185-1234

108 Testimony of Pa Ousman Sanneh 7th August 2019 line 888-916

109 Testimony of Malick Jatta 22nd July 2019 line 622- 735

57. A former Jungler indicated that **Ndongo Mboob** had been killed by the Junglers, and that **Sanna Manjang** bore particular responsibility for **Mboob's** death.¹¹⁰ Since the disappearance of **Ndongo Moob**, the government neither made a public acknowledgement of its involvement in or has investigated the killing nor were the family members informed about the fate and whereabouts of their loved one.
58. The Commission visited the area on May 21, 2021 and noted that the area is difficult to identify even by those who did the operation and, moreover, the thickness of the forest and vegetation cover makes identification of the specific site difficult. It was observed that the location of the burial site formed part of the fenced *Bunubor* Garden belonging to the former **President Yahya A.J.J. Jammeh**.

DISAPPEARANCE OF KAJALI JAMMEH, YAMA COLLEY, BAI DAM AND SHEIKH FAAL (Both Senegalese) AND TWO UNNAMED SENEGALESE MEN (ONE HAD HAIR IN A PONYTAIL AND THE OTHER IS HEAVILY BUILT AND LIGHT SKINNED), THREE SUSPECTED CATTLE RUSTLERS AND PA OUS JENG

59. **Ensa Keita** testified before the Commission on March 5, 2021. He told the Commission about his own arrest and detention, and about the arbitrary detention and extra-judicial killing of **Kajali Jammeh, Yama Colley, Bai Dam, and Sheikh Faal**, three suspected cattle rustlers, **two unnamed men**, and **Pa Ous Jeng**.
60. **Ensa Keita** told the Commission that when he heard the sound of a car engine on the 12th night of his detention, he stood up in his cell. Outside he listened as **Sanna Manjang** called one **Badjie**, asking for **Musa Jammeh's** whereabouts. **Badjie** apparently said that **Musa Jammeh** had already left for State House. **Sanna Manjang** then yelled at **Badjie** to bring **Kajali Jammeh** out of his cell. When they reached **Sanna Manjang**, he (**Sanna Manjang**) taunted **Kajali Jammeh**, saying that on the day of his arrest **Kajali Jammeh** had *“thrown some blows, but now you are under my control. I will kill you, chop off your head and take it inside, and give your body to the crocodiles.”*
61. According to **Ensa**, **Kajali Jammeh** and **Sanna Manjang** were standing face to face. **Sulayman Sambou** was also present in the room with **Sanna Manjang**. **Sanna Manjang** accused **Kajali Jammeh** of being an armed criminal, to which **Kajali Jammeh** responded that he was a rebel with the MFDC, but they were not criminals, and that all he was doing was trying to make money to buy food. **Sanna Manjang** said he was lying, and that his time had come to an end. Unlike when he had tried to arrest **Kajali Jammeh**, **Sanna Manjang** continued, this time he could not fight back.
62. The witness added that **Kajali Jammeh** then told **Sanna Manjang** that they would meet in the next world, which angered **Sanna Manjang** to the point that he started insulting **Kajali Jammeh's** mother. The witness said he was standing at his door and listening to everything. **Badjie** also had turned his chair to face the confrontation. **Ensa Keita** told the Commission that **Sanna Manjang** murdered **Kajali Jammeh** by decapitating him with a sword, while he

110 Amnesty International, Amnesty International Report 2009 – The State of The World's Human Rights, 28 May 2009, p. 150; The Standard, « Jungler says he will testify against Jammeh even at ICC », 9 February 2018. The article is accessible here: <http://standard.gm/site/2018/02/09/jungler-says-will-testify-jammeh-even-icc/> (last time accessed on 20.03.2018).

- stared at his face. As the blade cut through his neck, *“the blood splattered out as if you killed a cow. The tongue was wiggling in the mouth as if he was trying to mumble something.”* **Ensa Keita** continued his testimony by standing up and showing how **Sanna Manjang** put his foot on **Kajali Jammeh's** lifeless head, and told **Sulayman Sambou** to bring the bag. **Sanna Manjang** picked **Kajali Jammeh's** head up by his nostrils and put it in the bag, saying: *“Everything will be clear now.”*¹¹¹
63. **Ensa Keita** said that he did not know precisely what happened to the decapitated head, but that **Badjie** later told him that they were taken inside **Yahya Jammeh's** house. *“The Elder,”* meaning former **President Yahya A.J.J. Jammeh**, *“has need for them.”*
64. Two or three days later, the witness continued, at around 9 pm **Musa Jammeh** and **Jafa Jafa** (no other name was provided) carried a woman into the room, and left her there. The woman, who the witness identified as **Yama Colley**, was crying, terrified that she would never see her family again and that she would die. The witness later added that he saw blood coming from between her legs, and believed that she had been raped. While **Musa Jammeh** was taking a phone call outside, **Yama Colley** told him, **Ensa**, how **Musa Jammeh** had told her that there was work for her in Kanilai. **Ensa Keita** further testified that he heard **Musa Jammeh** tell **Badjie** that he would be paid the next day, because **Yama Colley** had a beard. Then, while looking at **Ensa Keita**, **Sanna Manjang** told **Badjie**: *“Here is more food for the crocodiles.”* He added that on the next day, he saw **Musa Jammeh** strangle **Yama Colley** to death. **Musa Jammeh** then called **Sanna Manjang**, who came and cut the body into pieces and fed it – except the head – to the crocodiles. Then **Sanna Manjang** and **Musa Jammeh** put her head in a plastic bag, and took it into the compound. He later added that **Badjie** explicitly told him that **Yama Colley** was sacrificed.
65. **Ensa Keita** told the Commission that he saw this same horrific scene played out with a few more people. **Two Senegalese men, Bai Dam and Sheikh Fall**, were brought in one night and whisked out the next morning. The witness said he never saw any corpses, but he did see **Sanna Manjang, Sulayman Sambou** and a few others washing up at a spigot outside. He revealed that **Badjie** later told him that *“anyone who went out with these people at night, they killed them.”*¹¹² According to him, **Badjie** added that whenever **Sanna Manjang** was drunk, *“he has no mercy for any human being.”*¹¹³
66. When the men alighted from the vehicle, **Sanna Manjang** sat down, rolled a joint of marijuana and brought out a few bottles of beer. After smoking the joint and drinking some beer, he looked at the time and told **Sulayman Sambou** that it was almost 3 a.m, and asked him to call the people to bring the car. When the jeep came, a man with long hair resisted their efforts to put him in the car. **Sanna Manjang, Sulayman Sambou** and three other soldiers over-powered him eventually, and threw him and the other two in the back of the car. When the soldiers returned, they went straight to the tap outside and washed themselves. He never saw the **three suspected cattle** rustlers again. The witness told the Commission that there was one more person whom he saw during his detention. The witness tried to initiate a

111 Testimony of Ensa Keita, 1001-1723
 112 Ibid
 113 Ibid

conversation with him, but he remained silent, even when the witness undressed himself to show the man evidence of his own torture. He later added that the man had suffered serious wounds to his cheeks, forehead and ear, and was covered in blood. On the second night, a Senegalese man from Kaolack, who was some kind of an accomplice to the silent man, was also brought in. He told **Ensa** he had fled, and was caught in Essau. **Sanna Manjang** and the others soon took these two men away.¹¹⁴

DISAPPEARANCE OF LAMIN TUNKARA

67. **Lamin Tunkara** was executed together with the West African migrants sometime in July 2005, on the orders of the former **President, Yahya A.J.J. Jammeh. Moro Jaiteh**, a cousin to **Lamin Tunkara**, told the Commission that **Lamin** had a friend named **Captain Bangura** from Guinea Bissau. **Bangura** was involved in the illegal trafficking of people from Africa to Europe through the “back way” in The Gambia and Senegal. He brought a ship to Banjul port, and **Bangura** asked **Lamin Tunkara** to recruit customers for him. **Lamin** did so and started collecting monies from people in The Gambia for the journey, and he invited customers from Senegal, Ghana and other West African countries to join others in The Gambia.¹¹⁵
68. **Adama Conteh**, wife of **Lamin Tunkara**, testified at the public hearing of the TRRC on March 8, 2021. She told the Commission that she was seven months pregnant during her husband’s arrest. Narrating the events of that day, she stated that **Lamin Tunkara** was arrested after he dashed out of his house following a phone call. He returned to the house with some men. She said: “*They came with him to the house with his hands cuffed from behind. Those who escorted him did not wear uniforms. But they were many, more than 10 people.*” **Adama** said she was then asked to go outside. “*They told me to go out of the house. I went out and stood under the veranda. They did not stay long in there, and then they came out. The owner of the compound had come from his travels, and asked them where they were going, but someone among them told him he should come with them if he wants to know where they were going to, and they left.*”
69. She last saw her husband at Kairaba Police Station. This was the last place his family knew him to have been kept – where his wife would take food to him. She would do so in the morning and in the afternoon.¹¹⁶ All attempts to have him bailed failed, and **Adama** then spent the next weeks and months looking for her husband. After **Lamin Tunkara** was arrested, his wife, **Adama Conteh**, hired lawyer **Neneh Cham** to free him. **Neneh Cham** managed to get **Lamin Tunkara’s** bail granted by a court order. However, when **Lamin Tunkara’s** relatives came to visit him on the next day, the police officers announced that he had been released. **Neneh Cham** was later informed that **Lamin Tunkara** had allegedly escaped.¹¹⁷ Her (**Adama Conteh**) search took her to Jeshwang Prison, the State Central Prison Mile II and even the NIA Headquarters. According to her, a man later found her at the gate of the NIA HQs and advised her to stop looking for her husband.

114 Ibid
 115 Statement of Moro Jaiteh, Lamin Tunkara’s cousin brother.
 116 Testimony of Adama Conteh TRRC Pt1 08.03.21.
 117 Testimony of Adama Conteh TRRC Pt1 08.03.21.

70. **Lawyer Neneh Cham** corroborated **Adama’s** narrative. She told the Commission that she was representing **Lamin Tunkara** who was arrested with the West African migrants.¹¹⁸ She told the Commission that she was not initially denied access to him. But when she had the court order for his release and went to have him released from Police custody, she was given one excuse after another; until “*suddenly he was no longer there.*”
71. **Lamin Tunkara** was part of **Martin Kyere’s** group, most of whom were executed in Kanilai/Casamance.¹¹⁹ The family did not know his whereabouts, and the government refused to acknowledge its role in his disappearance.¹²⁰

DISAPPEARANCE OF FIFTY-EIGHT (58) WEST AFRICAN MIGRANTS

72. On July 22, 2005, Gambian police forces arrested a group of about 67¹²¹ West African migrants who left Sali in Senegal by canoe for Banjul in The Gambia where they were supposed to board a boat which would take them to Europe. The group was composed of Ghanaians, Nigerians, Senegalese, Ivorians, Sierra Leoneans, Togolese and Liberians. While at sea, the canoe lost contact with the captain of the boat which was supposed to take them to Europe. The group arrived at a port in Banjul around 6 am. on July 22, 2005.
73. Testifying before the Commission, **Martin Kyere** said that six or seven¹²² of them left the canoe to buy some telephone chips (SIMcards) to be able to contact one **Charles Taylor** or his Gambian associate, **Lamin Tunkara. Eric Yaw Owusu Ansah, Daniel Amankwah, Robert Essien** and “**Rastaman**” left the canoe there. The individuals who remained on the boat heard gunshots and people screaming “thief.” So they left the port with the canoe towards Barra.¹²³ At Barra beach, the canoe owners explained that the group had only paid for the use of the canoe for one night; and, so the canoe had to go back to Senegal. The migrants, therefore, discharged at Barra beach. Three individuals, including **Victor Oduro and Nana Ekow Ebo (nicknamed “Tarzan”)**, were sent into the town to locate **Charles Taylor**. They learnt that **Charles Taylor** believed **Yahya Jammeh** had heard about the first six individuals who had left the canoe in Banjul, in the morning. He believed they were in police custody and, therefore, sent **Lamin Tunkara** to secure their bail.¹²⁴

GROUP IN BANJUL

74. **Eric Yaw Owusu Ansah**, one of the migrants who had left the canoe in Banjul, was captured by the Navy on the beach. He was beaten and called a thief.¹²⁵ According to **Lamin Cham**, a police officer, **Eric Yaw Owusu Ansah** was then transported to the Navy headquarters, where he picked him up and brought him to the Major Crime office at the Police HQs in Banjul, and took his statement. Later, when **Lamin Cham** returned to the Navy headquarters, he

118 (600) TRRC: Testimony of Neneh Cham | 30 March, 21 - YouTube 14:41-15.48/1:20:05 accessed 23.09.2021
 119 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 120 Ibid
 121 Martin KYERE testified that Robert ESSIEN counted the passengers when they left Saly and told him there were 67. TRRC, Martin Kyere TRRC Pt3 01.03.21 <https://www.youtube.com/watch?v=2iiByv7uuEE>.
 122 Discrepancies: Eric Yaw says that he was the only one to leave to find a phone, and that the others jumped off the boat later when they heard that he was being called a thief.
 123 Testimony of Martin Kyere TRRC Pt3 01.03.21; TRRC, Eric Yaw TRRC Pt1 02.03.21.
 124 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 125 Testimony of Eric Yaw TRRC Pt1 02.03.21 Testimony of Eric Yaw TRRC Pt1 02.03.21; TRRC, Eric Yaw TRRC Pt2 02.03.21.

picked up **Daniel Amankwah** and **Robert Essien**. They were brought to the Banjul Police Station, and a few days later transferred to the Major Crime office with **Eric Yaw Owusu Ansah**. All their entries were written in the Major Crime office police diary recovered by the Commission.¹²⁶

75. According to **Eric Yaw Owusu Ansah**, some of the migrants were tortured at the station. The treatment included beating (one of them lost a finger) and tight handcuffs, and they were given no food. **Eric Yaw Owusu Ansah** also received electric shocks on his genital organs. After two weeks, the torture stopped, but **Eric Yaw Owusu Ansah** was only released eleven months later.¹²⁷

THE GROUP IN BARRA

76. **Martin Kyere** stated that **Victor Oduro, Nana Ekow Ebo (Tarzan)** and the third individual looked for a canoe, so that the group could be transported to the boat due to leave for Europe.¹²⁸ However, they came across a villager who later reported the matter to **Babucarr Bah**, a Barra police officer. **Babucarr Bah and Mawlud Faal**, an NIA officer, tricked them into believing they could provide them with boats, and then arrested them. When the migrants were brought to the Barra Police Station, their arrival was written down in the station diary. **Babucarr Bah** then arranged for canoes to pick up the rest of the migrants, who had stayed behind at Barra beach. According to **Bah**, it was standard procedure to arrest migrants to “save them from a dangerous trip”.¹²⁹

The group was transported to the Barra Police Station. On the way to the station, one individual, **Dennis Ohene Kwakye**,¹³⁰ managed to escape. At the station, **Babucarr Bah** wrote down all their names on a list and in the police station diary. There were 51 (fifty one)¹³¹ migrants on that list, which was kept by **Babucarr Bah**. A copy of the list was given to **Abdoulaye Danso**, an immigration officer.¹³² The monies belonging to the migrants were seized and recorded in the diary.¹³³ Furthermore, the officers took the statements of the only two women who were part of the group, **Jeannette Tanoh and Juliana Maku**.¹³⁴

77. The individuals were only carrying travel bags and money.¹³⁵ Nothing suggested they were a threat to the country. According to **Abraham Jawara Demba**, the Station Officer at Barra, it was clear that they were migrants. He reported to his superiors, including **Ousman Dibba**, that they were migrants.¹³⁶

INFORMATION GIVEN TO YAHYA JAMMEH

78. The migrants disembarked in The Gambia on July 22, 2005 which is the anniversary of the *coup d'état* that brought former **President Yahya A.J.J. Jammeh** to power. During the celebrations in the evening, the former **President, Yahya A.J.J. Jammeh**, was at a musical

126 Testimony of Lamin Cham TRRC Pt1 04.03.31.
 127 Testimony of Eric Yaw TRRC Pt2 02.03.21.
 128 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 129 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 130 He is still alive and now lives in Germany according to Martin KYERE. TRRC, Martin Kyere TRRC Pt3 01.03.21.
 131 Babucarr BAH remembered 54 but the list the TRRC has, which was written by Babucarr BAH, only had 51 names.
 132 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 133 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 134 Testimony of, Martin Kyere TRRC Pt3 01.03.21.
 135 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 136 Testimony of Abraham Jawara Demba TRRC Pt3 04.03.2.

festival held at July 22nd Square in Banjul, which was attended by his top officials. It was during the festivities, that **Daba Marena**, the Director General NIA informed the President about a boatload of people that had been arrested. **Jammeh later** left the Square with the delegation of some senior officials, including the **Baboucarr Jatta**, Minister of Interior, **Daba Marena**, Director General NIA, **Ousman Sonko** the IGP and **Ndure Cham** the CDS.¹³⁷ **Baboucarr Jatta**, the former Minister of Interior, thought that they were migrants, because he had been told by **Ousman Sonko** the IGP that the persons were just travelling with bags, and did not have any machinery or symbol that would suggest that they were a threat to the country. However, he (**Baboucarr Jatta**) did not say to **President Jammeh** that he believed they were migrants, but just referred to them as “individuals”.¹³⁸ Following this, **Jammeh** left the parade.¹³⁹

THE TRANSPORTATION FROM BARRA TO BANJUL

79. Around 7pm, the group of migrants were divided into two groups. They were supposed to be handed over to the immigration authorities, but eventually they were picked up by **Ousman Jallow**, Head of Investigations at the National Intelligence Agency (NIA), and his men.¹⁴⁰ **Bamba Manneh**, an NIA officer, was among them. The agents were armed. The migrants pick-up by the NIA was also written in the Barra Police Station diary.¹⁴¹
80. The migrants were transported by a naval boat (GN FATIMA) to Banjul’s Marine Unit/Navy Headquarters. The first group was transported around 7 (seven) pm while the second group, which included **Martin Kyere**, left around 9pm. The first group was tied up with plastic handcuffs and stripped.¹⁴² They had no T-shirts nor trousers on. Police officers, NIA officers, soldiers and Junglers were at the scene. The detainees were forced to kneel down, and the soldiers started slapping them, beating them with cutlasses and with the butt of their guns, stepping on them and insulting them.¹⁴³ The soldiers would ask questions such as: “*What are you here for? Are you here to destroy Yahya Jammeh?*” “*We will kill you*”. The officers did not wait for answers.¹⁴⁴ **Babucarr Bah**, a police officer present at the scene, said that they were being “*treated like animals*”.
81. One of the soldiers, **Kawsu Camara (Bombardier)** was dressed with large trousers and a *chaya* full of jujus,¹⁴⁵ like a “Malian hunter”¹⁴⁶ for the July 22 anniversary celebration ceremony.¹⁴⁷ He also beat the victims and stepped on them.¹⁴⁸ In addition to **Kawsu Camara, Ousman Sonko** the IGP; **Assan Sarr** the Chief of Defence Staff (CDS), **Biran Mbye** the Officer Commanding the Police Intervention Unit (PIU), **Gibril Ngorr Secka**, the NIA Director of Operations, **Ousman Jallow** the NIA Head of Investigation, **Seedy Gassama**, NIA Liaison Officer at the seaport, **Babucarr Bah**, police officer, and **Tumbul**

137 (600) Pa Amady Jallow, CMC In 2005, Testifies With Regards To The Migrant Massacre In Gambia. TRRC part 1 - YouTube 21:49-23:16/54:30 accessed 23.09.2021
 138 Testimony of Baboucarr Jatta TRRC 03.03.21.
 139 Testimony of Pa Amady Jallow TRRC Pt1 01.03.21.
 140 Testimony of Babucarr Bah TRRC Pt2 04.03.21; TRRC, Baboucarr Jatta TRRC 03.03.21.
 141 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 142 Testimony of Martin Kyere TRRC Pt3 01.03.21; TRRC, Biran Mbye TRRC Pt2 24.03.21.
 143 Testimony of Martin Kyere TRRC Pt3 01.03.21; TRRC, Babucarr Bah TRRC Pt2 04.03.21.
 144 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 145 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21; TRRC, Biran Mbye TRRC Pt2 24.03.21.
 146 Testimony of Babucarr Bah TRRC Pt2 04.03.21.
 147 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21; TRRC, Babucarr Bah TRRC Pt2 04.03.21.
 148 Testimony of Babucarr Bah TRRC Pt2 04.03.21.

Tamba, head of the Junglers, were present.¹⁴⁹ **Gibril Ngorr Secka**, the NIA Director of Operations, testified that he believed the group of Junglers had come from the State House, and had received their orders from Yahya Jammeh.¹⁵⁰ According to **Martin Kyere**, one of the detainees tried to protect his eyes, but was hit on the mouth and lost his teeth. No one tried stopping the beatings.¹⁵¹

CUSTODY IN VARIOUS LOCATIONS IN GREATER BANJUL AREA

82. The group was then forced into a bus.¹⁵² The first group was still tied together, while the second group was not.¹⁵³ One group was taken to Kairaba Police Station and the other to “Baba Jobe’s compound”, which was the Junglers’ headquarters.¹⁵⁴ The Deputy Inspector General of Police, **Abou Njie**, and the Head of the State Guard, **Ousman Badjie**, were present at Kairaba Police Station.¹⁵⁵ **Ngorr Secka**, the NIA Director of Operations, told **Ousman Badjie** that he believed the detainees were migrants.¹⁵⁶ According to **Ngorr Secka**, **Kawsu Camara (Bombardier)** and **Ousman Badjie** took the group to Baba Jobe’s compound.¹⁵⁷ Three victims who could not fit at Kairaba Police Station were taken by **Biran Mbye**, the Officer Commanding the PIU, to the Police Intervention Unit premises in Kanifing.¹⁵⁸ They were later picked up by **Kawsu Camara (Bombardier)**, who told **Biran Mbye** that he was acting under **Ousman Sonko’s** order. This was written in the Police Intervention Unit office diary.¹⁵⁹ The Commission requested for the diary from the Inspector General of Police, but it could not be found.

83. At Kairaba Police Station, **Pa Amady Jallow**, a police officer, investigated the case and came in contact with **Lamin Tunkara**, the Gambian contact person for the migrants, by pretending he wanted to travel to Europe. He then arrested **Tunkara** and took him into the charge office at Kairaba station.¹⁶⁰ **Tunkara** was later brought to the Banjul Police Station by **Lamin Cham**.¹⁶¹ He was then escorted by plainclothes officers to his house for a search.¹⁶² After the search, he was transferred to Banjul Police Station, and on the following day to Kairaba Police Station.¹⁶³

84. **Migrants Martin Kyere, Edmund Kumi, Richard Boakye, Eric Nketia, Kwadwo Antwi, Kofi, George Agya Amo, two other Ghanaians and one Nigerian** were put into a cell at Kairaba¹⁶⁴ Police Station. Later, the two other Ghanaians were taken away, and replaced by

149 Testimony of Babucarr Bah TRRC Pt2 04.03.21; TRRC, Gibril Ngorr M. T Secka TRRC Pt3 25.02.21
 150 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21, 0h46.
 151 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 152 Testimony of Martin Kyere TRRC Pt3 01.03.21; TRRC, Babucarr Bah TRRC Pt2 04.03.21.
 153 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 154 Testimony of Pa Amady Jallow TRRC Pt1 01.03.21; TRRC, Biran Mbye TRRC Pt2 24.03.21; TRRC, Gibril Ngorr M. T Secka TRRC Pt3 25.02.21.
 155 Testimony of Biran Mbye TRRC Pt2 24.03.21.
 156 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21.
 157 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21.
 158 Testimony of Biran Mbye TRRC Pt2 24.03.21; TRRC, Gibril Ngorr M. T Secka TRRC Pt3 25.02.21.
 159 Testimony of Biran Mbye TRRC Pt2 24.03.21.
 160 Testimony of Pa Amady Jallow TRRC Pt1 01.03.21.
 161 TRRC, Lamin Cham TRRC Pt1 04.03.31. This is a bit unclear: Pa Amady JALLOW says he arrested Lamin TUNKARA but Lamin Cham seems to be suggesting he picked him up from the navy.
 162 Testimony of Lamin Cham TRRC pt1 04.03.31; Testimony of Adama Conteh trrc pt1 08.03.21.
 163 Testimony of Martin Kyere TRRC pt3 01.03.21, trrc, Adama Conteh trrc pt1 08.03.21.
 164 Martin Kyere believes that he was held in Bundung police station but the lead counsel, Essa Faal, believes he was in Kairaba police station since his name was written on the Kairaba list. furthermore, martin Kyere was held with Lamin Tunkara and his wife, Adama Conteh, recalled that he was held in Kairaba. After his testimony, Martin Kyere went with investigators of the TRRC to both stations to identify where he was held.

Lamin Tunkara. On the next day, **Adama Conteh**, **Lamin Tunkara’s wife**, came to visit him and gave him a newspaper in which it was written that 54 individuals had been arrested, and that eight people had been found dead in the Brufut forest. At the time, the detainees did not know that the eight victims were part of their group. The detainees spent a week at the police station. Their passports and fingerprints were taken. As migrant **Victor Oduro** spoke both French and English, he was brought in to translate while their statements were taken.¹⁶⁵

THE MURDERS IN BRUFUT

85. Early in the morning of Saturday July 23, one group of ten detainees were picked up by the Junglers and taken next to the forest in Brufut, about 26 km from Banjul.¹⁶⁶ According to **Gibril Ngorr Secka**, individuals were picked up from Kairaba Police Station that day so it is possible the ten victims came from Kairaba Police Station.¹⁶⁷ **Malick Jatta** and **Lamin Sillah** heard that the group of Junglers involved in the killing included **Bai Lowe**, **Musa Jammeh**¹⁶⁸ and **Kawsu Camara (Bombardier)**.¹⁶⁹ The **Junglers** were dressed all in black. In the forest, individuals would be taken away two by two, the rest would hear gunshots, and the two that were taken would never return.¹⁷⁰

86. When a strong and tall Nigerian man was taken away by two men in black, he fought back. Two victims took the opportunity of this struggle to run away in the bush. One went towards the beach, as he could hear the ocean. There, he met boys who took him to **Ismaila Jagne**, the alkalo, of Ghana Town, a settlement of Ghanaian descendants in Brufut.¹⁷¹

87. The second victim who managed to escape ran towards Tanji village, a bird reserve area, where he met people. When he told them he was Ghanaian, they gave him money and also brought him to **Ismaila Jagne**. When the two men saw each other, they cried from happiness because they thought that they both managed to escape. The two victims are believed to be **Bright Antwi and John Kweku (also called John Kassin, John Akufo)**.¹⁷²

88. **Ismaila Jagne** gave them food, a bath and let them rest. Later in the afternoon, the Ghana Town executive community’s Chairman instructed **Ismaila Jagne** to hand the two individuals to the Brufut police, which he did. When he returned to give them food in the evening, the police officer informed him that they had been transferred to another location.¹⁷³ A third victim, **Benjamin Kwabena Fosu**, who also managed to escape and meet with the alkaloo of Ghana Town was also taken to the Brufut police station.¹⁷⁴

89. **Malick Jatta** testified that Jungler **Bai Lowe** had told him that a victim had escaped in Brufut, but that he was then caught; and, that **Sanna Manjang** cut him into pieces and

165 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 166 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 167 Testimony of Gibril Ngorr M. T Secka TRRC Pt3 25.02.21.
 168 Testimony of TRRC Malick Jatta Day 70 Pt2 23.07.19. Indirect evidence: Bai Lowe told Malick Jatta that he had taken part in another mission relating to the migrants with Musa Jammeh. The victims who were killed were dropped on the side of a road, which suggests he was talking about the Brufut murders.
 169 Testimony of Lamin Sillah TRRC Pt3 22-03-21. Indirect evidence: Lamin Sillah heard that Kawsu Camara’s team had carried out the massacre in Brufut.
 170 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 171 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 172 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 173 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 174 Testimony of Martin Kyere TRRC Pt3 01.03.21.

brought his remains to the village of Santamba Forest in Foni.¹⁷⁵ **Omar Jallow (Oya)** also told investigators that himself and **Sanna Manjang** did the execution, and left the remains at the said forest. On May 21, 2021, the Commission visited the location where the remains were said to be buried, but they could not be traced due to the vegetation growth.

DEAD BODIES FOUND IN BRUFUT

- 90. On the same day, July 23 2005, eight male bodies were found at the Tanji Bird Reserve area in Brufut. The bodies were half-naked, and their skulls were broken, and blood had oozed from their mouth, nose and ears. In some cases, the skull was so broken that it was possible to see the brain.¹⁷⁶ The injuries seemed to have been caused by a heavy object.¹⁷⁷ According to **Ndey Tapha Sosseh**, a journalist and former President of the GPU (Gambia Press Union), a Jungler once told her that they had *been hit by machetes and nails*.¹⁷⁸ *Some had bullet wounds around their neck*.¹⁷⁹ According to **Pa Amady Jallow (the Crime Management Coordinator (CMC))**, by looking at their wounds, it could be said that they had been killed around 6:00 - 6:30am on that day.¹⁸⁰ The bodies did not look Gambian.¹⁸¹ One victim had marks on his face, marks that **Ismaila Jagne** identified as being Ghanaian tribal marks.¹⁸²
- 91. **Biran Mbye**, who went to the scene, believed that the eight victims were the individuals who had been arrested in Barra, as they looked the same.¹⁸³ **Ismaila Jagne** said he believed those eight corpses were probably the bodies of the individuals who were picked up with **Bright Antwi** and **John Kweku**, as they had explained they were originally ten and that those two escaped.¹⁸⁴
- 92. As all the bodies could not fit in the ambulance, some had to be transported in pick-ups. They were brought to the mortuary at the Royal Victoria Teaching Hospital¹⁸⁵ When searching the corpses, **Pa Amady Jallow** noticed that they all had 80 to 100 euros/dollars on them and, therefore, he believed they were migrants.¹⁸⁶
- 93. Later on that day, a Ghanaian came to the Brufut Police Station and got into a fight with the sentry man, who was wearing a black uniform and had a gun. The Ghanaian accused the sentry man of being a murderer, and of killing his colleagues.¹⁸⁷ The sentry man apprehended the individual, and took him to the charge office where he was handed to **Lamin Camara**, the PIU Relief Commanding Officer, and was transferred to the Police Intervention Unit shortly after.¹⁸⁸

175 Testimony of TRRC Malick Jatta Day 70 Pt2 23.07.19.
 176 Testimony of Pa Amady Jallow TRRC Pt1 01.03.21; Testimony of , Pa Amady Jallow TRRC Pt2 01.03.21; Testimony of Olley Sam & Kalilou Jallow TRRC 11-03-21; Testimony of Ismaila Jagne TRRC Pt1 10.03.2021; Testimony of TRRC PT2 10.03.21; Testimony of Biran Mbye TRRC Pt2 24.03.21; Testimony of Omar Saidkhan TRRC Pt3 23.03.21.
 177 Testimony of Pa Amady Jallow TRRC Pt2 01.03.21; Olley Sam & Kalilou Jallow TRRC 11-03-21, Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 178 Testimony of TRRC Day 64 Ndey Tapha Sosseh Pt 2 11.07.19..
 179 Testimony of TRRC PT2 10.03.21; Testimony of Biran Mbye TRRC Pt2 24.03.21
 Biran Mbye said that “their necks were broken”.
 180 Testimony of Pa Amady Jallow TRRC Pt2 01.03.21.
 181 Olley Sam & Kalilou Jallow TRRC 11-03-21; Testimony of Biran Mbye TRRC Pt2 24.03.21; Testimony of, Omar Saidkhan TRRC Pt3 23.03.21.
 182 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 183 Testimony of Biran Mbye TRRC Pt2 24.03.21.
 184 Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.
 185 Olley Sam & Kalilou Jallow TRRC 11-03-21, Testimony of Pa Amady Jallow TRRC Pt2 01.03.21; Testimony of Biran Mbye TRRC Pt2 24.03.21; Testimony of Omar Saidkhan TRRC Pt3 23.03.21.
 186 Testimony of Pa Amady Jallow TRRC Pt2 01.03.21.
 187 Olley Sam & Kalilou Jallow TRRC 11-03-21, Testimony of Omar Saidkhan TRRC Pt3 23.03.21.
 188 Testimony of Olley Sam & Kalilou Jallow TRRC 11-03-21, Testimony of, Omar Saidkhan TRRC Pt3 23.03.21.

- 94. **Martin Kyere**, a survivor,¹⁸⁹ later identified five of the eight bodies as **Kweku Agyeikum, Yaw Kyere, Kassim Abary Amadou, Mpong Mpong (nicknamed after his hometown), and Kwadjo Ampadu**.¹⁹⁰
- 95. Years later, **Pa Amady Jallow**, the CMC at the time of the massacre, came in contact with a PIU officer through Facebook. This individual told him that, on the day of the discovery of the eight bodies at the Brufut bird reserve, on July 23 2005, “*we were so terrified when we saw you, because we just buried nine bodies before you arrived. Immediately after the crime scene, on the right-hand side, there is a baobab tree, behind the baobab tree we buried nine bodies there.*”¹⁹¹
- 96. On Monday July 25, 2005, two other bodies were reportedly found at the bird reserve. The bodies were already decomposing. According to Brufut police officers, **Omar Saidyka, Olley Sam** and **Kalilou Jallow, Biran Mbye** and **Lamin Camara** ordered the Brufut police officers, **Omar Saidykhan, Demba Bah, Ismaila KE Bojang and Ousman Djede**, to bury the bodies, which they did.¹⁹² **Olley Sam and Kalilou Jallow** kept this a secret because **Lamin Camara** instructed them not to discuss it.¹⁹³ **Omar Saidykhan** further testified that “the only senior person I can assume is fully aware would be the commander **Biran Mbye**”.¹⁹⁴ **Biran Mbye** denies giving this order.¹⁹⁵

THE MURDERS IN KANILAI/CASAMANCE

- 97. A week later, Junglers **Solo Bojang** and **Tumbul Tamba** ordered **Lamin Sillah, Sanna Manjang, Malick Jatta, Alieu Jeng, Michael Jatta, Nfansu Nyabally, Bora Colley and Mustapha Sanneh** to get ready for a mission. They were all armed with AK47s, their personal pistol and some had personal grenade launchers (PGL). A convoy of two cars travelled to Banjul.¹⁹⁶ **Yusupha Sanneh** explained that before leaving, **Solo Bojang**, the senior officer of the mission, went to see the former President, **Yahya A.J.J. Jammeh**, at the State House in Banjul.¹⁹⁷ It is the considered view of the Commission that this must be the time **Yaya A.J.J Jammeh** gave the order for the migrants to be executed.
- 98. In the meantime, at around 11 pm, the group of victims **Martin Kyere, Edmund Kumi, Richard Boakye, Eric Nketia, Kwadwo Antwi, Kofi, George Agya Amo, Lamin Tunkara** and one Nigerian, were divided into two groups and brought by pick-up to a storey building¹⁹⁸ in Baba Jobe’s compound.¹⁹⁹ They were joined by others from the original group of migrants: **Juliana Maku, Jeanette Tanoh, Victor Oduro and a Nigerian**. They were all asked to strip. Their belongings, which had been taken from them at Banjul seaport, were there. They were told that they should sleep.²⁰⁰

189 See below paras 32-34.
 190 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 191 Testimony of Pa Amady Jallow TRRC Pt2 01.03.21, 1h11.
 192 Testimony of Omar Saidkhan TRRC Pt3 23.03.21; Testimony of Olley Sam & Kalilou Jallow TRRC 11-03-21.
 193 Olley Sam & Kalilou Jallow TRRC 11-03-21, 1h23.
 194 Testimony of Omar Saidkhan TRRC Pt3 23.03.21, 0h38.
 195 Testimony of Biran Mbye TRRC Pt2 24.03.21.
 196 Testimony of Lamin Sillah TRRC Pt2 22-03-21; Testimony of TRRC Malick Jatta Day 70 Pt2 23.07.19.
 197 Testimony of Yusupha Sanneh TRRC Day 97 Pt2 23.10.19.
 198 Testimony of Martin Kyere TRRC Pt3 01.03.21.
 199 Testimony of Lamin Sillah TRRC Pt2 22-03-21.
 200 Testimony of Martin Kyere TRRC Pt3 01.03.21.

99. After the convoy of Junglers reached the storey building in Baba Jobe’s compound,²⁰¹ **Solo Bojang** left the car and took **Martin Kyere, Victor Oduro, Richard Boakye, Kwadwo Antwi, Kofi, George Agya Amo, Lamin Tunkara** and one of the Nigerians out of the compound. The two women, **Jeannette Tanoh and Juliana Maku, Edmund Kumi, Eric Nketia** and the other Nigerian were left behind. According to **Martin Kyere**, their leader (probably **Solo Bojang**)²⁰² said they would be released, and asked them to strip to their underwear. He then tied them up four by four.²⁰³ Their necks and their hands were tied.²⁰⁴ The two groups were then pushed into vehicles and threatened that they would be killed, if they were to jump out of the car.²⁰⁵ Although **Martin Kyere** only remembers eight victims,²⁰⁶ **Lamin Sillah**, a driver, stated that in addition to this group of eight, twelve (12) other victims were also part of the convoy, making it a total of 20.²⁰⁷
100. The victims were then taken to the mini stadium in Kanilai.²⁰⁸ On their way to Kanilai, **Lamin Sillah** witnessed **Solo Bojang** being on the phone with former **President Yahya A.J.J. Jammeh**. **Solo Bojang** said “*Good evening, Excellency*”, “*Yes, Sir*”. He was also on the phone with the Director General of the NIA, Daba Marena.²⁰⁹
101. During the ride, the Nigerian in the car carrying **Martin Kyere** started praying. The car was stopped, and a Jungler cut the Nigerian’s backbone with a cutlass. The injury was very severe, blood was flowing, and the victim had trouble breathing. When **George Agya AMO** complained that he was not comfortable because he was on the floor of the car, and other victims were on top of him, a Jungler cut him into his shoulder and asked him: “Which one is more painful?”²¹⁰
102. One of the detainees, **Martin Kyere**, realised that the wire holding his hands was loose enough for him to take it off. When he said to the other detainees that he could get loose, some encouraged him to leave, saying God had freed him so he could go and tell their story.²¹¹ Others were afraid that if he were to escape, they would all be killed. Some asked **Martin Kyere** to tell their family what had happened to them. He then jumped from the pick-up and ran for his life. **Solo Bojang** ran after him, and tried shooting him.²¹² Both **Malick Jatta** and **Lamin Sillah** claim that they saw **Martin Kyere** run away, but let him escape.²¹³

201 TRRC, Lamin Sillah TRRC Pt2 22-03-21.

202 Martin Kyere only referred to their “leader” as he did not know the names of the perpetrators. Omar Jallow, Alieu Jeng and Lamin SILLAH stated that Solo Bojang was the senior officer and the one in charge. TRRC, Martin Kyere TRRC Pt3 01.03.21; TRRC, Testimony of Day 70 Omar A Jallow Part 1 23.07.19; TRRC, Testimony of Alieu Jeng Day 76 Pt3 08.08.19; TRRC, Lamin Sillah TRRC Pt2 22-03-21.

203 Testimony of Martin Kyere TRRC Pt3 01.03.21.

204 Testimony of Martin Kyere TRRC Pt3 01.03.21; TRRC, Lamin Sillah TRRC Pt2 22-03-21.

205 Testimony of Martin Kyere TRRC Pt3 01.03.21.

206 Testimony of Martin Kyere TRRC Pt3 01.03.21.

207 Testimony of Lamin Sillah TRRC Pt2 22-03-21.

208 Testimony of Lamin Sillah TRRC Pt2 22-03-21. The mini stadium, constructed under Jammeh, is where festivals were usually held during his presidency. In his testimony, Malick Jatta however said that the migrants were killed over the border in Casamance, Senegalese but it is unclear whether he refers to the first or the second group of migrants.

209 Testimony of Lamin Sillah TRRC Pt2 22-03-21, 0h20.

210 Testimony of Martin Kyere TRRC Pt3 01.03.21.

211 Testimony of Martin Kyere TRRC Pt3 01.03.21, 2h17.

212 Testimony of, Lamin Sillah TRRC Pt2 22-03-21; Testimony of Martin Kyere TRRC Pt3 01.03.21. Martin Kyere testified that he heard gunshots. Lamin Sillah has a slightly different version of Martin Kyere’s escape. He claims that Martin Kyere escaped when they had arrived at their location and that it was made possible because Solo BOJANG untied the victims. TRRC, TRRC Malick Jatta Day 70 Pt2 23.07.19.

213 Testimony of Malick Jatta Day 70 Pt2 23.07.19; Testimony of Lamin Sillah TRRC Pt2 22-03-21. Lamin Sillah also said that Martin KYERE did not jump from the pick-up when it was moving but rather escaped when they had arrived.

103. The rest of the group was taken out of the car when they arrived at the bush near a well. **Solo Bojang** shot one victim and pushed him into the well. As the victim was crying in the well, **Malick Jatta** took a grenade and threw it into the well to kill the victim.²¹⁴ All the other victims were shot and thrown into the well by **Sanna Manjang, Solo Bojang,**²¹⁵ and **Malick Jatta.**²¹⁶ **Malick Jatta** alleges that **Solo Bojang** forced him to shoot one victim, and that he then retreated to his vehicle because he was traumatized.²¹⁷
104. **Martin Kyere**, while hiding in the bushes, heard the victims scream: “*God save us, God save us*”. He later saw the pick-up return empty, and knew that the other detainees had been killed. **Martin Kyere** stayed in the forest for four days, too afraid to leave and be captured again. On the fourth day, he met farmers from **Boukiling** in Casamance, who spoke French, gave him some food and took him to the police who helped him reach Dakar, Senegal.²¹⁸
105. **Lamin Sillah** testified that during the killings, **Yahya Jammeh** was partying, and that the music could be heard from the mini stadium.²¹⁹ It is, therefore, the considered view of the Commission that that the mini stadium where the victims were killed was not very far away from former **President Yahya A.J.J. Jammeh**’s residence, and that he must have heard the gunshots.
106. A second mission carrying migrants took place, apparently on the next day. Junglers **Omar Jallow (Oya), Solo Bojang, Sanna Manjang, Alieu Jeng** and **Malick Jatta** travelled by car to Banjul where they picked up twenty – thirty (20-30) victims. **Omar Jallow (Oya)** said they were 30 (thirty), while **Lamin Sillah** claimed they were 20 (twenty). **Alieu Jeng** seemed unsure, but said that if **Omar Jallow (Oya)** remembered 30 (thirty) he too would say 30 (thirty) had been picked up.²²⁰ **Omar Jallow (Oya)**, said he heard that a second group, composed of **Sarjo Jarju, Bai Lowe, Sulayman Sambou, Kawsu Camara,** and **Landing Tamba**, also picked up some migrants. The two convoys went towards Kanilai.²²¹ According to **Lamin Sillah**, they went to **Bunuborr in Gambia**, while **Omar Jallow (Oya)** and **Malick Jatta**²²² believe they went into **Casamance, in Senegal.**²²³
107. **Omar Jallow (Oya)** testified that: “*When we arrived at the ground, Solo Bojang said these people are mercenaries. The orders from the Head of State (the former President, Yahya Jamme) is that they are all to be executed.*”²²⁴
108. The victims were made to sit on the ground. **Omar Jallow (Oya)** and **Alieu Jeng** would take the victims and bring them to the firing ground, where **Sanna Manjang** and **Malick Jatta** would shoot them and throw them in a well.²²⁵ **Omar Jallow (Oya)** testified that: “*When we*

214 Testimony of, Lamin Sillah TRRC Pt2 22-03-21.

215 Testimony of, TRRC Malick Jatta Day 70 Pt2 23.07.19; Testimony of Lamin Sillah TRRC Pt3 22-03-21.

216 Testimony of Lamin Sillah TRRC Pt3 22-03-21.

217 Testimony of TRRC Malick Jatta Day 70 Pt2 23.07.19.

218 Testimony of Martin Kyere TRRC Pt3 01.03.21.

219 Testimony of, Lamin Sillah TRRC Pt2 22-03-21.

220 Testimony of TRRC Day 70 Omar A Jallow Part 1 23.07.19; Testimony of Lamin Sillah TRRC Pt2 22-03-21; Testimony of TRRC Alieu Jeng Day 76 Pt3 08.08.19.

221 Testimony of Omar A Jallow Day 70 O Part 1 23.07.19.

222 It is unclear whether he refers to the first or the second mission when he mentions Casamance.

223 Testimony of Malick Jatta Day 70 Pt2 23.07.19, TRRC, Testimony of Omar A. Jallow 70 Part 1 23.07.19.

224 Testimony of Omar A Jallow Day 70 Part 1 23.07.19, 0h39.

225 Testimony of Omar A Jallow Day 70 Part 1 23.07.19; TRRC, Testimony of Alieu Jeng Day 76 Pt3 08.08.19.

arrived at this place, **Solo Bojang** stopped, and we all came down. **Sanna Manjang, Malick Jatta** were standing at a distance, where the well is. We will bring the person up to the well, they will fire at him and he will fall into the well”.²²⁶

109. When **Omar Jallow (Oya)** asked the victims if they were, indeed mercenaries, they answered that they were not, but rather were taking the “back way” to go to Europe.²²⁷ **Lamin Sillah** also noted that they did not look like mercenaries.²²⁸
110. One of the migrants gave a 100 euro note to **Omar Jallow (Oya)**, telling him he should not die with this money on him. **Sanna Manjang** then instructed **Omar Jallow (Oya)** to kill the victim. However, as the victim asked to say his last prayers, **Omar Jallow (Oya)** waited. While the victim was praying, **Sanna Manjang** shot him.²²⁹
111. According to **Lamin Sillah**, right after both massacres in Kanilai/Casamance, **Solo Bojang** went to the **Yahya Jammeh’s** compound to talk to him.²³⁰
112. **Yusupha Sanneh** told the Commission that **Michael Correa, Bora Colley, Sainey Jammeh, Buba Jallow, Bai Lowe** and **Sulayman Sambou** were present during the murders. He explained that **Malick Jatta** tied the eight victims together. **Bai Lowe, Buba Jallow, Lamin Sillah, Sulayman Sambou, Sainey Jammeh** and **Yusupha Sanneh** stayed in their vehicles. **Yusupha Sanneh** said he did not see the corpses being loaded back onto the pick-up before the convoy left again towards Kanilai. (It is unclear whether he is referring to the first or the second mission).²³¹
113. On May 21, 2021, the Commission went on a site visit to Bunubor Garden together with the Junglers **Malick Jatta** and **Omar Jallow (Oya)**, but they could not trace the location as the operation was done at night; and, due to vegetation growth. And, so that they could not recall because they drove deep into the forest before doing the burial, and that was their first time there.

THE JUNGLERS OPERATING UNDER FORMER PRESIDENT YAHYA A.J.J. JAMMEH

114. According to **Lamin Sillah**, he said that “we did not do anything that pleases us, we just had orders” and specified that the orders came “from **Tumbul Tamba**, and I think that **Tumbul** also had his orders from **Yahya Jammeh**”.²³²
115. When asked whether the **Junglers** would have operated outside the command of former **President Yahya A.J.J. Jammeh, Alieu Jeng** also said that “I don’t think so, because I don’t think **Solo Bojang** and others would have the audacity without having any authorization

226 Testimony of Omar A Jallow Day 70 Part 1 23.07.19, 0h39.
 227 Testimony of Omar A Jallow Day 70 Part 1 23.07.19.
 228 Testimony of, Lamin Sillah TRRC Pt3 22-03-21.
 229 Testimony of Omar A Jallow Day 70 Part 1 23.07.19.
 230 Testimony of Omar A Jallow Lamin Sillah TRRC Pt2 22-03-21, 1h25.
 231 Omar A Jallow **Yusupha Sanneh TRRC Day 97 Pt2 23.10.19**. The fact that he says that Omar Jallow was not there and that he heard grenades suggests that he refers to the first mission.
 232 TRRC, **Lamin Sillah TRRC Pt3 22-03-21, 0h07**.

from him (**Yahya Jammeh**)”.²³³ He further specified that “there was a chain of command”; and, that there was no one that was operating on their own orders; all of them were operating under the orders of **Yahya Jammeh**. “All the orders came from the top and they filter down. For me, since I was in the team, I don’t think that there has been anything which has not been the order of **Yahya Jammeh**”.²³⁴ He refuted the suggestion that the West African migrants were killed by rogue elements of the Gambian security forces.²³⁵

116. **Omar Jallow (Oya)** also testified that he believed **Yahya Jammeh** had ordered the killing of the migrants. He explained that his immediate commander, **Solo Bojang**, had told him so, and “I feel that if orders have to come, they will flow through the chain of command”.²³⁶ All these evidence goes to show that the Junglers were operating under the direct orders of the former **President, Yahya A.J.J.Jammeh**.

FAILURE TO INVESTIGATE THE MURDERS AND THREATENING INVESTIGATORS AND JUNGLERS

117. **Pa Amady Jallow**, who was in charge of the police investigation of the eight men whose bodies had been found at the bird reserve in Brufut, said he informed **Ousman Sonko** about the steps he was taking, but **Ousman Sonko** never seemed interested. He hung up on **Pa Amady Jallow** several times. When coming onto the scene of the crime, **Ousman Sonko** did not seem shocked nor affected by sight of the eight corpses.²³⁷
118. **Pa Amady Jallow** granted an interview to *The Daily Observer* in which he stated that the perpetrators would be held accountable.²³⁸ According to **Pa Amady Jallow**, this made him *persona non grata*. He was later transferred from the police Crime office to the Motor Traffic office by **Ousman Sonko**, and was moved from the Police headquarters to Kairaba Police Station. During his time at Kairaba, no investigation on the massacre took place. Instead, there was a grand cover-up and the police diaries were altered.
119. When **Pa Amady Jallow** was abroad, a friend warned him that **Nfansu Nyabally**, a Jungler, had been assigned to kill him once he returned to the country. Other police officers, including **Babucarr Bah** and **Biran Mbye**, said they were threatened by **Ousman Sonko** and **N’fally Jabang** respectively, not to talk about the altering of the police diaries.²³⁹ **Yusupha Sanneh**, a Jungler, stated that **Tumbul Tamba** threatened the Junglers not to discuss the massacres.²⁴⁰
120. **Baboucarr Jatta**, the Minister of Interior at the time, instructed the **IGP, Ousman Sonko**, to investigate, but he never received a report on the matter.²⁴¹ **Baboucarr Jatta** in his testimony to the Commission said that: “I suspected the **IGP Ousman Sonko**.”²⁴²

233 Testimony of **TRRC Alieu Jeng Day 77 Pt4 19.08.19, 0h31**.
 234 Testimony of **TRRC Alieu Jeng Day 77 Pt4 19.08.19, 0h33**.
 235 Testimony of **TRRC Alieu Jeng Day 77 Pt4 19.08.19, 0h36**.
 236 Testimony of **TRRC Omar A Jallow Day 70 Part 1 23.07.19, 0h50**.
 237 Testimony of **Pa Amady Jallow TRRC Pt2 01.03.21**.
 238 8 found dead in Brufut, Daily Observer, July 25th, Vol12, No.183
 239 Testimony of **Babucarr Bah TRRC Pt2 04.03.21; TRRC, Biran Mbye TRRC Pt2 24.03.21**.
 240 Testimony of **Yusupha Sanneh TRRC Day 97 Pt2 23.10.19**.
 241 Testimony of **Baboucarr Jatta TRRC 03.03.21**.
 242 Testimony of **Baboucarr Jatta TRRC Pt2 03.03.21, 0h13**.

“The IGP was directly under me, but I could not control the IGP because he is answerable to the President.”²⁴³

IMPEDING INVESTIGATION BY THE GHANAIS

121. As a result of a leak by a woman named **Mama Jay**²⁴⁴ to the Ghanaian embassy, the Ghanaian government learned that, in addition to the eight corpses already discovered and presumed to be Ghanaians, five other Ghanaians were still in custody at the Police Intervention Unit.²⁴⁵ The Ghanaian Foreign Affairs Minister at the time, **Nana Akufo-Addo**, who had come to Gambia in August 2005 to investigate the killings, managed to secure the release of three of them: **Nana Ekow Ebo** (“Tarzan”), **Kweku Atta Panyin Dasi** and **Kweku Appiah Kumi**. Those three had managed to escape from the Banjul seaport, but were later handed to the police again in Serrekunda.²⁴⁶
122. As for the two other Ghanaians, the Ghanaian Minister of Foreign Affairs, **Nana Akufo-Addo**, wrote to his Gambian counterpart that: “The records at Brufut Police Intervention Unit showed that the two Ghanaians were escorted to the Police Headquarters by police escorts on July 24 2005. When we demanded to visit the headquarters to check whether any entries were made to that effect, he stated that no such entries were made. A curious departure from normal police practice. He also indicated that a statement taken from the two Ghanaians were with the Head of Interpol Unit in Banjul who was on trek with the then IGP. The police commander, however, indicated that there were no records of the said Ghanaians being brought in and freed. According to the commander, he interviewed the two Ghanaians on the same day, found that they were innocent and released them. He could not answer the question as to why he did not release them to the Ghanaian community or to the first officer who brought them. Thus, *three of the five individuals who were sent to the police have been identified alive. The other two the police claim to have released, have vanished into thin air and no one in the Ghanaian community has made contact with them since their supposed release.*”²⁴⁷

“COOKED-UP” PANEL INVESTIGATION

123. Towards the end of 2005, the Gambia government created a panel to investigate the eight corpses found in Brufut, and the claims made by **Martin Kyere** that the State was involved in the massacre. The panel was led by **Malamin Ceesay**, the Officer Commanding Major Crimes, and included late **Sergeant Ndure** and **Sergeant Ansumana Njie**, an NIA agent. The panel reported that:

²⁴³ Testimony of Baboucarr Jatta TRRC Pt2 03.03.21, 1h10.

²⁴⁴ It is unclear who Mama JAY is. Biran Mbye explained that after being asked to hand in the police diary to the panel, he was summoned to Kairaba police station where he was threatened not to talk about it. He said he was with his personnel Alassane JALLOW. He explained that a woman would visit Alassane JALLOW from Senegal. The Lead Counsel Essa FAAL asked if this woman was Mama JAY and then explained to the Commission that she was the person who had leaked the information about the detained migrants to the Ghanaian authorities.

²⁴⁵ Testimony of Omar Saidkhan TRRC Pt3 23.03.21, Testimony of Biran Mbye TRRC Pt2 24.03.21; Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.

²⁴⁶ Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.

²⁴⁷ Essa FAAL read out the letter during Ismaila JAGNE’s testimony Testimony of Ismaila Jagne TRRC Pt1 10.03.2021.

- a. “The eight African bodies were discovered at Brufut. However, the panel could not link the bodies to any specific nationality as there was no identification documents found on them. Nor did members of the public identify them, even though opportunity had been given for possible identification.
- b. Although it is obvious that a canoe from Northern Senegal could not reach the shores of Banjul without passing through waters of Barra, however there was no evidence to sustain **Martin Kyere’s** claim that arrest and detention were made at Barra. If this is so, the persons who were detained at various police stations i.e **Bundung, Banjul, PIU** and **Kairaba** would have mentioned it in their statement.
- c. The investigation considers **Martin Kyere’s** claim, particularly his reference to the military man dressed in bizarre manner and wearing a traditional cap, as an imaginary thought or illusion that every sane or objective person will see as fabrication. It is prudent to note that the Gambian government managed a well-disciplined security force where improper dress is not tolerated. To say that a military man was wearing a traditional cap with cow horns on them is unfounded.
- d. Although the discovery of the eight African bodies at Brufut was almost at the same period with the arrival of a group of people who anchored with a canoe in Banjul, there is no evidence that the bodies discovered were part of the same group.
- e. The panel considers **Martin Kyere’s** claim [...] that 10 (ten) people were taken to Colobane police as unfounded. Colobane police did not exist in The Gambia. However, the panel is aware of a certain Colobane which is in one of the major districts of the Senegalese capital in Dakar.
- f. The panel upon critical scrutiny of **Martin Kyere’s** statement doubts as to whether he could walk from **Banjul** to **Boukiling** in Casamance, Southern region of Senegal.
- g. The investigation relative to persons detained at various police stations revealed that they did not enter The Gambia through the official recognized entry points and at the time of their entry, they had no intention to make their presence known to the Gambian authorities.
- h. The investigation could not link nine people detained in various stations to the eight dead bodies found at Brufut. All persons detained were subsequently released in the following circumstances: those detained at Bundung were released on humanitarian ground upon consultation with the Foreign Affairs Minister of Ghana; those detained at the PIU were released on the orders of former Director General of NIA, **Daba Marena**; three out of those detained at Banjul were released after due course process whilst the others, **Lamin Tunkara**, was released as a result of lack of evidence.”²⁴⁸

124. **Malamin Ceesay** told the TRRC that with the benefit of hindsight and what he had learned at the TRRC, the information provided by the panel was not true.

²⁴⁸ Testimony of **Malamin Ceesay** TRRC Pt3 08.03.2021.

125. Concerning point c, the perpetrator being dressed in a bizarre manner, **Ebrima Drammeh**, the Director for Internal Security and Operations of the NIA, admitted that “*With regards to a gentleman dressed in a very funny way, that was alleged to be holding a machete, wearing very big trousers, what we call a chaya and jujus; at that time, all that description fit somebody and it happens to be Kawsu Camara, Bombardier*”.²⁴⁹ The panel was, therefore, aware that **Martin Kyere’s** claim was, in fact, founded and referred to **Kawsu Camara (Bombardier)**.
126. In a letter dated December 2, 2005, **Lamin Kaba Bajo**, who later became the Gambian Minister of Foreign Affairs, wrote to the Ghanaian Minister of Foreign Affairs, **Nana Akuffo-Addo**, that “*following the preliminary investigations, it came to light that the group had fallen victim of unscrupulous human traffickers who had taken money from them with the promise of arranging for their transfer to Europe. In light of the long-standing fraternal relations between the two sister republics, the group was cautioned and released on humanitarian grounds.*”²⁵⁰ This letter used exactly the same wording²⁵¹ as the findings in the report by the investigative panel. **Lamin Kaba Bajo** stated that he was not aware that this was a cover up, and explained that he did not write the letter himself, but rather just signed a letter prepared by others.²⁵²
127. When **Lamin Kaba Bajo** was asked: “*Would such blatant cover up have taken place without the consent and direction of Yahya Jammeh?*” He answered that it was: “*Impossible, no way, no one would try*”.²⁵³ **Lamin Kaba Bajo** also admitted calling the story of the sole massacre survivor, **Martin Kyere**, a “fabrication”; and, that saying that the migrants had probably “escaped to Senegal” was a “**cock and bull story**”.²⁵⁴

THE FIRST TAMPERING OF THE POLICE DIARIES

128. In December 2005, **Babucarr Bah** told the Commission, he was summoned and ordered by the then Inspector General of Police, **Ousman Sonko**, to rewrite the **July Barra Police Diary** into a new police diary, without mentioning any activity relating to the migrants. **Ousman Sonko** then called **Babucarr Bah’s** superior, **Abraham Jawara Demba**, and reiterated his order.²⁵⁵ In Barra, all the lead commanders transcribed the diary without any mention of the migrants.²⁵⁶ Each commander had to participate so that their signatures would be authentic.²⁵⁷ According to **Babucarr Bah**, the old diary was given to **Ousman Sonko**.²⁵⁸

249 Testimony of **Ebrima Drammeh** TRRC Pt1 23.03.21, 0h51.
 250 Testimony of **Lamin Kaba Bajo** TRRC 11-03-21.
 251 **Essa FAAL**, the Lead Counsel, gave the example of an extract of the letter which resembled the report’s finding on **Martin Kyere’s** claim about a man dressed in bizarre manner.
 252 Testimony of **Lamin Kaba Bajo** TRRC 11-03-21.
 253 Testimony of **Lamin Kaba Bajo** TRRC 11-03-21, 1h05.
 254 Testimony of **Lamin Kaba Bajo** TRRC 11-03-21.
 255 Testimony of **Babucarr Bah** TRRC Pt2 04.03.21.
 256 Testimony of **Babucarr Bah** TRRC Pt2 04.03.21; TRRC, **Abraham Jawara Demba** TRRC Pt3 04.03.2.
 257 Testimony of **Abraham Jawara Demba** TRRC Pt3 04.03.2.
 258 Testimony of **Babucarr Bah** TRRC Pt2 04.03.21.

129. The list of 51 (fifty one) names that **Babucarr Bah** kept²⁵⁹ got burnt in a fire in 2007. According to TRRC Lead Counsel, **Essa Faal**, the same list that **Babucarr Bah** copied for **Abdoulaye Danso**, an immigration officer,²⁶⁰ was then probably given to **Gibril Ngorr Secka** when the victims were picked up by the NIA, as he is the one who produced it to the TRRC.²⁶¹
130. **Lamin Cham**, a police man posted to Banjul Police Headquarters, kept his station’s diary and submitted it to the TRRC. He kept it for his own security, but also to preserve the diary as the Government was covering up all traces that the victims had been at the police stations. **Lamin Cham** explained that some officers went to several stations, including **Farato, Barra, and Brusubi** to tamper with the diaries. He then saw diaries being kept in **LS Sanyang’s** office at the police headquarters.²⁶² **Baboucarr Jatta**, former Minister of Interior, and **Biran Mbye**, a police officer, confirmed that the police diaries had been tampered with.²⁶³
131. Further diaries were modified by the task force in charge of helping the UN-ECOWAS fact-finding mission.²⁶⁴

IMPEDING THE JOINT INVESTIGATION BY THE UN-ECOWAS MISSION

132. In 2008, the United Nations and the Economic Community of West African States (ECOWAS) sent a fact-finding mission to The Gambia to investigate the case. A task force was created to help the UN-ECOWAS Mission. This task force was composed of:
- a. Yankuba Sonko, Crime Management Coordinator
 - b. Ebrima Jim Drammeh, Director for Internal Security and Operations of the NIA
 - c. Malamin Ceesay, Officer Commanding Major Crime
 - d. Lamin BO Baaji, Director General of the NIA
 - e. Ensa Badjie (Jesus), Inspector General of Police
 - f. Numo Kujabi, Officer Commanding Interpol
 - g. Aziz Hydera, Head of the Investigation Unit of the NIA
 - h. N’fally Jabang, Head of the State House Military Intelligence²⁶⁵
 - i. Hawa Bah, State Counsel, Ministry of Justice (she was part of the panel, but never joined any meeting).²⁶⁶

259 See before para. 5.
 260 Testimony of **Babucarr Bah** TRRC Pt2 04.03.21.
 261 Exhibit 200. TRRC, **Gibril Ngorr M. T Secka** TRRC Pt3 25.02.21
 262 Testimony of **Lamin Cham** TRRC Pt1 04.03.31.
 263 Testimony of **Biran Mbye** TRRC Pt2 24.03.21; TRRC, **Baboucarr Jatta** TRRC Pt2 03.03.21.
 264 See below paras 61-63.
 265 Testimony of **Ebrima Drammeh** TRRC Pt1 23.03.21; TRRC, **Aziz Hydera** TRRC Pt1 24.03.21
 266 Testimony of **Ebrima Drammeh** TRRC Pt1 23.03.21.

133. During their first meeting, **Ousman Sonko**, who had become Minister of Interior by then, was also present. Officially, the task force was mandated to provide any document, any information, and/or any witness that the UN-ECOWAS Mission would ask for.²⁶⁷
134. However, **Aziz Hydara** explained that he later understood that the task force was to cover up the crimes. The task force meetings would be at Kairaba Police Station or the Police Headquarters, outside office hours.²⁶⁸ According to **Aziz Hydara** and **Biran Mbye**, before the UN-ECOWAS Mission arrived, the task force supervised the rewriting of the police diaries of Kairaba, Bundung and the Police Intervention Unit.²⁶⁹ The rewriting was done by police officers and task force members. Everything related to the migrants was removed.²⁷⁰ All the police diaries were handed to the UN-ECOWAS Mission, but there was no mention of the victims in it.²⁷¹
135. **Assan Sarr**, the former CDS, stated that he was told by then Police chief, **Ensa Badjie (Jesus)**, in the presence of **Yankuba Sonko**, not to “jeopardize or tarnish the image of this country ... And in the event they [the UN ECOWAS fact-finding Mission] call us, we should be mindful of what we say or do”.²⁷²
136. **Babucarr Bah** alleged that **Yankuba Sonko** told him that “these UN people [the UN ECOWAS Mission] are coming here, so make sure if you are called you don’t say anything. When they were here, we took them to bars, gave them alcohol and women and then they left. But this is our country; in case they come back don’t talk to them”.²⁷³ **Yankuba Sonko** denies this.²⁷⁴
137. **Ousman Sonko** later congratulated the task force, when the UN-ECOWAS report exonerated The Gambia. For **Aziz Hydara**, they were being congratulated for having successfully covered up the truth. He also stated that **Ousman Sonko** said he would talk to **Yahya Jammeh**, so the task force could be compensated for its work; but **Aziz Hydara** said he did not know if such compensation was given. **Ensa Badjie (Jesus)** said that the task force should be loyal to its country and, therefore, keep everything a secret.²⁷⁵
138. When **Lamin Sise**, the Chair of the TRRC, asked **Babucarr Jatta**, the former Minister of Interior, to confirm that: (1) “the State of The Gambia sanctioned the extra-judicial killing of the West African migrants by agents of the State from State House on the instruction from the President of the Republic, **Yahya Jammeh**”, and (2) “the State of The Gambia established and orchestrated an elaborate scheme to cover up the crime with the active participation of senior officials, from the security sector”, **Babucarr Jatta** answered: “Yes” twice.²⁷⁶ He further stated that “the mere fact that the matter was not investigated, the fact that we all suspected that it came from the State House, we have the fear that this was orchestrated by the Junglers.”²⁷⁷

267 Testimony of **Yankuba Sonko** TRRC Pt2 09.03.2021; TRRC, **Ebrima Drammeh** TRRC Pt1 23.03.21.

268 Testimony of **Aziz Hydara** TRRC Pt1 24.03.21; TRRC, **Ebrima Drammeh** TRRC Pt1 23.03.21.

269 Testimony of **Aziz Hydara** TRRC Pt1 24.03.21; TRRC, **Biran Mbye** TRRC Pt2 24.03.21.

270 Testimony of **Aziz Hydara** TRRC Pt1 24.03.21.

271 Testimony of **Yankuba Sonko** TRRC Pt2 09.03.2021; TRRC, **Aziz Hydara** TRRC Pt1 24.03.21

272 Testimony of **Assan Sarr**

273 Testimony of **Babucarr Bah** TRRC Pt2 04.03.21, 1h55.

274 Testimony of **Yankuba Sonko** TRRC Pt3 09.03.2021.

275 Testimony of **Aziz Hydara** TRRC Pt1 24.03.21, 1h04.

276 Testimony of **Babucarr Jatta** TRRC Pt2 03.03.21, 1h21, 1h24.

277 Testimony of **Babucarr Jatta** TRRC Pt2 03.03.21, 1h22.

139. List of Disappeared West African Migrants provided by **Gibril Ngorr Secka**²⁷⁸

1. Kossi Odro ODZEYI (Togo)
2. Loka ESPERANT (Togo)
3. Suleiman ABDULAI (Ghana)
4. Bright ANTWI (Ghana)
5. Kweku AGYEIKUM (Ghana)
6. Kassim Abara AMADOU (Ghana)
7. Benjamin KWABENA FOSU (Ghana)
8. Eric NKETIA (Ghana)
9. Kwadjo AMPADU (Ghana)
10. Richard BOAKYE (Ghana)
11. Edmund KUMI (Ghana)
12. Peter ASARE (Ghana)
13. Kwadwo ANTWI (Ghana)
14. Peter MENSAH (Ghana)
15. Emmanuel NARTEY (Ghana)
16. Yaw KYERE (Ghana)
17. Hassan TI ISAAC (Ghana)
18. Michael KORANTENG (Ghana)
19. Michael TAWIAH (Ghana)
20. Peter AKYINA (Ghana)
21. John AKUFO (also called John KASSIN, John KWEKU)²⁷⁹ (Ghana)
22. Nelson FRIMPONG (Ghana)
23. Fati CHEIT (Ghana)
24. George AGYA AMO (Ghana)
25. Haruna MUSA (Ghana)
26. Muhamad BAYO (Ghana)
27. Johnson AGYEI (Ghana)
28. Joseph MENSAH (Ghana)
29. Juju MENDS (Ghana)
30. Richmond BOADI (Ghana)
31. Daniel BAYE (Ghana)
32. Samuel SOLOMON (Sierra Leone)
33. Hassan CONTE (Sierra Leone)
34. Adeya KOFI (Ivory Coast)
35. Juliana MAKU (Ghana)
36. Yaw MENDS (Ghana)
37. Paul AWUAH (Ghana)

278 A list was given to the TRRC by Ngorr SECKA with 51 names. During Martin KYERE’s testimony (TRRC, **Martin Kyere** TRRC Pt3 01.03.21) the Lead Counsel read the list again and asked Martin KYERE to spell out some names which were misspelled and help with the identification of the victims by saying whether he knew the person or not. The Lead Counsel then added the last 5 names to this list (52-56) as Martin KYERE had mentioned they were also part of the group of migrants which arrived in Gambia. TRRC, **Gibril Ngorr M. T Secka** TRRC Pt3 25.02.21; TRRC, **Martin Kyere** TRRC Pt3 01.03.21.

279 During Martin KYERE’s testimony, the Lead Counsel Essa FAAL found that John KASSIN was probably John AKUFO. During Ismaila JAGNE’s testimony, Essa FAAL said that John KWEKU was John KASSIN on their list. TRRC, **Martin Kyere** TRRC Pt3 01.03.21; Testimony of **Ismaila Jagne** TRRC Pt1 10.03.2021.

38. David GIBSON (Liberia)
39. Mamadou KORKA DIALLO (Senegal)
40. Kweku AMANFO (Ghana)
41. Jeannette TANO (Ivory Coast)
42. John Amase (Nigeria)
43. Ismaila Lakhouné (Senegal)
44. Yawovi AGBOBO (Togo)
45. James OKYERE (Ghana)
46. Edrissa TOURAY (Sierra Leone)
47. Manila ALFA (Ghana)
48. Isaac AMO (Ghana)
49. Daniel AMANKWAH (Ghana)

140. It is noteworthy to mention that the TRRC received evidence that there were **nine (9) Nigerians** who were also part of the team of West African Migrants; however, the fate and whereabouts of these people could not be established. It's been 17 (seventeen) years since they allegedly disappeared, and no one has heard of them ever since. By virtue of section 150 of the Evidence Act²⁸⁰ the Commission presumes that they are dead. In the light of the evidence presented, and given that they were with the other group, it can only be assumed that they disappeared just like the other 49 (forty-nine) West African migrants.

UNRESOLVED CASES

THE DISAPPEARANCE OF BUBAI SANYANG AND MOMODOU LAMIN NYASSI

41. In 2006, three people, including **Momodou Lamin Nyassi**, **Ndongo Mboob** and **Bubai Sanyang**, were arrested. According to **Modou Lamin Nyassi's** second wife, **Ida Badjie**, in 2006, her husband and the two of his friends namely **Ndongo Mboob** and **Bubai Sanyang** all natives of Bwiam, came to his compound on a Tuesday evening to chat. After praying Maghrib, he went to accompany them; and, immediately he stepped out of the compound, they were intercepted by unknown people who boarded them inside a car and drove them away. Before they departed, her son, **Ali Nyassi**, was informed by his father that they were going to the Sibanor police. According to her, they went to Sibanor Police Station, but were told that they did not see them there.²⁸¹

142. Although, none of the Junglers have mentioned the execution of **Bubai Sanyang** and **Momodou Lamin Nyassi**; however, since it was reported by family members that three of them were arrested together and, since then, almost 17 (seventeen) years ago, none of them were seen alive. They have since disappeared, and the government knew of their disappearance and did not investigate. Thus, it will be presumed that **Bubai Sanyang** and **Momodou Lamin Nyassi** are dead by virtue of section 150 of the Evidence Act of The Gambia. The fact that one of them was mentioned by **Malick Jatta** as being executed by **Sanna Manjang**, and the fact that they had a stop at Bwiam and he saw people in civilian

280 Section 150 of Evidence Act of the Gambia 1994

281 Statement Ida Badjie, the Second Wife of Momodou Lamin Nyassi

clothes believed to be NIA (who also arrested the three people) handing over some people to **Sanna Manjang**, it is safe to presume that the persons handed over included **Ndongo Mboob**, **Bubai Sanyang** and **Momodou Lamin Nyassi**. The government did not only fail to investigate these cases, but they also did not take steps to explain to the family members the fate or whereabouts of their loved ones. Neither the government nor the Junglers came forward to give information regarding the whereabouts of these victims.

DISAPPEARANCE OF CHIEF EBRIMA MANNEH

143. On July 11, 2006, two NIA officers arrested **Chief Ebrima Manneh**, a reporter from *The Daily Observer*, at the paper's offices outside of Banjul. Manneh was arrested after attempting to republish a BBC report criticising former President **Yahya A.J.J. Jammeh**. Co-workers witnessed his arrest. In July 2007, **Chief Ebrima Manneh** was reportedly seen at the Royal Victoria Teaching Hospital where he was treated for high blood pressure.²⁸² Reports indicated that **Manneh** was killed by the Junglers and his body was dumped in a well near Kanilai, while other reports suggest that he was buried at a pit behind the **Sare Ngai Police Station**.²⁸³

144. **Bai Lowe**, one of the Junglers, in his statement to the TRRC explained that **Chief Manneh** was killed with hammers and machetes. The perpetrators covered his head with a plastic bag, tied his hands behind his back and sat him down with his legs stretched out. When **Chief Ebrima Manneh** was dead, they threw his body in the well at Kanilai.²⁸⁴ **Bai Lowe** added that **Chief Ebrima Manneh** was killed on the same day as **Daba Marenah**, **Ebou Lowe**, **Aliou Ceesay**, **Alpha Bah** and **Malafi Corr**.²⁸⁵ On February 21, 2007, the government published a press release denying any involvement in Manneh's arrest and subsequent disappearance. In June 2008, the ECOWAS Court of Justice ordered the Government of The Gambia to release **Chief Ebrima Manneh** and to pay him compensation for his unlawful detention. In March 2011, the former President, **Yahya A.J.J. Jammeh**, made a statement that **Chief Ebrima Manneh** was dead, but denied any involvement of the government. The Commission made efforts to examine detention diaries of police stations where he was said to have been detained; and also spoke to some of the officers who saw him, but the Commission could not establish his whereabouts. The government did not investigate the said incident and neither were family members informed about his whereabouts.

DISAPPEARANCE OF KANYI BA KANYI

145. **Kanyi Ba Kanyi**, an employee of the Christian Children's Fund, was arrested by the local police on September 18, 2006 and taken to several locations ending up at the Banjul Police Station. **Kanyi Ba's** brother, **Wandifa Kanyi**, told the Commission that **Kanyi Ba Kanyi** was arrested in September 2006, between 9 and 10 pm by a police officer driving a car without a license number plate. The officer asked for **Kanyi Ba Kanyi** and told **Wandifa** that his brother was under arrest for "questioning about money". His family later went to Mandinaba Police Station, but they were told that he was not detained there.²⁸⁶ *The*

282 Amnesty International, *Gambia: Fear Rules*, November 2008, p. 16.

283 The Fatu Network, Interview with Bai Lowe (Jungler) by Fatu Camara and Mama Linguere Sarr.

284 Ibid

285 Freedom Radio, Interview with Bai LOWE (Jungler) by Pa Nderry M'bai, 24 February 2013.

286 The Point, « Intelligence service under pressure over enforced disappearances », 24 October 2018.

The article is available here: <http://thepoint.gm/africa/gambia/article/>

government then denied that **Kanyi Ba** was in custody.²⁸⁷ However, he was seen at the Royal Victoria Teaching Hospital on March 14, 2008 under the escort of wardens from State Central Prison Mile II. He appeared weak.²⁸⁸ In 2008, **Kanyi Ba's** fate remained unknown and the government continued to deny knowledge of his whereabouts.²⁸⁹

146. **Kanyi Ba Kanyi's** wife, **Isatou Kanyi**, went to the State Central Prison Mile II to look for her husband. She was unable to find him.²⁹⁰ During the course of investigation, the Commission was able to establish that **Kanyi Ba** was last seen at the State Central Prison Mile II 2 by some of the inmates and, since then, no one heard of him. The Commission could not establish his fate or whereabouts. Neither did the government investigate his disappearance nor was the family informed, at any point in time, his fate or whereabouts.

DISAPPEARANCE OF CEESAY BUJILING

147. **Ceesay Bujiling** was killed in 2009 by the **Junglers** around his native village of Bujiling, where he worked as a watchman at a school.²⁹¹ According to President Jammeh's one-time orderly, **Saihou Jallow**, during his testimony at the public hearing of the TRRC, he testified that the former **President, Yahya A.J.J. Jammeh**, told to him that **Ceesay Bujiling** was executed because he was about to be crowned King of Witches and Wizards in Foni. **Saihou Jallow** said he heard about the death of **Ceesay Bujiling**, and the body was found between **Kanilai** and **Nyeffi**.²⁹² When he enquired, it was confirmed to him that the **Junglers** were at **Kanilai** at the time under the leadership of **Nuha Badjie**. He said he asked **Nuha** as to who was responsible for the death of **Ceesay Bujiling**, but **Nuha** was not forthcoming with information; and, so he decided to confront "*Yaya Jammeh about it,*" and *Yaya Jammeh told him that "Ceesay was killed because he does not want him to be the head of the witches and wizards in Foni."* According to him, **Jammeh** told him that for him to attain this important position, he had to sacrifice an important person. And, the former **President, Yahya A.J.J. Jammeh**, believed that he was the target. Thus, before **Ceesay Bujiling** eliminated him (**President Jammeh**) he would eliminate him (**Ceesay**) first.
148. According to **Saikou Jallow**, he heard that **Jammeh** had to ensure that **Ceesay** was buried by maintaining a phone call with **Solo Bojang**.²⁹³ There was no investigation into the death of **Ceesay Bujiling** nor where family members told about his fate or whereabouts.²⁹⁴

intelligence-service-under-pressure-over-enforced-disappearances (last time accessed on 16.11.2018).

287 Amnesty International, *Gambia: Fear Rules*, November 2008, p. 18.

288 US Department of State, 2008 Country Reports on Human Rights Practices - The Gambia, 25 February 2009, p. 2.

289 Amnesty International, *Amnesty International Report 2009 – The State of The World's Human Rights*, 28 May 2009, p. 150.

290 The Point, « Intelligence service under pressure over enforced disappearances », 24 October 2018. The article is available here: <http://thepoint.gm/africa/gambia/article/intelligence-service-under-pressure-over-enforced-disappearances> (last time accessed on 16.11.2018).

291 Pa Nderry M'bai, *The Gambia, The Untold Dictator Yahya Jammeh's Story*, November 2012, p. 13-14

292 Testimony of **Saihou Jallow**, Part 2, 1:40-43, 27-05-02-921

293 Ibid

294 Testimony of **Saikou Jallow**, TRRC, 27 May, Part 2, 1:40: 1:48:40

D. CONCLUSION

149. Multiple testimonies of witnesses before the TRRC confirm that enforced disappearances were done under the direct orders and control of **Yahya Jammeh**²⁹⁵ and in the execution of his orders. For instance:

Edward Singhatey said that **Jammeh** told them not to take any prisoners, leading to the execution of the November 11 military officers.

Omar Jallow (Oya) said it was **Yahya A.J.J. Jammeh** who directly ordered the murder of **Haruna Jammeh**²⁹⁶, **Baba Jobe**²⁹⁷, **Mamut Ceesay** and **Ebou Jobe**²⁹⁸, **Sulayman Ndow** and **Mahawa Cham**²⁹⁹ as well as **Tumani Jallow** and **Abdoulaye Gaye**.³⁰⁰

Malick Jatta further stated that **Yahya A.J.J. Jammeh** ordered the killing of the newspaper editor **Deyda Hydara**.³⁰¹ **Alieu Jeng** maintained that *all* the killings he was involved in were ordered by **Yahya A.J.J. Jammeh**.³⁰²

Saikou Jallow told the Commission that **Yahya A.J.J. Jammeh** told him about the killing of **Almamo Manneh**³⁰³, and confided in him that he regretted the killing of **Haruna Jammeh**, **Masi Jammeh** and **Jasaja Jammeh**³⁰⁴. He also told him that he ordered the killing of **Ceesay Bujiling**, because he wanted to be head of the witches and wizards and he (**Ceesay**) had targeted him **Jammeh**³⁰⁵.

150. The evidence disclosed that all the cases of disappearances usually involved arrests or abductions by security officers or State agents followed by detentions and executions. In all these cases of disappearance, the government did not take effective steps to investigate and, in some cases, efforts were made to conceal the fate or whereabouts of victims. This is evident in the choice of places where the bodies were buried, including in the farms and gardens belonging to **Yahya Jammeh**, military barracks and forests.

295 See for example **Ismaila Jammeh**, who confirmed **Yahya Jammeh's** involvement in the selection process of the **Junglers** (TRRC Testimony **Ismaila Jammeh** Pt 1, 05 August 2019, minute 01:30:52 – 00:31:07); **Lamin Badjie**, who stated that **Yahya Jammeh** had the overall command over the activities of the **Junglers** (TRRC Testimony **Lamin Badjie** Pt 1, 06 August 2019, minute 00:53:14 – 00:55:40); **Pa Ousman Sanneh**, who describes the chain of command of the **Junglers** with **Yahya Jammeh** being on the top of this chain of command (TRRC Testimony **Pa Ousman Sanneh** Pt 1, 06 August 2019, minute 00:45:49 – 00:46:22); **Amadou Badjie**, who confirmed that the **Junglers** were a hit squad of **Yahya Jammeh**, that **Yahya Jammeh** was at the top of the chain of command of the **Junglers** and that all the **Junglers** were doing was for **Yahya Jammeh** (TRRC **Amadou Badjie** Pt 1, 25 July 2019, minute 01:04:55 – 01:09:34).

296 Testimony of **Omar A Jallow** Day 70 Part 1 23.07.19, minute 00:56:56 – 00:58:11. He was told "it was an executive order from **Yahya Jammeh**."

297 Testimony of **Omar A Jallow** Day 71 Part 3, 24.07.19, minute 00:44:23 – 00:47:15.

298 Testimony of **Omar A Jallow** Day 71 Part 2, 24.07.19, minute 00:40:43 – 00:57:10.

299 Testimony of **Omar A Jallow** Day 71 Part 3, 24.07.19, minute 01:09:45 – 01:13:33.

300 Testimony of, minute 00:23:00 – 00:29:23.

301 Testimony of **Malick Jatta** Day 70 Part 1 23.07.2019, minute 00:09:30 – 00:13:10.

302 Testimony of **Alieu Jeng** Day 77 Part 4, 19.08.2019, minute 00:32:08 – 00:32:19.

303 (603) TRRC SAIHOU JALLOW PT1 27.05.21 - YouTube 1:11:55-1:14:55/1:55:47 accessed 23.09.2021

304 (603) TRRC SAIHOU JALLOW PT1 27.05.21 - YouTube 1:29:00-1:41:12/1:55:47 accessed 23.09.2021

305 (603) TRRC SAIHOU JALLOW PT1 27.05.21 - YouTube 1:41:30-1:53:54/1:55:47 accessed 23.09.2021

E. FINDINGS

THE COMMISSION FINDS THAT:

1. Former President Yahya Jammeh caused the enforced disappearance of all those who were detained incommunicado, tortured and/or killed by the Junglers as detailed in the report.
2. Yahya Jammeh used enforced disappearance as a tool and an effective modus operandi to neutralize his critics and perceived enemies by putting them outside the reach of the law.
3. There is a need to further investigate the fate and/or whereabouts of missing persons. The Commission was able to establish the fate of all disappeared victims except for the following, Modou Lamin Nyassi, Buba (Bubai) Sanyang, Kanyiba Kanyi and Ebrima Manneh (Chief Manneh).
4. There is lack a of knowledge amongst the security forces and those working in the justice sector about the phenomenon of enforced disappearances and recognizing how it may be used by the state to silence critics and dissenters.
5. Yahya Jammeh used his personal properties as burial places for victims of extrajudicial killings to hide his crimes. However, the Commission was unable to discover any human remains in the farms it visited due to the lack of necessary equipment and technology.
6. The Commission received evidence suggesting that Yahya Jammeh had disappeared babies. However, the Commission was unable to fully investigate these allegations to establish the veracity of these claims.

F. RECOMMENDATIONS

Based on the evidence gathered the Commission makes the following recommendations:

1. Prosecute Yayha Jammeh and the Junglers for the unlawful disappearances and killing of the victims.
2. Set up a taskforce to inquire and investigate the fate and whereabouts of persons who remain missing and the whereabouts of those who have been found to be killed but their whereabouts still remain unknown and other persons who are missing but have not been reported to the Commission.
3. To provide training to security and justice sector personnel on the phenomenon of and the illegality of enforced disappearance.

4. The establishment of a taskforce comprising of seasoned investigators, medical personnel, social welfare officers and forensic experts and wildlife officers to investigate allegations of:
 - a. *Missing babies (the identities of these babies, circumstances of their disappearance and where they disappeared to and by whom)*
 - b. *The disposal of the bodies and whereabouts.*
 - c. *To investigate the crocodile ponds in Kanilai in order to determine whether babies and other human remains were disposed or dumped there.*

